

United States Bankruptcy Court

Western District of Michigan
Gerald R. Ford Federal Building
PO Box 3310
Grand Rapids, MI 49501

Daniel M. LaVille
Clerk's Office

(616) 456-2693- Tel.
(616) 456-2919- Fax.

CLAIMANT'S NOTICE OF REQUIREMENTS REGARDING RELEASE OF UNCLAIMED FUNDS

1. To apply for the release of unclaimed funds, an original Application and proposed Order to Release Unclaimed Funds must be sent to the United States Bankruptcy Court (samples attached). The Application shall contain the **claimant's** name, address, and name and phone number of a person knowledgeable about the claim. If the claimant is someone other than the creditor who is listed in the bankruptcy schedules, such as a successor-in-interest or an heir to the original claimant, sufficient documentation must be provided to allow the Court satisfactory assurance that the funds are being released to or on behalf of the legal owner.
2. Page 2 of the Application contains an Affidavit in which the claimant must declare that they are legally entitled to such funds. The Affidavit shall be signed by the claimant declaring that they are the person or authorized representative of a corporation purported to be owed the funds.
3. The signature of the **claimant** on the Application and on the Affidavit must be signed under oath in the presence of a notary public and the notary's signature and seal affixed to the documents.
4. Pursuant to 28 U.S.C. Section 2042, a copy of the completed 2-page Application which includes the Affidavit must be served (by first-class mail) upon the United States Attorney, P.O. Box 208, Grand Rapids, MI 49501-0208. The Proof of Service at the bottom of page 2 of the Application (see sample attached on bottom of Affidavit) must be completed stating the United States Attorney has been served the Application.
5. After mailing the copy of the Application to the United States Attorney, the original, signed documents (2-page Application and proposed Order, along with any supporting documentation) shall be filed (by first-class mail or in person) with the United States Bankruptcy Court, P.O. Box 3310, Grand Rapids, Michigan 49501.

6. Approximately 20 days after your documents are received, the court docket and file will be reviewed for any objections to the release. If no objections have been received, the proposed Order will be forwarded to the judge for signature and a voucher for payment will be prepared. A check will be sent to the claimant directly by the United States District Court (disbursing agent for the United States Bankruptcy Court).

Please note that all applications are reviewed and any indications of fraud will be turned over to the Federal Bureau of Investigation and the U.S. Attorney for investigation. Proper documentation should be attached to identify the claimant of the funds. This may include a photocopy of photo identification such as a driver's license or passport, a letter of administration or probated will, or corporate documents showing proof of ownership of the funds through amendment, merger, or dissolution.

**United States Bankruptcy Court for the
Western District of Michigan**

IN RE:

Case No.

Debtor(s)

_____ /

APPLICATION FOR RELEASE OF UNCLAIMED FUNDS

IT APPEARING THAT a dividend check in the amount of \$ _____ was issued by the trustee to _____, claimant in the above-referenced case.

IT ALSO APPEARING THAT said check was not negotiated by said payee and the trustee, pursuant to 11 U.S.C. Section 347(a), delivered the unclaimed funds to the Clerk, United States Bankruptcy Court. These funds are currently being held by the United States Treasury.

IT ALSO APPEARING THAT this application includes a signed and notarized affidavit of claimant which states that the undersigned is the legal owner of such funds.

IT ALSO APPEARING THAT the United States Attorney for the Western District of Michigan has been provided a copy of this application allowing 20 days from the date of service to file an objection to payment of these funds. A proof of service is made part of this application.

THEREFORE, an application is made for an order directing the Clerk of Court to pay said unclaimed funds to the order of _____, claimant, and mail said check to the following address:

_____.

Dated: _____

Claimant

Subscribed and Sworn Before Me this _____ day of _____.

SEAL

Notary Public in and for the State of

My commission expires: _____

AFFIDAVIT OF CLAIMANT

I, _____, do hereby state that I am the claimant to the unclaimed funds referenced in this application and that I am, to the best of my knowledge, the legal owner of these funds. My mailing address and phone number are

Dated: _____
_____ Claimant (or Representative of Corporation)

Subscribed and Sworn Before Me this ____ day of _____.

SEAL _____
Notary Public In and For the State of

My Commission Expires: _____

PROOF OF SERVICE OF APPLICATION ON UNITED STATES ATTORNEY

Notice is hereby given that on _____ a copy of the Application for Release of Unclaimed Funds with Affidavit was served on the United States Attorney for the Western District of Michigan, P.O. Box 208, Grand Rapids, MI 49501-0208 by United States Mail.

Dated: _____
_____ Claimant

**United States Bankruptcy Court for the
Western District of Michigan**

IN RE:

Case No.

Debtor(s)
_____ /

ORDER FOR RELEASE OF UNCLAIMED FUNDS

IT APPEARING THAT the amount of \$_____ constituting unclaimed funds due to _____, claimant in the above-referenced case, are on deposit with the United States Treasury.

IS ALSO APPEARING THAT _____, claimant, has furnished the required documentation for release of unclaimed funds and has complied with the provisions of 28 U.S.C. Section 2042.

THEREFORE, IT IS HEREBY ORDERED THAT the Clerk of Court shall pay the unclaimed funds in the amount of \$_____ to the order of _____, claimant, and mail the check to _____.

Dated: _____

United States Bankruptcy Judge