Effective March 1, 2013

UNITED STATES BANKRUPTCY COURT

DISTRICT OF NEVADA

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In re: **AMENDMENT OF LOCAL RULE 7067 REGARDING DEPOSIT AND INVESTMENT OF REGISTRY**	)))))))	**ADMINISTRATIVE ORDER 2013-01**

The Court, having determined that it is necessary to adopt local procedures to ensure uniformity in the deposit and investment of funds in the Court's Registry,

IT IS ORDERED that the following shall govern the receipt, deposit and investment of registry funds and amends the current Local Rule 7067 Registry Funds:

I. Receipt of Funds

A. No money shall be sent to the Court or its officers for deposit in the Court's registry without a court order signed by the presiding judge in the case or proceeding.

i. The order must be prepared by the party seeking the order of deposit. The order must state the exact amount to be deposited, and that the funds will remain on deposit until further order of the court.

B. The party making the deposit or transferring funds to the Court's registry shall serve the order permitting the deposit or transfer on the Clerk of Court.

C. Unless provided for elsewhere in this Order, all monies ordered to be paid to the Court or received by its officers in any case pending or adjudicated shall be deposited with the Treasurer of the United States in the name and to the credit of this Court pursuant to 28 U.S.C. § 2041 through depositories designated by the Treasury to accept such deposit on its behalf.

i. The funds must be submitted to the clerk by check or money order

made payable to "U.S. Bankruptcy Court" in the exact amount specified in the court order.

II. Investment of Registry Funds

A. Where, by order of the Court, funds on deposit with the Court are to be placed in some form of interest-bearing account, the Court Registry Investment System (CRIS), administered by the Administrative Office of the United States Courts under 28 U.S.C. § 2045, shall be the only investment mechanism authorized.

B. The Director of Administrative Office of the United States Courts is designated as custodian for CRIS. The Director or the Director's designee shall perform the duties of custodian. Funds held in CRIS remain subject to the control and jurisdiction of the Court.

C. Money from each case deposited in CRIS shall be "pooled" together with those on deposit with Treasury from other courts in CRIS and used to purchase Government Account Series securities through the Bureau of Public Debt, which will be held at Treasury, in an account in the name and to the credit of the Director of Administrative Office of the United States Courts. The pooled funds will be invested in accordance with the principals of the CRIS Investment Policy as approved by the Registry Monitoring Group.

D. An account for each case will be established in CRIS. Income generated from fund investments will be distributed to each case based on the ration each account's principal and earnings has to the aggregate principal and income total in the fund.

III. Deductions of Fees

A. The custodian is authorized and directed by this Order to deduct the investment services fee for the management of investments in CRIS and the registry fee for maintaining accounts deposited with the Court.

B. The investment services fee is assessed from interest earnings to the pool according to the Court's Miscellaneous Fee Schedule and is to be assessed before a pro rata distribution of earnings to court cases.

C. The registry fee is assessed by the custodian from each case's pro rata distribution of the earnings and is to be determined on the basis of the rates published by the Director of the Administrative Office of the United States Courts as approved by the Judicial Conference of the United States.

IV. Disbursements of Registry Funds

The disbursement order must state the name and taxpayer identification number for each party who is to receive funds, the mailing address of each party, and the amount each party is to receive. Funds will be disbursed only after the time for appeal of the related judgment or order has expired, or upon approval by the court of a written stipulation signed by all parties. Due to privacy protection of court filings under Fed. R. Bankr. P. 9037 and the court's privacy policy, a party's social security number may be sent to the court's finance department instead of being included in the disbursement order. The finance department's contact information will be available on the contact information page on the court's website.

V. Transition From Former Investment Procedure

A. The Clerk of Court is further directed to develop a systematic method of redemption of all existing investments and their transfer to CRIS.

B. Parties not wishing to transfer certain existing registry deposits into CRIS may seek leave to transfer them to the litigants or their designees on proper motion and approval of the judge assigned to the specific case.

C. This Order supersedes and abrogates all prior orders of this Court regarding the deposit and investment of registry funds.

Mike K. Nakagawa, Chief Judge
United States Bankruptcy Court
District of Nevada

Linda B. Riegle, Judge
United States Bankruptcy Court
District of Nevada

Bruce A. Markell, Judge
United States Bankruptcy Court
District of Nevada

Bruce T. Beesley, Judge
United States Bankruptcy Court
District of Nevada