

Name \_\_\_\_\_

Address \_\_\_\_\_

City, State, Zip Code \_\_\_\_\_

☐ Attorney for ☐ Plaintiff ☐ Defendant

**Electronically Filed**  
**FIRST CIRCUIT**  
**1FDV-23-0001009**  
**27-MAR-2025**  
**02:29 PM**  
**Dkt. 170 PTO**

IN THE FAMILY COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

|                           |   |   |
|---------------------------|---|---|
| CASEY DEL CARPIO BARTON,  | ) | FC-D No. <u>1FDV-23-0001009</u>               |
| _____                     | ) |   |
| Plaintiff,                | ) | MOTION TO SET ORDER                           |
|                           | ) | (PRETRIAL ORDER NO. 1)                        |
| v.                        | ) | Attachment(s) <u>"1"</u>                      |
|                           | ) |   |
| TERESA DEL CARPIO BARTON, | ) | Motion to Set Conference                      |
| _____                     | ) |   |
| Defendant.                | ) | Hearing Date: <u>Thursday, March 27, 2025</u> |
|                           | ) | Judge: <u>NATASHA R. SHAW</u>                 |

**MOTION TO SET ORDER**  
**(PRETRIAL ORDER NO. 1)**

**Present:** ☒ Plaintiff ☐ Plaintiff's Attorney: \_\_\_\_\_  
☒ Defendant ☒ Defendant's Attorney: Scot Brower, Esq.  
☐ \_\_\_\_\_

**Mediation Occurred:** ☒ No ☐ Yes with \_\_\_\_\_  
(Mediator's Name)

☒ Plaintiff and Defendant \_\_\_\_\_ to arrange mediation with  
Mediation Center of the Pacific by Monday, May 19, 2025  
(Date)

**Volunteer Settlement Master:** not applicable is appointed as the Volunteer Settlement Master. Plaintiff's attorney shall prepare an Order Appointing Volunteer Settlement Master (VSM) for the court to approve and file. The deadline for meeting with the VSM is set forth on page 2 of this order.



In accordance with the Americans with Disabilities Act, as amended, and other applicable state and federal laws, if you require accommodation for a disability, please contact the ADA Coordinator at the First Circuit Family Court Office by telephone at 954-8200, fax 954-8308, or via email at [adarequest@courts.hawaii.gov](mailto:adarequest@courts.hawaii.gov) at least ten (10) working days prior to your hearing or appointment date.

**Please call the Family Court Service Center at 954-8290 if you have any questions regarding forms or procedures.**

**Trial Date, Scheduling Information, and Other Important Deadlines.** All Blanks must be Filled in. A deadline date in this order is binding unless a different date is set forth in a later order (such as the report dates established in the Custody Evaluator Order). The court will calculate deadline dates using the formula under the Misc. Information column unless the parties and the court agree to a different date. **The party who filed the motion that generated the trial date set below shall file the first witness list.**

(SC = Settlement Conference)

(HFCR = Hawai'i Family Court Rule)

| <u>Event</u>  | <u>Misc. Information</u>   | <u>Date</u>             |
|---|--|-------------------------|
| Deadline to Serve Discovery Under HFCRs 33, 34, and 36  | (33 days before SC)  | <u>May 15, 2025</u>     |
| <b>Witness List Filed by</b><br><input checked="" type="checkbox"/> Plaintiff <input checked="" type="checkbox"/> Defendant<br>Names of lay & expert witnesses, contact information (real), and subject matter of testimony   | (28 days before SC)  | <u>May 22, 2025</u>     |
| <b>Responsive Witness List Filed by</b><br><input checked="" type="checkbox"/> Plaintiff <input checked="" type="checkbox"/> Defendant<br>Names of lay & expert witnesses, contact information (real), and subject matter of testimony  | (21 days before SC)  | <u>May 29, 2025</u>     |
| <b>Deadline for First Meeting with Volunteer Settlement Master</b>  | (21 days before SC)  | <u>not applicable</u>   |
| <b>Expert Reports Exchanged</b>   | (14 days before SC)  | <u>not applicable</u>   |
| <b>SC Statement Filed by All Parties</b><br><input checked="" type="checkbox"/> Property Allocation Chart<br><input checked="" type="checkbox"/> Updated Asset & Debt and Income & Expense Statements<br><input checked="" type="checkbox"/> Child Support Guidelines Worksheet<br><input checked="" type="checkbox"/> Confidential Settlement Letter (Optional; Do NOT file) | (7 days before SC)   | <u>June 11, 2025</u>    |
| <b>All Discovery Completed</b>  | (1 day before SC)  | <u>June 18, 2025</u>    |
| <b>Settlement Conference</b>  | (39 days before trial week)<br>(at <u>1:30 p.m.</u> )<br>(Time; a.m./p.m.)         | <u>June 19, 2025</u>    |
| <b>Exhibits Exchanged</b>   | (18 days before trial week)  | <u>July 7, 2025</u>     |
| <b>Pre-Trial Motion(s) Deadline and Calendar Call</b>   | (11 days before trial week)<br>(at 8:30 a.m.)                                      | <u>July 11, 2025</u>    |
| <b>Memoranda in Opposition to Pre-Trial Motion(s)</b>   | (6 days before trial week)<br>(by 4:30 p.m.)                                       | <u>July 18, 2025</u>    |
| <b>Hearing on Pre-Trial Motion(s)</b>   | (to be set by trial judge)   | <u>to be determined</u> |
| <b>Exhibits and Letter Re Admissibility of Exhibits (Delivered to Court)</b>  | (4 days before trial week)<br>(by 4:30 p.m.)                                       | <u>July 22, 2025</u>    |
| <b>Trial Memorandum (Optional) Filed</b>  | (4 days before trial week)<br>(by 4:30 p.m.)                                       | <u>July 22, 2025</u>    |
| <b>Trial Week and Length of Trial</b>   | <u>two (2)</u> day(s)<br><input checked="" type="checkbox"/> Parties to share time | <u>July 28-29, 2025</u> |
| <input checked="" type="checkbox"/> See Page 5 for additional dates and events  |  |                         |

**Stipulation(s)/Issue(s) in Dispute:** Issues that are checked as "Agreed" are not in dispute based on the Position Statements previously submitted and/or the agreements of the parties made since. An agreement only becomes final when the agreement is placed on the record or signed by the parties and approved by the court. Parties should clearly write out the terms of any agreement using either the appropriate Divorce Decree from the Uncontested Divorce packet or a continuation sheet. All written agreements should be attached to and listed on Page 5 of this order.

|                                    | <u>Agreed</u>                       | <u>Disputed</u>                     | <u>Not Applicable</u>               |
|------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|
| 1. Jurisdiction:                   |                                     |                                     |                                     |
| a. Personal jurisdiction.          | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            |
| b. Subject matter jurisdiction.    | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            |
| 2. Existence of an enforceable:    |                                     |                                     |                                     |
| a. Premarital agreement.           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| b. Marital agreement.              | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| c. Divorce agreement.              | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| 3. Granting of the divorce itself. | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            |
| 4. Legal custody.                  | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| 5. Physical custody.               | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| 6. Visitation.                     | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| 7. Income of:                      |                                     |                                     |                                     |
| a. Plaintiff.                      | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| b. Defendant.                      | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| 8. Expenses of:                    |                                     |                                     |                                     |
| a. Plaintiff.                      | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| b. Defendant.                      | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| 9. Child Support.                  | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| 10. Child related expenses:        |                                     |                                     |                                     |
| a. Child care.                     | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| b. Pre-school expenses.            | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| c. Private school expenses.        | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| d. Summer school expenses.         | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| e. Post-high school expenses.      | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| f. Extracurricular expenses.       | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| 11. Child health care:             |                                     |                                     |                                     |
| a. Maintenance of insurance.       | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| b. Payment of excess expenses.     | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| 12. Alimony:                       |                                     |                                     |                                     |
| a. Amount.                         | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| b. Duration.                       | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| 13. Security for support:          |                                     |                                     |                                     |
| a. Alimony.                        | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| b. Child Support.                  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

|  | <u>Agreed</u>                       | <u>Disputed</u>                     | <u>Not Applicable</u>               |
|--|-------------------------------------|-------------------------------------|-------------------------------------|
| 14. Property division - general:         |                                     |                                     |                                     |
| a. Asset wasting issues.                 | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| b. Valuation issues.                     | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| c. Classification issues.                | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| d. Equitable deviation issues.           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| 15. Property division - distribution:    |                                     |                                     |                                     |
| a. Credit Union/bank accounts.           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| b. Securities.                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| c. Vehicles.                             | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| d. Real property.                        | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| e. Life insurance.                       | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| f. Retirement.                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| g. Business assets.                      | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| h. Investment assets.                    | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| i. Household effects.                    | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| j. Personal effects.                     | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| k. Trust property.                       | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| l. Other property.                       | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| 16. Debt.                                | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| 17. Tax matters.                         |                                     |                                     |                                     |
| a. Liability.                            | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| b. Refunds.                              | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| c. Dependents.                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| d. Deductions.                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| e. Other: _____                          | <input type="checkbox"/>            | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| 18. Payments for property division.      | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| 19. Payment of legal fees:               | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| a. Attorney's fees and costs.            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| b. Expert's fees and costs.              | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| c. Mediation/arbitration fees and costs. | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| d. CE/CGAL's fees and costs.             | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| 20. Compliance with prior orders.        | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| 21. Other:                               |                                     |                                     |                                     |
| _____                                    | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| _____                                    | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| 22. Name Change:                         |                                     |                                     |                                     |
| Undecided.                               |                                     |                                     |                                     |
| No name change.                          |                                     |                                     |                                     |
| Change Name to: _____                    |                                     |                                     |                                     |

(Full Name)

**Other Matters:**


☐ Custody Evaluator Report Due Date: \_\_\_\_\_ by 4:30 p.m.

☐ Return on Custody Evaluator Report: \_\_\_\_\_ at \_\_\_\_\_ m.

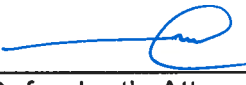
☒ Parties shall participate in mediation at Mediation Center of the Pacific no later than Monday, May 19, 2025. Parties shall participate on zoom if available through MCOP, and if not, in-person. Parties shall participate in good faith. Parties shall provide the court with updates regarding the mediation no later than the Settlement Conference scheduled on June 19, 2025. @

☐ List of all Attachments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Dated: Kapolei, Hawai'i, MAR 27 2025  
(Date)

  
\_\_\_\_\_  
JUDGE OF THE ABOVE-ENTITLED COURT  
NATASHA R. SHAW

NOT APPLICABLE   
\_\_\_\_\_  
Signature of Plaintiff's Attorney

WAIVED   
\_\_\_\_\_  
Signature of Defendant's Attorney

WAIVED   
\_\_\_\_\_  
Signature of Plaintiff

WAIVED   
\_\_\_\_\_  
Signature of Defendant

**ATTACHMENT "1"**

1. ☒ It is mandatory to file a Settlement Conference Statement.
2. ☒ It is mandatory to submit a Confidential Settlement Letter to the Settlement Judge, stating the party's true settlement position. DO NOT FILE or E-FILE the Confidential Settlement Letter. Deliver a hard copy to the Settlement Judge pursuant to the deadline set forth in the attached Motion to Set Order (Pretrial Order No. 1).
3. ☒ Counsel shall bring a "working" draft divorce decree to the Settlement Conference.
4. ☒ Prior to the Settlement Conference, counsel/parties shall meet and confer regarding their respective Property Division Charts and the values therein, in an effort to reach consensus regarding the parties' assets and debts and their values. The Property Division Chart from each party shall be consistent with line item numbering and identification of each asset and each debt.
5. ☒ Parties and counsel shall appear in person for Settlement Conference and Trial. Failure to appear in person for Settlement Conference or Trial may result in the entry of default against a non-appearing party and the Court may hold a proof hearing and issue any orders it deems just and proper including and up to the granting of the divorce, awarding spousal support, dividing assets and debts, awarding child custody and visitation/timesharing in the best interest of the child/ren awarding child support, and addressing other child-related issues.
6. ☒ Only counsel/unrepresented litigants are required to attend Calendar Call. Calendar Call shall be by Zoom video conference at Zoom ID: 513 480 6374. A Trial Judge shall be assigned at Calendar Call. In addition, if trial is set for one (1) day, the specific trial day (i.e. Monday or Tuesday) shall also be assigned at Calendar Call.
7. ☒ All witnesses shall appear for Trial in person. A letter asking that a witness be allowed to appear by Zoom video conference at trial may be submitted to the assigned Trial Judge after Calendar Call and no later than one (1) week before the Trial Week. A copy of the letter shall be provided to the opposing counsel/party at the same time it is submitted to the Trial Judge. The letter shall state (a) the reason why the witness requests to appear by Zoom and (b) the anticipated subject matter of the testimony of the witness.
8. ☒ Exhibits shall be marked and tabbed with the following designation: Plaintiff shall use numbers (1, 2, 3, etc.) and Defendant shall use letters (A, B, C, etc.). Two (2) sets of exhibits and exhibit lists shall be provided to the Court pursuant to the deadline in the attached Motion to Set Order (Pretrial Order No. 1).
- NOT APPLICABLE ☐ 9. A \_\_\_\_\_ (specify language) Interpreter shall be provided for \_\_\_\_\_ (specify party) for [ ] Settlement Conference, [ ] Calendar Call, and [ ] Trial.