

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:
 - 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;
 - 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.

EXHIBIT A	CLASSIFICATION				VALUATION		DISTRIBUTION	
	Agreed				Agreed		Agreed	
	MARITAL		SEPARATE		HUSBAND	WIFE	HUSBAND	WIFE
H	W	H	W					
e.g., marital residence 123 Oak Street (FMV-Mortgage)	X	X			125,000	125,000		X

EXHIBIT B	CLASSIFICATION				VALUATION		DISTRIBUTION	
	Disagree				Disagree		Agreed	
	MARITAL		SEPARATE		HUSBAND	WIFE	HUSBAND	WIFE
H	W	H	W					
e.g., china	X			X	2,000	600		X

EXHIBIT C	CLASSIFICATION				VALUATION		DISTRIBUTION	
	Agree				Agree		Disagree	
	MARITAL		SEPARATE		HUSBAND	WIFE	HUSBAND	WIFE
H	W	H	W					
e.g., lawn mower	X	X			50.00	50.00	X	X

EXHIBIT D	CLASSIFICATION				VALUATION		DISTRIBUTION	
	Agree				Disagree		Agree	
ITEM	MARITAL		SEPARATE		HUSBAND	WIFE	HUSBAND	WIFE
	H	W	H	W				
e.g., 1984 Ford truck, titled in Husband's name	X	X			1,000	1,200	X	

EXHIBIT E	CLASSIFICATION				VALUATION		DISTRIBUTION	
	Agree				Disagree		Disagree	
ITEM	MARITAL		SEPARATE		HUSBAND	WIFE	HUSBAND	WIFE
	H	W	H	W				
e.g., blue sofa	X	X			25.00	50.00	X	X

EXHIBIT F	CLASSIFICATION				VALUATION		DISTRIBUTION	
	Disagree				Agree		Disagree	
ITEM	MARITAL		SEPARATE		HUSBAND	WIFE	HUSBAND	WIFE
	H	W	H	W				
e.g., diamond ring	X			X	500	500	X	X

EXHIBIT G	CLASSIFICATION				VALUATION		DISTRIBUTION	
	Disagree				Agree		Agree	
ITEM	MARITAL		SEPARATE		HUSBAND	WIFE	HUSBAND	WIFE
	H	W	H	W				
e.g., antique oak desk		X	X		300	300	X	

EXHIBIT H	CLASSIFICATION				VALUATION		DISTRIBUTION	
	Disagree				Disagree		Disagree	
ITEM	MARITAL		SEPARATE		HUSBAND	WIFE	HUSBAND	WIFE
	H	W	H	W				
e.g., collection of toy trains		X	X		500	750	X	X

EXHIBIT I	CLASSIFICATION				VALUATION		DISTRIBUTION	
	Agree				Agree		Agree	
DEBTS	MARITAL		SEPARATE		HUSBAND	WIFE	HUSBAND	WIFE
	H	W	H	W				
e.g., First Union equity line; Acct. No: 1234567	X	X			(2,000)	(2,000)		X

EXHIBIT J	CLASSIFICATION				VALUATION		DISTRIBUTION	
	Agree				Disagree		Agree	
DEBTS	MARITAL		SEPARATE		HUSBAND	WIFE	HUSBAND	WIFE
	H	W	H	W				
e.g., First Union VISA; Acct. No: 1234567	X	X			(2,000)	(2,500)		X

EXHIBIT K	CLASSIFICATION				VALUATION		DISTRIBUTION	
	Disagree				Disagree		Agree	
DEBTS	MARITAL		SEPARATE		HUSBAND	WIFE	HUSBAND	WIFE
	H	W	H	W				
e.g., First Citizens master card; Acct. No: 1234567	X		X		(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						
ITEM	CLASSIFICATION		VALUATION		DISTRIBUTION	
	H	W	H	W	H	W
e.g., Inherited beach house	W	W	250,000	175,000		X

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:

- 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:

by certified mail.

This is the ____ day of _____, 20____.

Signature of Plaintiff or Defendant or his/her respective attorney