

Instructions for Completing a Motion for Order Releasing Unclaimed Funds (Form F 3011-1)

A fillable Form F3011-1 can be downloaded from the court's website [here](#). (To find the document from the [homepage](#), click on the Forms menu, select Local Bankruptcy Rules Forms, and click on the Motion for Order Releasing Unclaimed Funds link. You can download or print from this screen. You may need to download Acrobat Reader to view, download, or print the form. A free version is available at www.adobe.com.)

Page 1

- Enter your name, address, telephone number, fax number (if applicable), and bar number (if an attorney) in the box located in the upper left hand corner of the page.
- Check box for either "Individual appearing without attorney" or "Attorney for."
 - o If you are an Attorney or Attorney-In-Fact, enter the name of the party you are representing.
- Select the division where the case was filed by clicking on the down arrow to the right of Central District of California.
- In the "In re" field (below the name and address field) enter the name(s) of the debtor(s).
- In the Case Number (No.) box, enter the case number in the following format:
 - o Office Code: Two-Digit Year-Case Number-Judge Initials (Ex. **2:08-10001-JN**)
 - o Select Chapter, if known.
- No initial hearing date is required for this motion.
- Complete paragraph 1 (if you do not know the claim number, enter "unknown").
- Complete paragraph 2 by selecting the appropriate boxes (there is another selection on the next page).

Page 2

- Complete paragraphs 3a and 3b.
 - o Please note: if you are a debtor requesting funds, you may cross out the term "creditor" and replace with "debtor" after you print the form.
 - o A brief history is required in all instances, but especially when the creditor or debtor name changes, such as when a creditor or debtor has a different last name or a successor to the funds is requesting for the funds.

Page 3

- The corporate seal is required for any corporation.
- Type or print the creditor's/successor's name and address.
 - o Please note: if you are a debtor requesting funds, you may cross out the term "creditor" and replace with "debtor" after you print the form.
- **IMPORTANT!** You must sign the form in the presence of a notary public in the state in which the form will be signed and notarized.

Page 4

- If you are being represented by an attorney or a fund locator, he or she must complete this section and his or her signature must be notarized.
- If you are not being represented, please leave blank, but include the page nevertheless.

Page 5

- The Proof of Service needs to be completed:
 - o Enter the date in the provided field.
 - o Enter the U.S. Attorney's Office and the U.S. Trustee's Office addresses in the field provided below the first paragraph.
 - o Enter the appointed case trustee's and counsel's, if any, name(s) and addresses.
 - o Enter the debtor's name and counsel's, if any, name(s) and addresses.
 - o If movant is not the original creditor, type in the original creditor's name and address and that of the creditor's counsel, if originally represented by an attorney.
 - o Sign and type or print your name.

All pages

- Copies of both the form and all attached evidence will need to be mailed to those listed on the Proof of Service form (page 5 of the motion) by the claimant or the person completing the Proof of Service. For your privacy, do not send copies of your W-9 form or Photo I.D. to the entities on the service list. Only include as part of the original to the court.

The court requires the original document to be sent to the following address:

**U.S.B.C., Financial Services Department
ATTN: Unclaimed Funds Processor
255 E. Temple Street, Room 967
Los Angeles, CA 90012**

Or, you can submit the motion in person at the Intake Counter in any division within the Central District of California. For a list of divisions, please click on the Court Locator menu at our [website](#).

Items to submit include, but are not limited to, the following:

- For individual original claimants (or Sole Proprietor):
 - o Completed F3011-1 as explained in the instruction above,
 - o Completed W-9 form from the Internal Revenue Service (**page one only**) for the claimant (available from www.irs.gov),
 - o Copy of valid photo identification for the claimant (DMV driver's license or identification card, passport, or employee identification),
 - o Other documents, as required by court staff to verify the validity of the claim.

- For successor claimants (non-corporate):
 - Same as above, plus below:
 - If claiming on behalf of a deceased individual, a certified copy of the death certificate and proof that you are the executor of the individual's estate (certified copy of court documents listing you as executor or administrator), and
 - Proof of sale or assignment of the succession of the claim.
- For Corporations, Partnerships, or LLC's:
 - Same as for individual original claimants, plus below:
 - If claiming on behalf of an existing company:
 - the original motion, stamped or embossed with the corporate seal,
 - a signed document from the company president, vice-president, secretary, or his/her assignee, or a corporate official stating that the claimant has the capacity to act on the behalf of the corporation for requesting the company's unclaimed funds and the assignor has the official capacity to assign this duty to the claimant,
 - a notarized Authority to Act or notarized Limited Power of Attorney or any notarized document in which the signer has received the authority to collect money on behalf of the corporation.
 - If claiming on behalf of a merged company or dissolved corporation or a successor to claims:
 - in addition to the above, if applicable, any verifiable proof of a corporate dissolution, a corporate merger, or any related document in which the original corporation that had the right to claim the unclaimed funds is no longer operational, or
 - a certified or verifiable document(s), such as sale of assets or a purchase of business uncollected funds, showing the name of the corporation and proof of the purchase of any assets, or
 - any other document showing a succession of the original claim.

Other information

- We cannot release any funds without an Order to Pay Unclaimed Funds, signed by the judge (note: this will be submitted by the Financial Services Department).
- We cannot release any funds without a complete W-9 form (page one only).
- Court employees are not allowed to provide legal advice.
- Motions for Order Releasing Unclaimed Funds should **not** be electronically filed via CM/ECF. They should be submitted either in person or by mail.