

STATE OF NORTH CAROLINA
COUNTY OF

IN THE GENERAL COURT OF JUSTICE
DISTRICT COURT DIVISION
FILE # CVD

Plaintiff,

**SCHEDULING AND DISCOVERY
CONFERENCE AND INITIAL
PRETRIAL ORDER**

Vs.

Defendant

THIS MATTER coming on and being heard before the undersigned Judge of the 23rd Judicial District for a Status Conference concerning the pending claim or claims for Equitable Distribution, the Court finds as follows:

FINDINGS OF FACT

1. That the Plaintiff is represented by _____
2. That the Defendant is represented by _____
3. That is an action for Equitable Distribution first filed by the _____,
hereinafter referred to as the moving party on _____.
4. The other party has / has not filed an Equitable Distribution Claim on
_____.
5. The parties stipulate to the following essential facts.
 - a. The court has jurisdiction over both the parties and the subject matter in this case.
 - b. The date of Marriage is _____
 - c. The date of separation is _____
6. The parties have agreed on a mediator/or have requested the court to appoint one.

7. The Court has reviewed the file in this matter and heard contentions and positions of the parties through their respective counsel. Further, the Court wants to ensure that the case is proceeding toward resolution in a timely and orderly manner and in keeping with the time restraints established by N.C.G.S. §50-21.

Based on the Foregoing **FINDINGS OF FACTS**, the Court makes the following:

CONCLUSIONS OF LAW

1. The court has jurisdiction over both parties and the subject matter in this case.
2. That the court concludes as a matter of law that the interests of justice and expeditious handling of this matter require the entry of this order.

NOW, THEREFORE, based upon the foregoing **FINDING OF FACT** and **CONCLUSIONS OF LAW**, **IT IS ORDERED, AJUDGED AND DECREED** as follows:

1. That the Moving party is hereby ordered to file and serve an Equitable Distribution Affidavit on or before _____ (within 90 days of filing)
2. That the Defendant is hereby ordered to file and serve an Equitable Distribution Affidavit on or before _____ (within 30 days of receipt of moving party's affidavit)
3. The Mediator who will conduct the mediation shall be _____
4. The deadline for completion of the mediation is: _____ (no more than 11 months from filing date.)
5. The discovery process shall be completed on or before _____. (No more than 8 months from filing date.)
6. The parties have agreed on _____ to appraise the parties real property. The appraisal shall be as of the date of separation and the cost of same shall be split by the parties 50/50. It shall be completed prior to the mediation.
7. The Parties have / have not agreed upon stipulations to this order, which are attached and incorporated herein by reference.
8. None of the deadline dates set in the Order can be modified, even by consent of the parties, without prior approval by the Court.
9. Notice to attorneys and parties: TIME IS OF THE ESSENCE in the production of Affidavits and discovery, completion of mediation and in compliance with trial dates, set forth

herein. **Failure to comply with the date set forth in this Order of Reference may subject the parties and/or attorneys to sanctions of the Court pursuant to the Court's contempt powers, N. C. G. S. §50-21 and will not be grounds of continuance.**

This the _____ day of _____, 20_____

District Court Judge

Stipulations (This may include certain agreed upon values, method of valuation to be used, expert witness to be used, property that is or is not marital, etc.):

- 1.