

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA**

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**In re:**

**DISPOSITION OF UNCLAIMED FUNDS**

**ADMINISTRATIVE ORDER 2013-02**

(a) Deposit by Chapter 7, 12, or 13 Trustee. The chapter 7, 12, or 13 trustee shall deposit with the court any funds left undistributed pursuant to Federal Rules of Bankruptcy Procedure 3011.

(b) Disposition of Unclaimed Funds Under A Chapter 11 Liquidating Plan.

(1) The disbursing agent, under a chapter 11 plan that provides for the complete liquidation of the property of the debtor, shall, when making final distribution under the plan:

(A) Notify such entity, if any, that purchased all of the debtor's assets under the chapter 11 plan, of its potential right to the unclaimed funds to the extent the disbursing agent can identify such an entity;

(B) Pay over to the court any funds left unclaimed 120 days after the final distribution under the plan, unless the plan otherwise provides; and

(C) File a final account under 11 U.S.C. § 1106(a)(7), prior to the expiration of time provided in 11 U.S.C. § 1143, and all other reports required by local rules.

(2) A chapter 11 liquidating plan may provide that any unclaimed funds may be redistributed to other creditors or administrative claimants or donated to a not-for-profit, non-religious organization identified in the plan or disclosure statement accompanying the plan.

(c) Disposition of Undistributable Funds Under a Chapter 11 Liquidating Plan.

(1) Undistributable funds are any funds other than unclaimed funds, including, but not limited to, funds that cannot be disbursed because:

(A) A creditor has affirmatively rejected a distribution;

(B) The administrative costs of distribution effectively interfere with

distribution; or

(C) All creditors, including administrative claimants, have been paid in full and there is no one that has a right to the funds.

(2) A chapter 11 liquidating plan may provide that any undistributable funds, if applicable or practicable, may be redistributed to other creditors, administrative claimants, or donated to a not-for-profit, non-religious organization identified in the plan or disclosure statement accompanying the plan.

(3) If a chapter 11 liquidating plan does not provide for the disposition of undistributable funds then, if there are any such funds at the time of final distribution under the plan, the disbursing agent shall file a motion, upon notice and hearing, proposing disposition of such funds, including as described in subdivision (c)(2) of this Administrative Order.

(d) Withdrawal of Unclaimed Funds. The court shall consider a request for withdrawal of unclaimed funds submitted in accordance with Local Rule 3011.

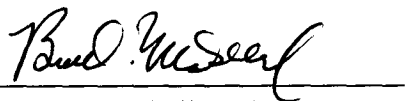
**IT IS SO ORDERED.**



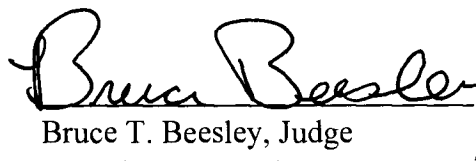
Mike K. Nakagawa, Chief Judge  
United States Bankruptcy Court  
District of Nevada



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