

DOM: _____

DOS: _____

Form #10

STATE OF NORTH CAROLINA

IN THE GENERAL COURT OF JUSTICE

COUNTY OF PITT

DISTRICT COURT DIVISION

FILE NO.: _____

_____,

Plaintiff

v.

PRE-TRIAL ORDER

_____,

Defendant

THIS MATTER came on to be heard, and being heard upon a Pre-Trial Conference before the undersigned Presiding Judge, upon pleadings seeking a distribution of marital property.

It appears to the Court, and the Court finds, that the parties and their counsel have provided the factual information contained herein. The Court further finds that the parties, by executing this Order, have stipulated to certain facts relative to the issues to be tried herein.

The Court finds that each party, by signing this Pre-Trial Order, affirms that he and she have disclosed the existence of all property (separate, marital, dual, and divisible) to which he or she has a claim of ownership or interest as of the date of separation, and, in the case of divisible property, at present.

The parties further stipulate, and the Court finds, as follows:

1. This Court has jurisdiction over the parties and the subject matter of this action.
2. Plaintiff and defendant married each other on _____.
3. Plaintiff and defendant separated from each other on _____.
4. The plaintiff and defendant were subsequently divorced on _____.
5. There are attached hereto and incorporated herein by reference the following schedules:

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- Schedule A-I and A-II - Marital property, about which the parties agree on valuation and distribution. The Court shall distribute the marital property to the party, and at the values, as stipulated.
- Schedule B - Marital property, about which the parties agree on valuation, but disagree on distribution. The Court shall distribute as it deems appropriate, at the agreed-to values.
- Schedule C - Marital property, about which the parties agree on distribution, but disagree on value. The Court shall distribute as the parties have stipulated, and shall determine the values.
- Schedule D - Marital property, about which the parties disagree on valuation and distribution. The Court shall determine value and distribution.
- Schedule E - Property about which there is a disagreement as to classification, with each party's contentions as to the value and distribution. The Court shall classify as it deems appropriate, and value (either as stipulated by the parties or found by the Court), and distribute (either as stipulated by the parties or found by the Court).
- Schedule F - Separate property - This contains a list of the agreed-to separate property of each party, with contentions about values. The Court shall make any determination of contested values.
- Schedule G - Marital Debt - Agreement of classification as unsecured marital debt, amount owed, and assignment of unsecured marital debt.
- Schedule H - Unsecured debt about which there is a disagreement as to classification, or amount owed, or assignment. The Court shall determine the classification and amount owed, and shall order the payment of each debt.
- Schedule I - Contentions of the parties concerning distributional factors.
- Schedule J - List of all witnesses plaintiff/(husband or wife) may call to testify in this action.
- Schedule K - List of all witnesses defendant/(husband or wife) may call to testify in this action.
- Schedule L - List of all of plaintiff/(husband or wife) exhibits. Copies of plaintiff's exhibits shall be delivered to defendant's counsel two weeks prior to trial.
- Schedule M - List of all defendant/(husband or wife) exhibits. Copies of defendant's exhibits shall be delivered to plaintiff's counsel two weeks prior to trial.

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Every schedule and item contained on each schedule are subject to modification (if appropriate and proper evidence is presented) based upon the “divisible property” aspect of equitable distribution and related valuation matters.

This the _____ day of _____, 20_____.

APPROVED:

JUDGE PRESIDING

CONSENTED TO:

Plaintiff

Attorney for Plaintiff

Defendant

Attorney for Defendant

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SCHEDULE A - II

**Agreed-to Marital Property,
Its Value, and Its Distribution**

Property Distributed to Wife

DOM: _____

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SCHEDULE G

**Agreed-to Unsecured Marital Debt, Amount Owed,
and Assignment of Unsecured Marital Debt**

DOM: _____

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SCHEDULE H
Disagreement as to Classification
or Amount or Assignment of Unsecured Debt

Wife's Contentions

CREDITOR	AMOUNT OWED AT DOS	CLASSIFICATION	PAYMENTS POST-DOS	PRESENT BALANCE	ASSIGNED TO

Husband's Contentions

CREDITOR	AMOUNT OWED AT DOS	CLASSIFICATION	PAYMENTS POST-DOS	PRESENT BALANCE	ASSIGNED TO

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SCHEDULE I

**The Parties Make the Following Contentions
Concerning Distributional Factors**

Wife's Contentions

Husband's Contentions

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SCHEDULE J

Witnesses Plaintiff/(Wife) May Call

DOM: _____

DOS: _____

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SCHEDULE K

Witnesses Defendant/(Husband) May Call

DOM: _____

DOS: _____

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SCHEDULE L

List of Plaintiff/(Wife) Exhibits

DOM: _____

DOS: _____

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SCHEDULE M

List of Defendant/(Husband) Exhibits