

**Form 9 - Equitable Distribution Pre-Trial Order (Page 1 of 2)**

<p><b>STATE OF NORTH CAROLINA</b></p> <p><input type="checkbox"/> Wayne County  <input type="checkbox"/> Lenoir County  <input type="checkbox"/> GreeneCounty</p>	<p align="center">In The General Court Of Justice  District Court Division  Family Court</p> <hr/> <p align="center"><i>File No.</i></p>
<p><i>Plaintiff:</i></p> <p align="center"><b>VERSUS</b></p> <p><i>Defendant:</i></p>	<p align="center"><b>EQUITABLE DISTRIBUTION  PRE-TRIAL ORDER</b></p>

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, the Court finds as follows:

**FINDING OF FACTS**

1. That the parties have reached an agreement on certain facts and certain issues and have set forth the areas of agreement and disagreement and their contentions as to such matters of disagreement.
2. That by their signatures affixed hereto, each party stipulates that he or she agrees with the facts and issues classified as agreed upon, and further stipulates that the facts and issues classified as being in dispute are accurately reflected and that there are no other issues to be determined by the Court.
3. That by the signatures affixed hereto, each party stipulates that the contentions and stipulations of the parties as set forth herein are binding on the parties at trial, unless and amendment is allowed by the Presiding Family Court Judge.
3. 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 oproperty whose existence ws not accurately disclosed in this Pre-Trial Order or otherwise modify any Order entered in reliance upon this Pre-Trial Order.

**CONCLUSONS OF LAW**

1. That the Court has jurisdiction over the parties and subject matter of this case.
2. That the interest of justice and the expeditious handling of this matter require the entry of this order.

**ORDER**

1. That the plaintiff and the defendant were married on:..... \_\_\_\_\_
2. That the plaintiff and the defendant separated on:..... \_\_\_\_\_
3. That the date of evaluation is:..... \_\_\_\_\_

4. That the plaintiff and defendant are parents of the following children:

	Name	Date Of Birth
1		1
2		2
3		3
4		4
5		5
6		6

5. That an equal division  is  is not an equitable division in this case.

**Schedules I through XIII are the same schedules used in the E.D.Inventory Affidavit - Form 8**

6. That **Schedule I** is a list of **Real Property and Mobile Homes** and the contentions of the parties as to value, classification, possession, and distribution.
7. That **Schedule II** is a list of **Motor Vehicles** and the contentions of the parties as to value, classification, possession, and distribution.

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8. That **Schedule III** is a list of **Household Furnishings and Collectibles** and the contentions of the parties as to value, classification, possession, and distribution.
9. That **Schedule IV** is a list of **Miscellaneous Personal Property** and the contentions of the parties as to value, classification, possession, and distribution.
10. That **Schedule V** is a list of **Accounts** and the contentions of the parties as to value, classification, possession, and distribution.
11. That **Schedule VI** is a list of **Businesses and Stocks** and the contentions of the parties as to value, classification, possession, and distribution.
12. That **Schedule VII** is a list of **Miscellaneous Personal Property** and the contentions of the parties as to value, classification, possession, and distribution.
13. That **Schedule VIII** is a list of **Life Insurance Policies** and the contentions of the parties as to value, classification, possession, and distribution.
14. That **Schedule IX** is a list of **Property Acquired After the DOS** and the contentions of the parties as to value, classification, possession, and distribution.
15. That **Schedule X** is a list of **Debts which are Secured** and the contentions of the parties as to value, classification, possession, and distribution.
16. That **Schedule XI** is a list of **Debts which are Not Secured** and the contentions of the parties as to value, classification, possession, and distribution.
17. That **Schedule XII** is a list of **Divisible Property** and the contentions of the parties as to value, classification, possession, and distribution.
18. That **Schedule XIII** is a list of **Factors Justifying an Unequal Distribution** and the contentions of the parties as to value, classification, possession, and distribution.
19. Appraisals have been prepared by expert witnesses and exchanged 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 WITHIN 7 DAYS OF RECEIPT OF THE APPRAISAL, THE APPRAISAL MAY BE RECEIVED INTO EVIDENCE AT THE TRIAL WITHOUT THE NECESSITY OF HAVING THE PREPARER OF SUCH APPRAISAL PRESENT TO TESTIFY.**
20. That the Family Court Judge hearing this matter shall rule on any unresolved issues of classification and evaluation, and shall rule on an equitable distribution.

<b>CONSENTED TO:</b>	<i>Plaintiff</i>	<i>Defendant</i>
	<i>Plaintiff's Attorney</i>	<i>Defendant's Attorney</i>
	<i>Date</i>	<i>Date</i>
<i>Date</i>	<i>Family Court Judge</i>	

*For Court Use Only*