

NORTH CAROLINA  
COUNTY OF \_\_\_\_\_

IN THE GENERAL COURT OF JUSTICE  
DISTRICT COURT DIVISION  
FILE NO. \_\_\_\_\_

\_\_\_\_\_,  
Plaintiff

v.

\_\_\_\_\_,  
Defendant

DISCOVERY AND  
SCHEDULING ORDER

1. AFFIDAVITS AND DISCOVERY.

The parties shall exchange affidavits in accordance with the provisions of N.C.G.S. 50-21. The parties shall otherwise respond to discovery requests within the time periods set in the Rules of Civil Procedure and shall comply with the Local Rules regarding the exchange of documents prior to the Mediated Settlement Conference.

2. COMPLIANCE WITH AFFIDAVITS AND DISCOVERY.

Upon motion of either party or upon the court's own initiative, the court shall impose an appropriate sanction on a party when the court finds that:

- A. The party has willfully obstructed or unreasonably delayed, or has attempted to obstruct or unreasonably delay, discovery proceedings, including failure to make discovery pursuant to G.S. 1A-1, Rule 37, or has willfully obstructed or unreasonably delayed or attempted to obstruct or unreasonably delay any pending equitable distribution proceeding, and
- B. The willful obstruction or unreasonable delay of the proceedings is or would be prejudicial to the interests of the opposing party.

3. MEDIATED SETTLEMENT CONFERENCE.

The parties and their counsel shall attend a mediated settlement conference or, if the parties agree, another settlement procedure conducted under the Rules for Settlement Procedures in District Court Family Financial Cases, adopted by the Supreme Court, unless excused by this Court under subsection D. of those Rules or by the court or mediator under Rule 4A.(2). The court shall dispense with the requirement to attend a

mediated settlement conference or other settlement procedure only for good cause shown. If the parties have not otherwise agreed upon a settlement procedure or selected a mediator and scheduled a mediated settlement conference prior to the Initial Pre-Trial Conference, the Court shall assign a mediator certified the Dispute Resolution Commission at the Initial Pre-Trial Conference.

Entered this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

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JUDGE