

STATE OF NORTH CAROLINA

File No.

In The General Court Of Justice
Superior Court Division

County

MOTION TO USE
SETTLEMENT PROCEDURE OTHER THAN
MEDIATED SETTLEMENT CONFERENCE
IN SUPERIOR COURT CIVIL ACTION
AND ORDER

G.S. 7A-38.1; Rules 1(c)(2) and 10(a) of the Rules for Mediated
Settlement Conferences and Other Settlement Procedures in
Superior Court Civil Actions

Name Of Plaintiff(s)
Name Of Plaintiff's Attorney(s)
VERSUS
Name Of Defendant(s)
Name Of Defendant's Attorney(s)
Deadline For Completion Of Settlement Procedure (for court use only)

Name And Address Of Neutral Selected
Telephone No. Of Neutral Selected

- 1. The court entered an order on (date) requiring that a mediated settlement conference be held in this case.
2. Pursuant to MSC Rule 1(c)(2), the parties now move the court to authorize the use of the following alternate settlement procedure in lieu of a mediated settlement conference:
3. The parties have selected the neutral named above to conduct their settlement procedure and that person has agreed to serve.
4. The parties and the neutral have agreed on the following compensation to be paid the neutral:
5. All parties to this case consent to this motion, as indicated by their signatures below.

*NOTE: This motion must be filed within 21 days of the date of the court order requiring that a mediated settlement conference be held in this case. Rule 1(c)(2).

Table with 3 columns: Date, Name Of Plaintiff's Attorney (or Pro Se Plaintiff), Signature Of Plaintiff's Attorney (or Pro Se Plaintiff). Includes rows for Plaintiff and Defendant.

FINDINGS

The Court, having considered evidence and the statements of counsel, finds:

- 1. All parties have agreed upon the settlement procedure to be conducted.
2. All parties and the neutral have agreed that the neutral named above will conduct the proceeding.
3. All parties and the neutral named above have agreed on the neutral's compensation.

ORDER OF APPOINTMENT

The settlement procedure requested by the parties is approved. denied.

Table with 3 columns: Date Of Order, Name Of Judge (type or print), Signature Of Judge

NOTE: The neutral shall make an effort to schedule the procedure at a time that is convenient to the parties and must conduct it no later than the deadline for completion set out above.

Original-Court Copy-Neutral Copy-Plaintiff Copy-Defendant