

**Assigned
Judge:** _____

Plaintiff,
v.

Defendant.

**SCHEDULING AND DISCOVERY ORDER
(EQUITABLE DISTRIBUTION)**

This matter coming to be heard for a Scheduling and Discovery Conference on _____ (*date of conference*) concerning the pending claim or claims for Equitable Distribution, the Court finds as follows:

FINDINGS OF FACT

1. That the Plaintiff appeared through _____.
2. That the Defendant appeared through _____.
3. That this is an action for Equitable Distribution filed on _____ by the Plaintiff Defendant, hereinafter referred to as the moving party.
4. That the parties stipulate to the following essential facts: (a) The Court has jurisdiction over both the parties and the subject matter in this case; (b) The parties were married on _____ and (c) The parties were separated on _____ or The date of separation is disputed.
5. That the moving party has has not served his/her Equitable Distribution Inventory Affidavit upon the opposing party.
6. That the responding party has has not served his/her Equitable Distribution Inventory Affidavit upon the opposing party.
7. This action requires the parties to engage in an alternative dispute resolution procedure. The parties have agreed that they will participate in a Family Financial Mediation Settlement Conference or Other: _____.
8. If the parties are to participate in a Family Financial Mediation Settlement Conference, the parties have agreed upon a Neutral who will conduct the Conference or the parties have not agreed upon a Neutral and the Court will need to appoint one.

If a family financial mediator is agreed upon, the following is applicable:

Name of mediator

Address

Telephone number

Mediator's rate of compensation

The above named family financial mediator is certified pursuant to the applicable Rules of the North Carolina Supreme Court.

9. This action requires the appointment of an appraiser. The following property requires an appraisal which has not yet been completed: _____
(property address).
10. The parties can cannot agree upon experts to conduct the appraisals. If the parties cannot agree on an appraiser, they submit the following three names:
Plaintiff: (1) _____ (2) _____ (3) _____
Defendant: (1) _____ (2) _____ (3) _____
11. The discovery issues which need to be resolved are _____
(issues).
12. The Plaintiff Defendant requests an expedited disposition.

Based upon the foregoing Findings of Fact, the Court makes the following:

CONCLUSIONS OF LAW

1. That the Court has jurisdiction over both the parties and the subject matter in this case.
2. That the Court concludes as a matter of law that the interests of justice and the expeditious handling of this matter require the entry of this Order.
3. This Order is appropriate under the circumstances of this case.
4. Both parties are capable of complying with the terms of this Order.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED as follows:

1. The parties are ordered by the Court to attend _____ (form of ADR ordered). The deadline for completion of this process is _____ (date within 210 days of filing). The Neutral will be _____ (name of Neutral). Plaintiff will be responsible for _____% and Defendant will be responsible for _____% of the Neutral's fee to be paid at the conclusion of the conference.
2. The moving party is hereby ordered to serve upon opposing party an Equitable Distribution Inventory Affidavit on or before _____ (deadline date). The responding party is hereby ordered to serve upon opposing party an Equitable Distribution Inventory Affidavit on or before _____ (deadline date).
3. The appraisals of property will be completed on or before _____ (deadline date). _____ (name of appraiser) will conduct any and all appraisals.
4. Discovery shall be mailed to the opposing party on or before _____ (deadline date). Disclosure of expert witnesses shall also be completed by this date.
5. The Initial Pretrial Conference shall be set on _____ (approximately 30 days before Final Pretrial Conference) for _____ hours in Courtroom _____. At this Initial Pretrial Conference, the moving party shall serve on the responding party a proposed Initial Pretrial Order and file it with the Court.
6. The Final Pretrial Conference shall be set on _____ (within 240 days of filing) for _____ hours in Courtroom _____. At this Final Pretrial Conference, the

