

**Rule 3011-1      Deposit or Release of Funds Paid into the Registry of the Court.** The deposit or release of funds paid into the Registry of the Court shall be by motion in accordance with Del. Bankr. L.R. 9013-1.

- (a) Deposit of Funds. A motion for the deposit of funds paid into the Registry of the Court shall specify the amount to be deposited and the reason for the deposit. If the deposit is for unclaimed distributions, then the movant shall also specify the list of payees (with the last four digits of taxpayer identification number, if available), the amount due to each payee and why the distributions did not occur to the payees.
- (b) Withdrawal of Funds. In addition to the requirements set forth in 28 U.S.C. § 2042, any motion for the withdrawal of funds paid into the Registry of the Court shall (i) include a copy of the trustee's motion to deposit unclaimed funds into the registry of the Court, (ii) specify the amount to be withdrawn and state the name, address and the last four digits of taxpayer identification number of any entity to which funds are paid, (iii) specify the reason for the motion and proof of the right to payment for the entity to be paid and (iv) include a proposed order stating that the requested funds to be released be made payable to "the claimant, (name of claimant), c/o name of fund finder." In addition, the motion shall be brought by (i) an attorney admitted to practice before the District Court or admitted pro hac vice in this Court for the case at hand, (ii) the claimant or its legal successor, (iii) the assignee of the claimant or its legal successor, or (iv) the attorney in fact for the claimant or its legal successor.
- (c) Service. Any such motion for the deposit or withdrawal of funds shall be served upon the United States Trustee, the debtor or trustee, if any, and the original claimant or any assignee thereof. If the funds have been deposited with the Court for at least five years, the motion for the withdrawal of funds shall be noticed to the United States attorney, in accordance with 28 U.S.C. § 2042.