

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MASSACHUSETTS

STANDING ORDER 2024-01

ORDER AMENDING OFFICIAL LOCAL FORM 23,
APPLICATION FOR PAYMENT OF UNCLAIMED FUNDS

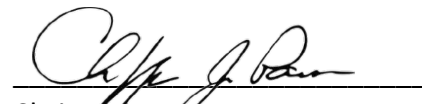
By Standing Order 2021-01 and pending adoption of a local rule on this subject, the Court ordered applications for payment of unclaimed funds deposited with the Court pursuant to 11 U.S.C. § 347(a), Fed. R. Bankr. P. 3010, or Fed. R. Bankr. P. 3011, to be filed in accordance with the Court's Instructions for Filing Application for Payment of Unclaimed Funds, located under Unclaimed Funds on the Court's website, and to substantially conform to MLBR Official Local Form 23, Application for Payment of Unclaimed Funds.

By this Order, MLBR Official Local Form 23 is amended to add the language highlighted in red in the attached form. The Court has updated the Instructions for Filing Application for Payment of Unclaimed Funds to include the added provisions. MLBR Official Local Form 23, as amended, is effective as of the date of this order.

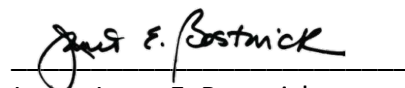
IT IS SO ORDERED:



Chief Judge Elizabeth D. Katz



Christopher J. Panos



Judge Janet E. Bostwick

Dated: May 24, 2024

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF MASSACHUSETTS**

In re:

Debtor(s)

Case No.
Chapter

APPLICATION FOR PAYMENT OF UNCLAIMED FUNDS¹

1. Claimant/Claim Information

For the benefit of the Claimant(s) named below, _____, the Applicant, files this application (the "Application") for the payment of unclaimed funds on deposit with the court. The Applicant has no knowledge that any other party may be entitled to these funds and is not aware of any dispute regarding these funds.

Note: If there are joint Claimants, complete the fields below for both Claimants.

Amount:		
Claimant's Name:		
Claimant's Current Mailing Address, Telephone Number, and Email Address:		

2. Applicant Information

Applicant represents that Claimant is entitled to receive the unclaimed funds because (*check the statements that apply*):

- Applicant is the Claimant and is the Owner of Record entitled to the unclaimed funds appearing on the records of the Court.
- Applicant is the Claimant but not the Owner of Record and is entitled to the unclaimed funds by assignment, purchase, merger, acquisition, succession, or by other means. **These are the name(s) of the Owner of Record and the previous owner(s) of the claim:** _____
 Applicant has sent a copy of this application to the Owner of Record and the previous owner(s) of the claim at their current address or Applicant has enclosed a statement explaining why Applicant was not able to do so or an explanation of why doing so is not necessary.
- Applicant is Claimant's representative (e.g., attorney or unclaimed funds locator²).
- Applicant is a representative of the deceased Claimant's estate.

3. Supporting Documentation

- ALL APPLICATIONS MUST BE ACCOMPANIED BY SUPPORTING DOCUMENTATION.** The documentation the Applicant must submit to support the Application depends upon several factors such as the identity of the Claimant and the Applicant and the nature of the asserted ownership to the unclaimed funds. The Court's Instructions for Filing an Application for Payment of Unclaimed Funds contain extensive and detailed information regarding the required documentation. The Applicant represents that the Applicant has read the Instructions and has attached the required supporting documentation.

¹ See Instructions for Filing Application for Payment of Unclaimed Funds for assistance in filling out this Application.

² Unclaimed Funds Locators must provide with their Application a fully executed copy of their agreement with the Claimant.

4. Certificate of Service

The Applicant has served the Application and supporting documentation to the **United States Attorney**, pursuant to 28 U.S.C. § 2042, at the following address:

Office of the United States Attorney
District of Massachusetts
John Joseph Moakley United States Courthouse
1 Courthouse Way, Suite 9200
Boston, MA 02210

The Applicant certifies that this Application and all supporting documents were mailed postage paid to the above noted party on: _____

Signature

Printed Name

5. Notice of Objection/Response Deadline

Any party objecting to this Application shall, within twenty-one (21) days after service thereof, file with the Court an objection to the Application and serve a copy of the Objection upon the Applicant and the party listed in subpart 4 and any other parties the Court ordered be served.

6. Applicant Declaration

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct **and any fraud in the application or supplemental materials may result in criminal penalties, see, e.g., 18 U.S.C. § 152.**

Date: _____

Signature of Applicant

Printed Name of Applicant

Address:

Telephone: _____

Email: _____

7. Co-Applicant Declaration (if applicable)

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct **and any fraud in the application or supplemental materials may result in criminal penalties, see, e.g., 18 U.S.C. § 152.**

Date: _____

Signature of Co-Applicant (if applicable)

Printed Name of Co-Applicant (if applicable)

Address:

Telephone: _____

Email: _____

8. Notarization for Applicant

STATE OF _____

COUNTY OF _____

This Application for Payment of Unclaimed Funds, dated _____ was subscribed and sworn to before me this _____ day of _____, 20____ by _____

who signed above and is personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument. WITNESS my hand and official seal.

Notary Public _____

My commission expires:

(SEAL)

9. Notarization for Co-Applicant (if applicable)

STATE OF _____

COUNTY OF _____

This Application for Payment of Unclaimed Funds, dated _____ was subscribed and sworn to before me this _____ day of _____, 20____ by _____

who signed above and is personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument. WITNESS my hand and official seal.

Notary Public _____

My commission expires:

(SEAL)

10. Filing the Application

a. **Filing Electronically:** Attorneys filing the Application electronically must select the ***Application for Payment of Unclaimed Funds*** which is a public event. For supporting documents, attorneys must select ***Attachment in Support of Unclaimed Funds (Restricted)*** which is a private event. Contact the Clerk’s Office should you have questions or concerns.

b. **Filing by Mail:** Parties who cannot file electronically must mail the Application and supporting documentation to the Court at the following address:

United States Bankruptcy Court
District of Massachusetts
Attn: Finance Department
5 Post Office Square, Suite 1150
Boston, MA 02109-3945