

## **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.

### **NOTICE OF REQUIREMENTS REGARDING RELEASE OF UNCLAIMED FUNDS**

1. File an original Application and proposed Order to Release Unclaimed Funds with the U.S. Bankruptcy Court (samples attached). The Application shall contain the claimant's name, address, social security number, and name and phone number of a person knowledgeable about the claim. If the claimant is a corporation, the federal tax i.d. number of the corporation must be provided. 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. Prepare an Affidavit and make it part of the Application declaring that the claimant is 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. Pursuant to 28 U.S.C. Section 2042, serve a copy of the Application, along with the page showing the tax i.d. number, on the U.S. Attorney, P.O. Box 208, Grand Rapids, MI 49501-0208. A Proof of Service (see sample attached on bottom of Affidavit) stating the U.S. Attorney has been served the application must be filed with the Court.

Please contact Julie McMahon, Financial Administrator, if you have any questions regarding this process at (616) 456-2902.

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

IN RE:

Case No.  
Chapter

Debtor(s)

\_\_\_\_\_ /

**APPLICATION FOR RELEASE OF UNCLAIMED FUNDS**

**IT APPEARING THAT** a dividend check in the amount of \$\_\_\_\_\_ was issued by the trustee to \_\_\_\_\_, creditor 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, U.S. 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. The affidavit includes the address, phone number, and social security number of the person making application for these funds. If claimant is a corporation, the federal tax i.d. number of the corporation is provided.

**IT ALSO APPEARING THAT** the U.S. 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 \_\_\_\_\_, applicant, and mail said check to the following address:

\_\_\_\_\_.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Applicant

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 \_\_\_\_\_

My social security number is \_\_\_\_\_. If claimant is a corporation, the federal tax I.D. number of the corporation is \_\_\_\_\_.

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 U.S. ATTORNEY**

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

Dated: \_\_\_\_\_  
\_\_\_\_\_ Claimant

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

IN RE:

Case No.  
Chapter

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. The social security number of the claimant (or federal tax i.d. number if claimant is a corporation) has been provided.

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

Dated: \_\_\_\_\_

\_\_\_\_\_  
U.S. Bankruptcy Judge