

STATE OF NORTH CAROLINA
COUNTY OF MECKLENBURG

IN THE GENERAL COURT OF JUSTICE
DISTRICT COURT DIVISION
___-CVD-___

_____,
Plaintiff,)
)
vs.)
)
_____,
Defendant.)

FINAL EQUITABLE DISTRIBUTION
PRETRIAL ORDER

THIS MATTER coming on to be heard for a final pretrial conference before the undersigned Presiding Judge upon pleadings seeking a determination of marital property and an equitable distribution of such property and debts as shall be determined to be marital;

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

AND IT APPEARING that by their signatures affixed hereto, each party stipulates agreement with the facts and issues represented as agreed upon and stipulates that the facts and issues represented as being in dispute are accurately reflected and that there are no other issues to be determined by the Court;

AND IT APPEARING that each party by signing this Pretrial Order warrants and avows having 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 of fraud;

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

1. The Court has jurisdiction over the parties and subject matter of this action.
2. **AN EQUAL DIVISION IS AN EQUITABLE DIVISION. (THIS STATEMENT SHOULD BE ELIMINATED IF NOT AGREED UPON.)**
3. Schedule A is a list of marital property upon which there is agreement as to value and distribution.
4. Schedule B is a list of marital property upon which there is agreement as to distribution and disagreement as to value.
5. Schedule C is a list of marital property upon which there is agreement as to value and disagreement as to distribution.
6. Schedule D is a list of marital property upon which there is disagreement as to distribution and disagreement as to value.
7. Schedule E is a list of items about which there is disagreement as to whether the item is marital property.

8. Schedule F is a list of plaintiff's contentions for an unequal division in his/her favor. (Use only if plaintiff in this action seeks an unequal division.)
9. Schedule G is a list of defendant's contentions for an unequal division in his/her favor. (Use only if defendant in this action seeks an unequal division.)
10. Schedule H is a list of marital debts of the parties showing the present amounts due and any amounts paid by the parties since their separation.
11. Schedule I is a list of Divisible Property, the stipulations and agreements of the parties with respect thereto, and a listing of each party's contentions regarding same.
12. Plaintiff and defendant have added any additional schedules needed to state any other issues to be decided by the Court. They are labeled Schedules ____, ____, etc.
13. The Presiding Judge shall rule on the following:
 - (a) What is the value of the items on Schedule B?
 - (b) Which party shall be the owner of the items on Schedule C?
 - (c) What is the value of and which party shall be the owner of the items on Schedule D?
 - (d) Are the items on Schedule E marital property and if so, what are their values?
 - (e) If the parties do not agree that equal is equitable, the Judge shall rule on an equitable distribution of marital assets and debts.
 - (f) The judge shall rule on issues raised in Schedule I and the Supplemental Schedules attached hereto.
14. This matter is set for trial during the week of _____.
15. The estimated length of trial time is _____.
16. The following documents, reports and other exhibits may be admitted without authentication:

17. No later than 24 hours before trial, counsel for the parties shall label, number and list all trial exhibits, and shall exchange exhibit lists, copies of exhibits and witness lists. A copy of each list shall be provided to the Judge when the case is called for trial.
18. The parties shall update their equitable distribution affidavits as they acquire additional pertinent information.

This the ____ day of _____, 20__.

JUDGE PRESIDING

CONSENTED TO: _____
Paintiff

Dfendant

Plaintiff's Attorney

Defendant's Attorney

STATE OF NORTH CAROLINA)
)
COUNTY OF MECKLENBURG)

VERIFICATION

_____, being first duly sworn, deposes and says that he is the _____ in the foregoing action, that he has read the foregoing FINAL EQUITABLE DISTRIBUTION PRETRIAL ORDER and knows the contents thereof to be true of his own personal knowledge except for those matters and things alleged therein upon information and belief, and as to those matters and things, he believes same to be true.

Sworn to and subscribed before me
this ____ day of _____, 20 .

-or-

NOTARY PUBLIC
My commission expires:_____

Assistant/Deputy Clerk
of Court

STATE OF NORTH CAROLINA)
)
COUNTY OF MECKLENBURG)

VERIFICATION

_____, being first duly sworn, deposes and says that she is the _____ in the foregoing action, that she has read the foregoing FINAL EQUITABLE DISTRIBUTION PRETRIAL ORDER and knows the contents thereof to be true of her own personal knowledge except for those matters and things alleged therein upon information and belief, and as to those matters and things, she believes same to be true.

Sworn to and subscribed before me
this ____ day of _____, 20 .

-or-

NOTARY PUBLIC
My commission expires:_____

Assistant/Deputy Clerk
of Court

Equitable Distribution Pretrial Order

SCHEDULE F: Plaintiff's Contentions Why Equal is Not Equitable.

Equitable Distribution Pretrial Order

SCHEDULE G: Defendant's Contentions Why Equal is Not Equitable.

