

**NORTH CAROLINA
JUDICIAL DISTRICT 19A
COUNTY OF CABARRUS**

**IN THE GENERAL COURT OF JUSTICE
DISTRICT COURT DIVISION
CASE NUMBER _____**

_____)
Plaintiff)
)
-vs_)
)
_____)
Defendant)

**EQUITABLE DISTRIBUTION
PRETRIAL ORDER**

THIS MATTER COMING ON TO BE HEARD upon pre-trial conference before the undersigned Presiding Judge upon pleadings seeking an equitable distribution of the marital property of the parties;

AND IT APPEARING that the parties have reached agreement on certain facts and on certain issues and have set forth the areas of agreement and disagreement and their contentions as to such matters of disagreement;

AND IT APPEARING that by their signatures affixed hereto, each party stipulates that he or she agrees that the matters at issue between the parties are accurately stated, that he or she voluntarily agrees that the court may accept into evidence the stipulations contained herein;

AND IT APPEARING that by their signatures affixed hereto, each party stipulates that the stipulations and contentions of the parties as set forth herein are binding on the parties at trial, unless an amendment by the Judge is allowed;

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

each party stipulates that if such disclosure is found not to have been full and honest, the Court shall have the authority, based upon such, to classify, value and distribute any item of property whose existence was not accurately disclosed in this Pre-Trial Order or otherwise modify any Order entered in reliance upon this Pre-Trial Order;

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

1. The Court has jurisdiction over the parties and subject matter of this action.
2. The Plaintiff and Defendant were married on the _____ day of _____, _____.
3. Plaintiff and Defendant are the parents of ____ children more than eighteen (18) years of age; they are (also) the parents of ____ minor children whose names and birthdates are as follows:

4. The Plaintiff and Defendant last separated on _____, _____, which is the date of valuation.
5. An equal division is is not an equitable division in this case.
6. Schedule I is a list of REAL PROPERTY AND MOBILE HOMES.
7. Schedule II is a list of MOTOR VEHICLES.
8. Schedule III is a list of HOUSEHOLD FURNISHINGS, COLLECTIBLES.
9. Schedule IV is a list of MISCELLANEOUS PERSONAL PROPERTY.
10. Schedule V is a list of ACCOUNTS.
11. Schedule VI is a list of BUSINESSES AND STOCKS.
12. Schedule VII is a list of RETIREMENT (401 (k), IRA, Pension, Profit-Sharing, Plans.)
13. Schedule VIII is a list of LIFE INSURANCE POLICIES.
14. Schedule IX is a list of PROPERTY ACQUIRED AFTER DOS.
15. Schedule X is a list of DEBTS, WHICH ARE SECURED.
16. Schedule XI is a list of DEBTS, WHICH ARE NOT SECURED.
17. Schedule XII is a list of DIVISIBLE PROPERTY.

18. Schedule XIII is a list of FACTORS JUSTIFYING AN UNEQUAL DISTRIBUTION.

19. Appraisals have been prepared by expert witnesses and exchange by the parties, and information made available for inspection, including copies of all materials submitted to the expert. Noted is whether there is any objection to the appraisal(s) being admitted into evidence without the expert being present at the trial to testify. **IF THE PARTY RECEIVING AN APPRAISAL DOES NOT OBJECT THE APPRAISAL MAY BE RECEIVED INTO EVIDENCE AT THE TRIAL WITHOUT THE NECESSITY OF HAVING THE PREPARER OF SUCH APPRAISAL PRESENT TO TESTIFY.**

20. The trial Judge shall rule on any unresolved issues of classification and valuation, and shall rule on an equitable distribution:

This the _____ day of _____, _____.

Judge Presiding

CONSENTED TO:

Plaintiff

Defendant

Attorney for Plaintiff

Attorney for Defendant

Plaintiff's Expert Appraisals:

1. _____ Exhibit Number _____ Object _____

2. _____ Exhibit Number _____ Object _____

Defendant's Expert Appraisals:

1. _____ Exhibit Number _____ Object _____

2. _____ Exhibit Number _____ Object _____