

UNITED STATES BANKRUPTCY COURT

Instructions for Submitting an Application for Unclaimed Dividends

Every application for unclaimed dividends must include a copy of the Trustee's Notice of Unclaimed Dividends. The Trustee's Notice is available from the court or the court copy service.

Any Trustee's Notice of Unclaimed Dividends **filed after January 2005**, is available from the court's electronic docket for a modest fee. Please contact the division where the notice was filed for a copy of the notice. Provide the court with the case number, debtor's name and tell them that you want a copy of the Trustee's Notice of Unclaimed Dividends. All of the bankruptcy court divisional offices have terminals available for public use. You can access a notice filed after **January 2005** and have it printed for a modest fee. PACER (Public Access to Court Electronic Records) is also available for access to notices filed after January 2005. Information on PACER is available at the court's website, www.canb.uscourts.gov. Click on the Case Information tab for instructions.

Any Trustee's Notice of Unclaimed Dividends, **filed before January 2005**, is only available in the court's paper files. To get a copy of the notice, submit a written request which includes the case number, name of the creditor and the debtor's name. Be sure to include your name, address and **telephone number** and a stamped self-addressed envelope which will be used to send the notice to you. If you are an individual, you must include a \$30.00 **money order or cashier's check**, made payable to the Clerk of the Court. If you are a business or an attorney, a business check will be accepted. Send your request to the address listed at the bottom of these instructions. Please do not submit an application along with the \$30.00 search fee. If you submit an Application for Unclaimed Funds without a copy of the Trustee's Notice, your application will be considered deficient.

To expedite processing of applications for unclaimed funds, please be sure to submit all requested documents and any other documents that support your application for the funds.

Individual Creditors

- A completed Order
- A completed and **notarized** Application and Certificate of Service Form
- A Copy of the Trustee's Notice(s) of Unclaimed Dividends
- A photocopy of government issued picture identification
- A completed Form W-9 (Check the "Other" box)

Include legible copies of documentation, that support the creditor receiving mail at the **address indicated in the Trustee's Notice of Unclaimed Dividends**. Documents may include a copy of the "FILED" stamped proof of claim, correspondence from the court, a copy of the

original, uncashed check, a copy of a utility bill, pay stub, signed tax return, or a copy of your driver license or other government issued picture identification.

Include legible copies of documentation that support the creditor receiving mail at his or her **current address**. Documents may include a copy of the “FILED” stamped proof of claim, correspondence from the court, a copy of the original, an uncashed check, a copy of a utility bill, pay stub, signed tax return, driver license etc.

If your name or address is **misspelled** on the Trustee’s Notice of Unclaimed Dividends, please provide a document that briefly states the misspelling and the correct spelling of your name. End the document with a penalty of perjury statement (*I certify, under the penalty of perjury, under the laws of the United States of America, that the foregoing is true and correct.*) and sign and date the document.

Creditor Companies

- A completed Order
- A completed and **notarized** Application and Certificate of Service Form
- A Copy of the Trustee’s Notice(s) of Unclaimed Dividends
- A completed Form W-9 (Check the “Other” box)

Include legible copies of documentation, that support the creditor receiving mail at the **address indicated in the Trustee’s Notice of Unclaimed Dividends**. Documents may include a copy of the “FILED” stamped proof of claim, correspondence from the court, a copy of the original uncashed check, a copy of a utility bill, signed tax return, driver license etc. Businesses may include copies of business licenses, an original business card, invoices etc.

Include legible copies of documentation that support the creditor receiving mail at their **current address**. Documents may include a copy of the “FILED” stamped proof of claim, correspondence from the court, a copy of an uncashed check, a copy of a utility bill, signed tax return, driver license etc. Businesses may include copies of business licenses, an original business card, invoices etc.

If you are making a claim for a small business, please submit an original business card along with documents that clearly define your role, i.e. sole owner, partner etc.

If you are in partnership with one or more people, or you are a stockholder, you must submit documents that support your authority to collect on behalf of the creditor.

Subsidiary and affiliate companies, not parent corporations, should make application for unclaimed dividends that rightfully belong to the subsidiary or affiliate. In the case of a merger of two companies, the surviving entity may make application for unclaimed dividends due one of the companies. Proper proof of the merger must be submitted. Press releases alone will not establish your claim.

If you are making application on behalf of a large company and you ARE NOT an officer

in the company, you must have signed and notarized document from an officer in the company that gives you authority to collect funds on behalf of the company. The document must include the officer's signature, their printed name, their position in the company and their company address. Also, please include an original business card or a photocopy of employer issued identification, from the person signing the authorization.

You must serve (mail) a copy of the application on the Office of the United States Attorney in San Francisco. The address is on the application.

Your application must contain an original signature and it must be notarized. Submitted photocopies of government issued picture ID and The Form W-9 WILL NOT appear on the public docket. A Form 1099 WILL NOT be generated for anyone making application for Unclaimed Dividends. Mail the application and the supporting documents to the address below.

United States Bankruptcy Court
Attention: Toni Taylor
Post Office Box 7341
San Francisco, CA 94120-7341

If your application is deficient, you will receive a **Notice of Deficiencies in an Application for Unclaimed Dividends**. You will have approximately 30 days to cure the deficiencies. If the information is not timely received by the court, you will receive a **Notice of Failure to Cure Deficiencies in an Application for Unclaimed Dividends**. When this notice is sent, the application will be deemed withdrawn and the court will take no further action. A new application must be submitted to start a new review process.

If you are making application for an unclaimed dividend that is payable to a deceased creditor or claimant, please complete **Standard Form 1055** and include it with the application. **Standard Form 1055** is available in the FORMS section of the website. Be sure to submit documents that clearly demonstrate your authority to act on behalf of the decedent and/or his or her estate. Please include a copy of the death certificate.

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA

In re) Case No.
)
) Chapter No.
)
)
)
Debtor(s)) Application for Unclaimed Dividends
) and Certificate of Service
_____)

I am applying for funds in the amount of \$_____ which have been paid into the court by the trustee in this case for the following creditor.

Name

Address

Last four digits of SS# or Tax ID#

Please check the appropriate box.

I am the creditor named above.

I hold an ownership interest of _____% in the creditor and my ownership interest is that of _____ (e.g. sole proprietorship, partner, stockholder). I have authority from any and all other parties holding an ownership interest in the creditor to collect funds on behalf of the creditor.

I am an employee of the creditor named above and my title is_____. I am authorized by the creditor to file this application and have attached an authorization to collect on behalf of the creditor because I am not an officer of the company or corporation.

I am the legal representative for the creditor named above. I have attached an original, notarized power of attorney which includes the case number, case name, chapter number, dollar amount of claim and the typed name, title (if applicable), address and phone number of the person who signed the power of attorney. An **original** business card is attached if the claimant is employed by the creditor. Also, an authorization to collect on behalf of the creditor is attached if the claimant is not an officer of the company or corporation.

I am a successor in interest, or its legal representative (legal representatives must attach a power of attorney as described above) and I have attached documentation which establishes my right to make this claim. Please provide a brief history of the creditor named above and attach documents that clearly establish that the unclaimed funds are included in any sale, merger, transfer or acquisition.

___ I am the heir/legal representative of the creditor who is deceased. I have attached a certified copy of the death certificate and other appropriate documents that support my right to act on behalf of the decedent's estate.

___ None of the above apply. I have attached documents that show that I am entitled to the unclaimed funds because:

I have no knowledge that any other party may be entitled to these funds and I am not aware of any dispute regarding these funds.

On _____, I mailed a copy of this application to the U.S. Attorney for the Northern District of California, 450 Golden Gate Avenue, P.O. Box 36055, San Francisco, CA 94102.

I understand that pursuant to 18 U.S.C. section 152, I will be fined not more than \$5,000.00, or imprisoned not more than five years, or both if I knowingly and fraudulently made any false statements in this document.

I certify, under the penalty of perjury, under the laws of the United States of America, that the foregoing is true and correct.

Signature of Creditor/Claimant

Address of Creditor/Claimant

Typed or Printed Name

Telephone Number of Creditor/Claimant

Date

E-mail Address of Creditor/Claimant

NOTARY

Request for Taxpayer Identification Number and Certification

**Give Form to the
requester. Do not
send to the IRS.**

Print or type See Specific Instructions on page 2.	Name (as shown on your income tax return)	
	Business name/disregarded entity name, if different from above	
	Check appropriate box for federal tax classification: <input type="checkbox"/> Individual/sole proprietor <input type="checkbox"/> C Corporation <input type="checkbox"/> S Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Trust/estate <input type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=partnership) ▶ _____ <input type="checkbox"/> Other (see instructions) ▶ _____	
	<input type="checkbox"/> Exempt payee	
	Address (number, street, and apt. or suite no.)	Requester's name and address (optional)
City, state, and ZIP code		
List account number(s) here (optional)		

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on the "Name" line to avoid backup withholding. For individuals, this is your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN* on page 3.

Social security number									

Note. If the account is in more than one name, see the chart on page 4 for guidelines on whose number to enter.

Employer identification number									

Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me), and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding, and
3. I am a U.S. citizen or other U.S. person (defined below).

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions on page 4.

Sign Here	Signature of U.S. person ▶	Date ▶
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General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Purpose of Form

A person who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) to report, for example, income paid to you, real estate transactions, mortgage interest you paid, acquisition or abandonment of secured property, cancellation of debt, or contributions you made to an IRA.

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN to the person requesting it (the requester) and, when applicable, to:

1. Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),
2. Certify that you are not subject to backup withholding, or
3. Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income.

Note. If a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.

Definition of a U.S. person. For federal tax purposes, you are considered a U.S. person if you are:

- An individual who is a U.S. citizen or U.S. resident alien,
- A partnership, corporation, company, or association created or organized in the United States or under the laws of the United States,
- An estate (other than a foreign estate), or
- A domestic trust (as defined in Regulations section 301.7701-7).

Special rules for partnerships. Partnerships that conduct a trade or business in the United States are generally required to pay a withholding tax on any foreign partners' share of income from such business. Further, in certain cases where a Form W-9 has not been received, a partnership is required to presume that a partner is a foreign person, and pay the withholding tax. Therefore, if you are a U.S. person that is a partner in a partnership conducting a trade or business in the United States, provide Form W-9 to the partnership to establish your U.S. status and avoid withholding on your share of partnership income.

IN THE UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA

In Re:)
)
) Case No.
)
) Chapter No.
)
)
 Debtor) **ORDER TO PAY UNCLAIMED FUNDS**
_____)

It appearing that the check(s) made payable to _____ in the total amount of \$ _____ was not cashed within the 90 day limit and an unclaimed money report was entered on _____ to close the account and transfer the monies to the Clerk, U. S. Bankruptcy Court, for deposit with the U.S. Treasury or the designated local depository, and

It further appearing that _____ is now claiming the above monies in the application attached hereto.

IT IS ORDERED that the Clerk of the Bankruptcy Court pay said sum of \$ _____ to the order of _____ and mail to _____.

****End of Order****
****No Service List Requested****