

UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA

IN RE:)
)
 Disbursement of Unclaimed)
 Funds)
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FILED
U.S. Bankruptcy Court
WDNC, Charlotte, NC

MAR 8 1999

Geraldine Thousier Crockett
Clerk
/scc

ADMINISTRATIVE ORDER

THIS CAUSE coming on to be heard by the Court to review its practice and procedure concerning the disbursement of unclaimed funds, and it appearing to the Court that this practice and procedure should be revised;

NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED as follows:

1. All unclaimed funds collected by the Court shall be deposited into the United States Treasury.

2. Each request for the disbursement of unclaimed funds shall be filed with the Clerk of Court in the form of a verified Motion for Disbursement of Unclaimed Funds, which shall be accompanied by a Notice of Hearing.

3. The Movant shall serve a copy of the Motion and Notice of Hearing on the United States Attorney, the Bankruptcy Administrator, and the case trustee at least fifteen (15) days prior to the hearing date.

4. An individual claimant may file a Motion for Disbursement of Unclaimed Funds and Notice of Hearing pro se, but all other claimants (partnerships, corporations, and governmental agencies) must be represented by a lawyer who is a member in good standing of the North Carolina State Bar and who has been admitted to practice before the United States District Court for the Western District of North Carolina by taking the prescribed oath in open Court, as set forth in Rule 1 of the Rules of the United States District Court for the Western District of North Carolina. Licensed attorneys who are not admitted to practice before the United States District Court for the Western District of North Carolina shall not be permitted to appear pro hac vice for the purpose of filing a Motion for Disbursement of Unclaimed Funds on behalf of a claimant.

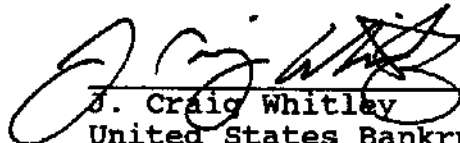
5. An individual claimant shall establish full proof of his or her right to the unclaimed funds by personally appearing at the hearing and presenting testimony in open Court which convinces the Court of the claimant's right to the unclaimed funds.

6. A non individual claimant shall establish full proof of its right to the unclaimed funds by having a designee personally appear at the hearing and present testimony in open Court which convinces the Court of the claimant's right to the unclaimed funds. Alternatively, the non individual claimant, in lieu of appearing in Court, may file an affidavit of its designated officer, general or managing agent, stating the factual and legal basis for its claim to the funds in question.

THIS the 8th day of March, 1999.



George R. Hodges
United States Bankruptcy Judge



J. Craig Whitley
United States Bankruptcy Judge