

**UNITED STATES BANKRUPTCY COURT FOR THE
DISTRICT OF MARYLAND**

PROCEDURES FOR REQUESTING UNCLAIMED FUNDS

AUTHORITY: Per 28 U.S.C. § 2042, a party entitled to funds in the Registry of Unclaimed Funds, "... may, on petition to the court and upon notice to the United States attorney and full proof of the right thereto, obtain an order directing payment" of the funds.

REGISTRY OF UNCLAIMED FUNDS: Records of funds held in the Registry of Unclaimed Funds for the District of Maryland are on-line at www.mdb.uscourts.gov under Case Information, Unclaimed Funds Requests, and may be searched by case number, case name, or by creditor. If you do not have access to a computer, you may use a public computer terminal located in the Clerk's offices at the Federal courthouses. The courthouses are located at 101 W. Lombard St., Room 8530, Baltimore, MD, 21201 and 6500 Cherrywood Lane, Suite 300, Greenbelt, MD, 20770. The Clerk's offices are open Monday through Friday from 8:00 a.m. to 4:00 p.m., except Federal holidays. If you require a copy of a document, the cost is 10 cents per page when printed from the public terminals.

Upon receipt of the complete package containing the Motion to Withdraw Unclaimed Funds from the Court Registry and supporting documents, the finance office will review the motion and supporting documentation for accuracy and validity, verify that the funds remain on deposit with the Court, and forward the Motion and supporting documentation to the Bankruptcy Judge for final disposition. The Motion to Withdraw Unclaimed Funds from the Court Registry may be granted by Order of the Judge without a hearing. If a hearing is scheduled, interested the Court will send a notice of the date and time for the hearing to all parties.

Any request for unclaimed funds which appear to be based upon fraud will be referred to the United States Attorney for investigation and prosecution.

PROCEDURE: The following information and documents must be submitted when filing a Motion to Withdraw Unclaimed Funds from the Court Registry:

MOTION FILED BY AN INDIVIDUAL

1. Please provide all of the information requested on the Motion to Withdraw Unclaimed Funds from the Court Registry form, i.e., debtor name, case number, and the dollar amount of the claim. Please sign the form and include your current mailing address and telephone number. **A copy of the motion**

must be mailed to the U.S. Attorney for the District of Maryland, 36 S. Charles Street, 4th Floor, Baltimore, MD 21201.

2. Please provide all of the information requested on the Certificate of Service form, i.e., debtor's name, case number, date that a copy of the Motion was mailed to the U.S. Attorney, and the claimant's name and address. **The Certificate of Service form *must* be signed and notarized.**
3. Please provide all of the information requested on the Affidavit in Support of Motion to Withdraw Unclaimed Funds from the Court Registry form: debtor's name, case number, state and county/city where the affidavit was completed, claimant's full Social Security Number, current address, telephone number, a brief history of the claim and dollar amount of the claim. **The Affidavit in Support of Motion to Withdraw Unclaimed Funds from the Court Registry must be signed and notarized.**

The following documents must be submitted to the Financial Administrator at the Clerk's Office, U.S. Bankruptcy Court, 101 W. Lombard Street, Baltimore, MD, 21201:

1. Original Motion to Withdraw Unclaimed Funds from the Court Registry;
2. Original Certificate of Service (Notarized);
3. Original Affidavit in Support of Motion to Withdraw Unclaimed Funds from the Court Registry (Notarized);
4. A copy of the claimant's driver's license, passport or some other current, valid proof of identity;
5. If applicable, documentation of any change of name, i.e., marriage certificate or divorce decree; and
6. Evidence of the right of ownership to the funds. Evidence of ownership may include a copy of the Trustee's Final Report or proof of claim. The claimant **must** provide proof of their right to the funds.

If the funds were deposited in the names of both a debtor and joint debtor, the joint debtor also must sign the motion and certificate of service. The joint debtor must submit their own Affidavit in Support of Motion to Withdraw Unclaimed Funds from the Court Registry along with current, valid proof of identity.

If the claim owner is deceased, certified copies of all probate documents, including a certified copy of the death certificate and Letter of Administration which substantiate your right to act on behalf of the decedent's estate **must** be submitted. Proof of the personal identity of both the estate administrator and the decedent also must be provided.

MOTION FILED BY A CORPORATION OR OTHER BUSINESS ENTITY

entity

Corporations or other business entities that request unclaimed funds must follow the procedure specified above in the “Motion Filed by an Individual” section except that a corporation or other business entity must provide its complete tax identification number. Additionally, corporate creditors must submit proof the corporation’s representative submitting the request for the unclaimed funds is authorized to act on behalf of the corporation. If the corporation or business that was originally owed the funds has been amended, merged or dissolved, documentation must be submitted to prove the claimant’s right to the funds (proof of original ownership through current ownership).

MOTION FILED BY A FUND LOCATOR

A fund locator must follow the procedure specified above in the “Motion Filed by an Individual” section. Additionally, a fund locator also must submit an original notarized Power of Attorney with an original signature expressly authorizing the locator to represent the interest of the claimant and to collect the funds on behalf of the claimant. If the claim owner is deceased, certified copies of all probate documents, including a certified copy of the death certificate and Letter of Administration which substantiate the claimant’s right to act on behalf of the decedent’s estate **must** be submitted. Proof of the personal identity of both the estate administrator and the decedent also must be provided. If the claimant is a corporation, the locator must submit the additional documentation specified above in the “Motion Filed by a Corporation or Other Business Entity” section. Payments will be made in the name of the claimant in care of the fund locator.

MOTION FILED BY A PURCHASER OR ASSIGNEE OF CLAIM

A claimant who has either purchased or has been assigned a claim from the original claim owner must follow the procedure specified above in the “Motion Filed by an Individual” section. Documentation evidencing the transfer of claim or proof of the purchase/sale of assets also must be provided.

PLEASE NOTE THAT FAILURE TO PROVIDE ALL OF THE REQUIRED INFORMATION AND DOCUMENTATION MAY RESULT IN PROCESSING DELAYS AND/OR THE MOTION TO WITHDRAW UNCLAIMED FUNDS FROM THE COURT REGISTRY BEING DENIED BY THE COURT.