

NORTH CAROLINA
_____ COUNTY.

IN THE GENERAL COURT OF JUSTICE
DISTRICT COURT DIVISION
FILE NO.: _____

Plaintiff

Vs.

Defendant

EQUITABLE DISTRIBUTION
PRE-TRIAL ORDER

THIS MATTER COMING ON TO BE HEARD upon pre-trial conference before the undersigned Presiding Judge upon pleadings seeking a determination of marital property and an equitable distribution of such property as shall be determined to be marital.

AND IT APPEARING that the parties have reached an agreement on certain facts and on certain issues and have delineated the areas of agreement and disagreement.

AND IT FURTHER APPEARING that by their signatures affixed hereto, each party stipulates that he or she agrees with the facts and issues classified as agreed upon and stipulates that the facts and issues classified as being in dispute are accurately reflected and that there are no other issues to be determined by the Court.

AND IT FURTHER APPEARING that each party, by signing this Pre-Trial Order, warrants and avows that he or she has disclosed the existence of all property, both separate and marital, to which he or she may have claim at the date of valuation of marital property, regardless of to whom such property may be titled or in whom actual ownership may be designated. Said disclosure has been full and honest and is free from taint and fraud.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED and stipulated as follows:

1. The Court has jurisdiction over the parties and the subject matter of this action.
2. The Plaintiff and Defendant were married on _____.
3. The Plaintiff and Defendant are the parents of _____ children whose names and dates of birth are as follows:
4. The Plaintiff and Defendant separated on _____.
5. The date of valuation is _____.
6. An equal division is an equitable distribution. *(This statement should be omitted if not agreed upon).*
7. Schedule A is a list of marital property upon which there is agreement as to value and distribution
8. Schedule B is a list of marital property upon which there is agreement as to distribution but disagreement as to value.

9. Schedule C is a list of marital property upon which there is agreement as to value but disagreement as to distribution.
10. Schedule D is a list of marital property upon which there is disagreement as to value and distribution.
11. Schedule E is a list of items to which there is a disagreement as to whether the items is marital property.
12. Schedule F is a list of Plaintiff's Contentions for an Unequal Division.
13. Schedule G is a list of Defendant's Contentions for an Unequal Division.
14. Schedule H is a list of the Marital Debts of the parties.
15. Schedule I is a list of the property agreed to be separate property.
16. Schedule J is a List of Divisible Property and Divisible Debts of the parties.
17. Schedule K is a list of claims for credits/setoffs by the Plaintiff and Defendant.
18. Plaintiff and Defendant have added any additional schedules needed to state any other issues to be decided by the Court and they are labeled Schedules _____, _____, etc.
19. The parties shall submit affidavits of expert witnesses intended to be called at trial to counsel for the opposing party not later than _____, 20_____. Within seven (7) days from the receipt of such affidavit, counsel for each party shall advise the other as to whether stipulations can be entered into concerning the admission of the respective expert witnesses' affidavits or whether the experts will need to be present at trial to testify.
20. The Presiding Judge shall rule on any contested issues and below is a list of schedules which are still contested:

READ AND CONSENTED TO:

Plaintiff

Defendant

Attorney for Plaintiff

Attorney for Defendant

This the _____ day of _____, 20_____.

District Court Judge Present and Presiding

No.	Item of Marital Property	Net Value	Possession P or D	To be Plaintiffs	To be Defendants
	Subtotals (or Totals) for this page = = = >				

[illegible]

No.	Item of Marital Property	Net Value	Possession of P or D	Judge Only To Be P's or D's
	Subtotals (or Totals) for this page = = = >			

Equitable Distribution Pre-Trial Order

Schedule D: Marital Property – Disagreed on Distribution; Disagreed on Value

No.	Item of Marital Property	Net Value Per P	Net Value Per D	Judge's Use Only	
				To be P's	To be D's
	Subtotals (or Totals) for this page == >				

No.	Item of Property	Net Value Per P	Net Value Per D	Short Statement of Issue	Judge's Use Only	
					To Be P's	To Be D's
	Subtotals or Totals this page = = = >					

Equitable Distribution Pre-Trial Order

Schedule F: Plaintiff's Contentions for Unequal Division

Equitable Distribution Pre-Trial Order

Schedule G: Defendant's Contentions for Unequal Division

No.	Item of Marital Property	Amount of Liability per P	Amount of Liability per D	Amounts Paid Since Separation (Denote P or D)	Judge's Notes
	Subtotals (or Totals) this page = = = >				

Schedule I: Agreed Separate Property of Plaintiff and Defendant

No.	Item of Property	Net Value	P's Property	D's Property
	Subtotals (or Totals) this page = = = >			

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