

STATE OF NORTH CAROLINA  
COUNTY OF GUILFORD

IN THE GENERAL COURT OF JUSTICE  
DISTRICT COURT DIVISION

\_\_\_-CvD-\_\_\_

\_\_\_\_\_, )  
 )  
 Plaintiff, )  
 )  
 Vs. )  
 )  
\_\_\_\_\_, )  
 )  
 Defendant. )

**FINAL EQUITABLE DISTRIBUTION**  
**PRETRIAL ORDER**

THIS MATTER was heard by the undersigned Presiding Judge for a final Pre-Trial Conference upon pleadings seeking a determination of marital or divisible property and an equitable distribution of such property and debts as shall be determined to be marital or divisible;

The parties have reached agreement on certain facts and on certain issues and have delineated the areas of agreement and disagreement.

The parties, by their signatures affixed hereto, stipulate agreement with the facts and issues represented herein as agreed upon. They further stipulate that the facts and issues represented herein as being in dispute are accurately reflected and are the only issues to be determined by the Court.

The parties warrant and avow that they have disclosed the existence of all separate, marital and divisible property, 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. Plaintiff and Defendant were married \_\_\_\_\_, \_\_\_\_\_.
3. The parties separated on \_\_\_\_\_, \_\_\_\_\_.
4. The date of valuation is \_\_\_\_\_, \_\_\_\_\_.
5. (a) An equal division is an equitable division.  
(b) An unequal division is an equitable division.  
**(One statement should be eliminated.)**
6. Schedules attached hereto list all of the property owned by the parties at the date of separation.  
**(Note: Use only the applicable schedules.)**
7. Schedule A is a list of property upon which there is agreement as to its classification as “marital”, its value and distribution.
8. Schedule B is a list of property upon which there is agreement as to its classification as “marital” and as to its distribution and disagreement as to its value.
9. Schedule C is a list of property upon which there is agreement as to its classification as “marital” and as to its value and disagreement as to its distribution

10. Schedule D is a list of property upon which there is agreement as to its classification as “marital” and disagreement as to its value and disagreement as to its distribution.
11. Schedule E is a list of property about which there is disagreement as to whether the item is “marital” property.
12. Schedule F is a list of property about which there is no disagreement and the property listed therein is the “separate” property of the party indicated therein.
13. Schedule G is a list of plaintiff's contentions as to why an unequal division of marital property is an equitable division of that property. (Use only if plaintiff in this action seeks an unequal division.)
14. Schedule H is a list of defendant's contentions as to why an unequal division of marital property is an equitable division of that property. (Use only if defendant in this action seeks an unequal division.)
15. Schedule I is a list of marital debts of the parties showing the present amounts due and any amounts paid by the parties since their separation.
16. Schedule J 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 it.
17. Schedule J is a list of post-separation changes in values and how Plaintiff contends these changes should be treated.
18. Schedule K is a list of post-separation changes in values and how Defendant contends these changes should be treated.
19. Schedule L is a list of property distributed pursuant to an Order of Interim Distribution and all other advancements made by one party to the other and a short statement of either party’s contentions with regard to it.
20. Plaintiff and defendant have added any additional schedules needed to state any other issues to be decided by the Court. They are labeled Schedules M, N, etc.
21. The Presiding Judge shall rule on the following (Delete those that are inapplicable.):
  - (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 and which party shall be the owner thereof?
  - (e) If the parties do not agree that an equal division is an equitable division of the marital and divisible property, the Judge shall enter an equitable distribution of marital assets and debts
  - (f) The judge shall decide all issues raised in Schedules I through N and the Supplemental Schedules attached hereto.
22. The following documents, reports and other exhibits may be admitted without authentication: (If more numerous than the space provided, attach as Schedule 1)
 

23. The following is a list of all other documents Plaintiff intends to introduce at trial. A copy has been provided to opposing counsel (or party, if unrepresented). (If more numerous than the space provided, attach as Schedule 2.)
 


24. The following is a list of all other documents Defendant intends to introduce at trial. A copy has been provided to opposing counsel (or party, if unrepresented). (If more numerous than the space provided, attach as Schedule 3.)

\_\_\_\_\_  
\_\_\_\_\_

25. The parties shall submit affidavits or signed reports of expert witnesses to be called at trial to opposing counsel (or party, if unrepresented) no later than one week prior to the start of the session wherein the case is scheduled for hearing (except upon "good cause shown..." Seven (7) days from receipt thereof, counsel for each party shall advise the other of any stipulations that can be entered with regard to the contents of the affidavit or reports (to avoid having the witness present at trial).

26. The following is a list of the names and addresses of all known witnesses the plaintiff may offer at the trial: (If more numerous than the space provided, attach as Schedule 4.)

\_\_\_\_\_  
\_\_\_\_\_

27. The following is a list of the names and addresses of all known witnesses the plaintiff may offer at the trial: (If more numerous than the space provided, attach as Schedule 5.)

\_\_\_\_\_  
\_\_\_\_\_

28. This matter is set for trial during the session of \_\_\_\_\_.

29. The estimated length of trial time is \_\_\_\_\_.

30. No later than 24 hours before trial, counsel for the parties shall label, number and list all trial exhibits, and shall exchange exhibit lists, and supplement copies of exhibits and witness lists. A copy of each list shall be provided to the Judge when the case is called for trial.

31. The parties shall update their equitable distribution affidavits as they acquire additional pertinent information. If either party discovers additional witnesses or documents after the entry of this Pre-Trial Order, they shall immediately notify opposing counsel. There is no requirement that all witnesses or documents listed by a party be used, and the Court may, for "good cause shown...", in its discretion permit the use of a witness or document not listed.

This the \_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

\_\_\_\_\_  
DISTRICT COURT JUDGE PRESIDING

CONSENTED TO:

\_\_\_\_\_  
Plaintiff

\_\_\_\_\_  
Plaintiff's Attorney

\_\_\_\_\_  
Defendant

\_\_\_\_\_  
Defendant's Attorney

**NOTE: PARTIES MUST SIGN VERIFICATION ON NEXT PAGE**

STATE OF NORTH CAROLINA )  
 )  
COUNTY OF GUILFORD )

**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 PRE-TRIAL 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.

\_\_\_\_\_  
(Signature of Husband)

Sworn to and subscribed before me  
this \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

- or -

\_\_\_\_\_  
NOTARY PUBLIC  
My commission expires: \_\_\_\_\_

\_\_\_\_\_  
Assistant/Deputy Clerk  
of Court

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STATE OF NORTH CAROLINA )  
 )  
COUNTY OF GUILFORD )

**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 PRE-TRIAL 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.

\_\_\_\_\_  
(Signature of Wife)

Sworn to and subscribed before me  
this \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

- or -

\_\_\_\_\_  
NOTARY PUBLIC  
My commission expires: \_\_\_\_\_

\_\_\_\_\_  
Assistant/Deputy Clerk  
of Court