

STATE OF NORTH CAROLINA

File No.

Film No.

_____ County

In The General Court Of Justice
 District Superior Court Division

Name Of Plaintiff(s)

VERSUS

Name Of Defendant(s)

**MEMORANDUM OF
JUDGMENT/ORDER**

1. The parties to this lawsuit have reached an agreement to settle certain matters as set forth specifically in this memorandum and agree to be legally and mutually bound by the following terms and conditions: *(Attach additional pages as necessary)*

2. A formal judgment/order reflecting the above terms will be prepared by and submitted no later than _____ for signature by a judge assigned to hold court in this district.

NOTE: *Parties should be examined on the record as to terms of settlement. See McIntosh v. McIntosh, 74 N.C. App. 554 (1985).*

3. The parties stipulate to the following: *(If additional sheets are necessary, all parties, attorneys and the judge should sign each sheet.)*

- (a) With the signing of this Memorandum by the presiding judge, this Memorandum shall become a judgment/order of the court and shall be deemed entered pursuant to Rule 58 of the North Carolina Rules of Civil Procedure on the date filed with the Clerk;
- (b) the provisions of this Memorandum are fair and reasonable and each party has had ample opportunity to obtain legal advice concerning the legal effect and terms of this Memorandum;
- (c) this Memorandum is enforceable by the contempt powers of the court should any party not comply with its terms;
- (d) the formal judgment or order may be signed by the presiding judge out of term, session, county and district;
- (e) each party is satisfied with the services of the respective attorneys and believes that he/she has received competent advice regarding the signing of this Memorandum;
- (f) signatures of the parties on the formal judgment/order are not necessary;
- (g) the parties waive findings of fact and conclusions of law in the formal judgment/order memorializing this Memorandum; and
- (h) all attorneys shall be released as attorneys of record upon signing of the formal judgment or order by the presiding judge.

<i>Date</i>	<i>Date</i>
<i>Signature Of Plaintiff 1</i>	<i>Signature Of Plaintiff's Attorney 1</i>
<i>Date</i>	<i>Date</i>
<i>Signature Of Plaintiff 2</i>	<i>Signature Of Plaintiff's Attorney 2</i>
<i>Date</i>	<i>Date</i>
<i>Signature Of Defendant 1</i>	<i>Signature Of Defendant's Attorney 1</i>
<i>Date</i>	<i>Date</i>
<i>Signature Of Defendant 2</i>	<i>Signature Of Defendant's Attorney 2</i>

Prior to accepting the stipulated agreement of the parties, the undersigned judge read the terms of the above stipulations and agreements to the parties, and made careful inquiry of them with regards to the voluntary nature of their agreement and their understanding thereof. The court explained to the parties the legal effect of their stipulations and agreements and determined that the parties understood the legal effect and terms of the agreement and stipulations. The parties acknowledged their voluntary execution of the agreements and stipulations, stated that the terms accurately reflected their agreement, and agreed of their own free wills to abide by them.

<i>Date</i>	<i>Signature Of Presiding Judge</i>
	<i>Name Of Presiding Judge (Type Or Print)</i>