

NORTH CAROLINA  
 28<sup>th</sup> JUDICIAL DISTRICT  
 BUNCOMBE COUNTY

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

	Plaintiff
-V-	
	Defendant

**FINAL PRE-TRIAL 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\_\_\_\_. 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 filed 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		HUSBAN D	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	

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

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

<b>EXHIBIT N</b>						
<b>SEPARATE PROPERTY</b>						
<b>ITEM</b>	<b>CLASSIFICATION</b>		<b>VALUATION</b>		<b>DISTRIBUTION</b>	
	<b>H</b>	<b>W</b>	<b>H</b>	<b>W</b>	<b>H</b>	<b>W</b>
e.g., Inherited beach house	W	W	250,000	175,000		X