

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF OKLAHOMA

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MICHAEL L. WILLIAMS, CLERK
U.S. BANKRUPTCY COURT
NORTHERN DISTRICT OF OKLA

IN RE:

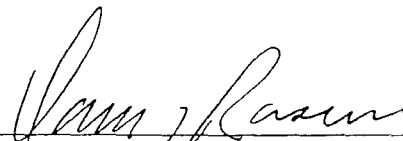
PROCEDURE FOR REQUESTING
PAYMENT OF UNCLAIMED FUNDS

Misc. No. 136

Any person or entity, or the legal representative or agent of any person or entity, may make a claim for funds which were ordered to be paid to that person or entity from a bankruptcy estate but were not paid. Pursuant to 28 U.S.C. § 2042, a claimant entitled to such funds may obtain an order directing payment to the claimant by filing an application for payment of unclaimed funds with the Clerk of the Court, upon proof of notice to the United States Attorney for the Northern District of Oklahoma and full proof of the right to payment of such funds. The application shall substantially conform to the form of Application for Payment of Unclaimed Funds attached as "Exhibit A."

If no response or objection has been filed by the United States Attorney for the Northern District of Oklahoma within fifteen (15) days from the date of filing of the Application, an Application which provides sufficient documentation to establish the identity of the claimant and the authority of the applicant to make a claim may be approved without a hearing. The Court reserves the right in all cases to set a hearing and seek further information before issuing an Order Directing Payment. All indications of fraud will be referred to the United States Attorney for the Northern District of Oklahoma.

SO ORDERED this 6th day of December, 2002.



DANA L. RASURE, CHIEF JUDGE
UNITED STATES BANKRUPTCY COURT



TERRENCE L. MICHAEL
UNITED STATES BANKRUPTCY JUDGE

“EXHIBIT A”

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF OKLAHOMA**

IN RE:

Debtor(s).

Case No. _____
Chapter _____

APPLICATION FOR PAYMENT OF UNCLAIMED FUNDS

_____ (“Applicant”) applies to this Court for entry of an order directing the Clerk to remit to Applicant the sum of \$_____ due to _____ (“Claimant”), whose address is _____ . Applicant further states that:

1. (Indicate one of the following items:)

___ Applicant is the **individual** Claimant named in the “Report of Trustee of Unclaimed Dividends and Other Monies under 11 U.S.C. § 347” and states that no other application for this claim has been submitted by or at the request of Claimant. **A photocopy of photo identification of Claimant showing Claimant’s signature [e.g. driver’s license or passport] is attached.** If the name of Claimant is different from the name of the original Claimant due to marriage, divorce, etc.), appropriate documentation [e.g. certified copy of divorce decree, marriage license] is attached. If Claimant is deceased, appropriate documentation to establish that the person executing the Application is authorized to act on behalf of the decedent’s estate [e.g. certified copy of letters of administration, probate decree] is attached.

___ Applicant is a corporation, partnership or other entity named as the Claimant in the “Report of Trustee of Unclaimed Dividends and Other Monies under 11 U.S.C. § 347.” Applicant has reviewed all records of the Claimant and states that no other application for this claim has been submitted by or at the request of Claimant. **Documentation that establishes that the person executing the Application is authorized to submit the Application [e.g. affidavit of secretary with copy of directors’ resolution authorizing**

execution of the Application or officer's certificate establishing that the corporate officer executing the Application is authorized to so act] is attached. If the name of Claimant is different from the name of the original Claimant due to change in corporate name, assignment, merger, dissolution, etc., appropriate documentation is attached.

___ Applicant is an attorney or a **"funds locator"** who has been retained by Claimant. **An original, notarized "power of attorney" from an individual Claimant or from the duly authorized representative for the corporation, partnership or other entity named as the Claimant conforming to Official Bankruptcy Form 11B is attached.** Documentation that establishes that the person executing the "power of attorney" is authorized to so act [e.g. affidavit of secretary with copy of directors' resolution authorizing use of locator service or officer's certificate establishing that the corporate officer executing the "power of attorney" is authorized to so act] is attached.

2. Applicant has made sufficient inquiry and has no knowledge that this claim has been previously paid, that any other application for this claim is currently pending before this Court, or that any party other than the Applicant is entitled to submit an application for the payment of this claim.
3. Applicant has provided notice to the United States Attorney for the Northern District of Oklahoma of this Application pursuant to 28 U.S.C. § 2042, and a certificate of service has been filed.

I hereby certify that the foregoing statements are true and correct to the best of my knowledge and belief.

Individual

Dated: _____

Signature of Individual Applicant

SS# _____

Street Address

City and State

Telephone (including area code)

Entity

ID# _____

Name of Applicant [if not an individual]

By _____
(Name of Authorized Representative and Capacity/Title)

Street Address

City and State

Telephone (including area code)

Acknowledgement Form
[Individual]

State of _____)
) ss.
County of _____)

Before me, _____ in and for this state, on this ____ day of _____, 20___, personally appeared _____, known to be the identical person(s) who executed the within and foregoing instrument, and acknowledged to me that he/she executed the same as his/her free and voluntary act and deed for the uses and purposes therein set forth.

[SEAL]

Notary Public

My commission expires
on _____

Acknowledgement Form
[Entity]

State of _____)
) ss.
County of _____)

Before me, _____ in and for this state, on this ____ day of _____, 20___, personally appeared _____ [name and title of person executing application], known to be the identical person(s) who executed the within and foregoing instrument on behalf of said [type of entity, i.e. corporation, partnership], and acknowledged to me that he/she executed the same as his/her free and voluntary act and deed of the [type of entity, i.e. corporation, partnership] for the uses and purposes therein set forth.

[SEAL]

Notary Public

My commission expires
on _____

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF OKLAHOMA**

IN RE:

Debtor(s).

Case No. _____

Chapter _____

ORDER DIRECTING PAYMENT OF UNCLAIMED FUNDS

Before the Court is the Application for Payment of Unclaimed Funds filed by _____
_____ (“Applicant”) on _____ [date] on behalf of _____
_____ (“Claimant”) and in accordance with the provisions of 28 U.S.C. § 2042. The Court
hereby directs the Clerk of the Court to remit to Claimant (or to Applicant and Claimant if
Application was submitted by an attorney or “funds locator”) the sum of \$ _____ now held as
unclaimed funds in the registry of the Court.

SO ORDERED this ____ day of _____, 20__.

UNITED STATES BANKRUPTCY JUDGE