NORTH CAROLINA 16th JUDICIAL DISTRICT DURHAM COUNTY

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

	, Plaintiff	
-V-		
	, Defendant	

FINAL PRETRIAL ORDER

EQUITABLE DISTRIBUTION

 PURSUANT TO RULE 16 of the North Carolina Rules of Civil Procedure, a pre-trial conference was held before the Honorable _______ in the above-entitled action on the _____ day of ______

20_____. (*Check if applicable*) This Order was submitted outside of court and prior to the scheduled Pretrial Conference date. The parties, by their signatures or through their attorneys, have agreed to the entry of a final pre-trial order as set forth below:

- 1. It is stipulated that all parties are properly before the Court and the Court has jurisdiction over the parties and over the subject matter.
- 2. It is stipulated and agreed that the Court shall enter a final equitable distribution order in civil action number: -CVD-
- 3. It is stipulated that each party by signing this pre-trial order warrants that he or she has disclosed the existence of all property, both separate and marital, at the date of separation and all property purchased after the date of separation, 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.
- 4. It is stipulated that the parties were married on
- 5. It is stipulated that the parties separated on or about
- 6. It is stipulated that the parties exchanged witness and exhibit lists on
- 7. It is stipulated that the parties are agreeing:
 - \Box A. To an equal division of assets and debts subject to equitable distribution;
 - □ B. That both parties are seeking an unequal division of assets subject to equitable distribution;
 - \Box C. That one party is seeking an equal distribution while the other party seeks an unequal division;
- 8. The date of valuation of civil action is
- 9. It is stipulated that all depositions of the parties and witnesses have been completed, or it is stipulated that the following depositions have been scheduled
- 10. It is stipulated that both parties have served the opposing party with the final ED Affidavits on
 - _____ including all contentions regarding specific factors they are claiming for an unequal

distribution as set out in North Carolina General Statutes §50-20(c)(1) through (12).

- 11. The parties further stipulate to the facts set forth in the attached schedules:
 - A. Exhibit A is a list of marital property upon which there is agreement as to classification, valuation and distribution.
 - B. Exhibit B is a list of marital property upon which there is disagreement as to classification and valuation but agreement as to distribution.
 - C. Exhibit C is a list of marital property upon which there is agreement as to classification and valuation, but disagreement as to distribution.
 - D. Exhibit D is a list of marital property that the parties agree on classification and distribution but they disagree on valuation.
 - E. Exhibit E is a list of marital property of which there is agreement as to classification but disagreement as to valuation and distribution.

- F. Exhibit F is a list of assets upon which there is agreement as to valuation, however there is disagreement as to classification and distribution.
- G. Exhibit G is a list of assets upon which there is agreement as to distribution and valuation, however, there is disagreement as to the classification.
- H. Exhibit H is a list of property that the parties disagree on distribution, classification, and valuation.
- I. Exhibit I is a list of marital debt upon which the parties agree on classification, valuation, and distribution.
- J. Exhibit J is a list of debt upon which the parties agree upon classification and distribution but do not agree on valuation.
- K. Exhibit K is a list of debt upon which the parties agree upon distribution but do not agree upon valuation or classification.
- L. Exhibit L is a list of payments made by the parties after the date of separation on marital assets.
- M. Exhibit M is a list of property that the parties agree belongs to a third party.
- N. Exhibit N is a list of the parties' separate property, which the parties agree on classification and distribution but disagree on valuation.
- 12. Plaintiff and defendant may add any additional exhibits, witnesses, or contentions needed to state any other issues to be decided by the Court as long as such exhibits and contentions are not inconsistent with the provisions of this pre-trial order and are provided to the opposing party with advanced notice.
- 13. If you find yourself without an attorney at trial, you are still responsible for compliance with this Order.
- 14. The final trial in this matter shall be set for _____, 20____ at _____A.M./P.M. in Courtroom # 6______ on the sixth (6th) floor of the Durham County Courthouse located at 510 S. Dillard Street, Durham, NC 27701.

Attorney for Plaintiff

Date

Attorney for Defendant

Date

APPROVED AND ORDERED,

THIS _____ day of ______, 20____.

District Court Judge Presiding

EXHIBIT A	(CLASSIF	ICATION	N	VALUA	TION	DISTRI	BUTION
		Agr	eed		Agr	Agreed		reed
	MAR	ITAL	SEPA	RATE				
ITEM	Н	W	Н	W	HUSBAND	WIFE	HUSBAND	WIFE
e.g., marital residence								
123 Oak Street (FMV-Mortgage)	Х	Χ			125,000	125,000		Χ
, ,					Í Í			

EXHIBIT B		CLASSIF	ICATIO	N	VALU	ATION	DISTRIBUTION	
		Disa	igree		Disa	Igree	Agreed	
	MAR	ITAL	SEPA	ARATE				
ITEM	H	W	Н	W	HUSBAND	WIFE	HUSBAND	WIFE
e.g., china	X			Χ	2,000	600		Χ

EXHIBIT C		CLASSIF	ICATIO	N	VALU	ATION	DISTRI	DISTRIBUTION		
		Ag	gree		Ag	ree	Disa	Disagree		
	MAR	ITAL	SEPA	ARATE						
ITEM	Н	W	Н	W	HUSBAND	WIFE	HUSBAND	WIFE		
e.g., lawn mower	Χ	Χ			50.00	50.00	Х	Χ		

EXHIBIT D		CLASSI	FICATIO	N	VALUA	ATION	DISTRIBUTION	
		A	gree		Disa	gree	Agree	
ITEM	MARITAL H W		SEPA H	ARATE W	HUSBAND	WIFE	HUSBAND	WIFE
e.g., 1984 Ford truck, titled in								
Husband's name	X	X			1,000	1,200	X	

EXHIBIT E		CLASSII	FICATIO	N	VALU	ATION	DISTRI	BUTION
		A	gree		Disa	Igree	Disagree	
	MAR	ITAL	SEPA	ARATE				
ITEM	Н	W	Н	W	HUSBAND	WIFE	HUSBAND	WIFE
e.g., blue sofa	Χ	Χ			25.00	50.00	Х	Х

EXHIBIT F		CLASSIFICATION				JATION	DISTRIBUTION		
		Dis	sagree		A	gree	Disagree		
	MAF	RITAL	SEP	ARATE	HUSBAN				
ITEM	Н	W	Н	W	D	WIFE	HUSBAND	WIFE	
e.g., diamond ring	Х			Х	500 500		X	Х	

EXHIBIT G		CLASSI	FICATIO	DN	VALUA	ATION	DISTRI	BUTION
		Dis	agree		Agi	ree	Agree	
		RITAL		ARATE				
ITEM	Н	W	H	W	HUSBAND	WIFE	HUSBAND	WIFE
e.g., antique oak desk		X	X		300	300	X	

EXHIBIT H		CLASSI	FICATIO	DN	VALUA	ATION	DISTRI	BUTION
		Dis	sagree		Disa	gree	Disagree	
	MAR	ITAL	SEP	ARATE				
ITEM	Н	W	H	W	HUSBAND	WIFE	HUSBAND	WIFE
e.g., collection of toy trains		Χ	Χ		500	750	Х	Х

			N	(IIII)	TION	DISTRIBUTION	
	Agree				ree	Agree	
MAR	ITAL	SEP	ARATE				
Н	W	Н	W	HUSBAND	WIFE	HUSBAND	WIFE
Χ	Χ			(2,000)	(2,000)		Х
	Н		H W H	H W H W	H W H W HUSBAND	H W H W HUSBAND WIFE	H W H W HUSBAND WIFE HUSBAND

EXHIBIT J		CLASSI	FICATIO	DN	VALUA	ATION	DISTRI	BUTION
		Α	gree		Disa	Disagree		ree
	MAR	RITAL	SEP	ARATE				
DEBTS	Н	W	Н	W	HUSBAND	WIFE	HUSBAND	WIFE
e.g., First Union VISA;	Х	X			(2,000)	(2,500)		Х
Acct. No: 1234567								

EXHIBIT K	CLASSIFICATION Disagree			VALUATION Disagree		DISTRIBUTION Agree		
	MARITAL		SEPARATE			-		
DEBTS	Н	W	H	W	HUSBAND	WIFE	HUSBAND	WIFE
e.g., First Citizens master card; Acct. No: 1234567	X		Х		(2,000)	(2,850)	X	

EXHIBIT L PAYMENTS MADE TO MARITAL DEBTS AFTER THE DATE OF SEPARATION						
DEBT	HUSBAND	WIFE				
Example: First Citizens Equity Line, Acct. no: 123456	(As of 1/31/01) 450.00					

EXHIBIT M PROPERTY BELONGING TO A THIRD PARTY					
ITEM	PERSON PPROPERTY BELONGS TO:				
e.g., ceramic figurine of baseball player	Parties' son, Cory				

EXHIBIT N SEPARATE PROPERTY								
	CLASSI	FICATION	VALUATION		DISTRIBUTION			
ITEM	Н	W	Н	W	Н	W		
e.g., Inherited beach house	W	W	250,000	175,000		Х		

CERTIFICATE OF SERVICE

I, _____, the undersigned (attorney / party), do hereby certify that a copy of the foregoing Equitable Distribution Final Pretrial Order was served on ______ in the following manner:

 \Box by hand delivery; or

□ by depositing a copy of same in the United States Mail, postage prepaid, in the manner and form prescribed in the North Carolina Rules of Civil Procedure and addressed to:

 \Box by certified mail.

This is the _____ day of ______, 20____.

Signature of Plaintiff or Defendant or his/her respective attorney