

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

G.O. #91-2

IN RE: :
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General Order :
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ORDER OF COURT

WHEREAS, 28 U.S.C. Section 2041 and Rule 67 of the Federal Rules of Civil Procedure permit deposits with the court; and

WHEREAS, the monies so deposited are placed in accounts with the Treasurer of the United States or a designated depository; and

WHEREAS, 28 U.S.C. Section 2042 permits withdrawals from such accounts; and

WHEREAS, the court desires to develop a standard procedure for the deposit and withdrawal of funds from registry accounts.

NOW THEREFORE, this 11th day of February, 1991, **IT IS HEREBY ORDERED** that the Clerk of the Bankruptcy Court will invest funds under Rule 67 of the Federal Rules of Civil Procedure and 28 U.S.C. Section 2041 as soon as the business of his office allows. Such funds may be retained temporarily in a non-interest bearing treasury account until the depository pledges sufficient collateral when the deposit exceeds the Federal insurance limit.

All registry invested accounts are subject to an administrative handling fee at a rate established by the Judicial Conference of the United States. The fee will be assessed and funds will be withdrawn from each invested account in accordance with the Judicial Conference directives.

The posting party shall have registry funds deposited into an interest bearing account by filing a motion for court approval with the Clerk of the Bankruptcy Court and submitting a copy of said motion to the Clerk's Financial Administrator. The Clerk or Financial Administrator shall review the proposed investment order to insure that all required investment information is included.

In order to withdraw deposited funds, a motion of disbursement of invested registry funds and a proposed

order must be filed with the Clerk. A copy of said motion shall be submitted to the Clerk's Financial Administrator. The proposed order for disbursement of invested registry funds must include the name and address of the payee(s) in addition to the total amount of the principal and interest (if the interest is not known, the order may read "plus interest") which will be disbursed to each payee. In order for the Clerk to comply with Rule 76-50 of the Internal Revenue Code, the tax identification number or social security number of each payee receiving earned interest must be provided. The proposed order must state if the payment is to be sent to the payee or to counsel. The disbursement order shall be reviewed by the Clerk or his Financial Administrator to insure that withdrawal is in compliance with 28 U.S.C. Section 2042 and this order.

The party requesting disbursement of funds shall notify the Clerk's Financial Administrator whenever an order of court is entered allowing such disbursement.

BIT IS FURTHER ORDERED that the Clerk shall publish entry of this General Order in the Pittsburgh Legal Journal and the Erie County Legal Journal.

/S/ Joseph L. Cosetti
Joseph L. Cosetti
Chief Bankruptcy Judge

/S/ Warren W. Bentz
Warren W. Bentz
U.S. Bankruptcy Judge

S/ Bernard Markovitz
Bernard Markovitz
U.S. Bankruptcy Judge

/S/ Judith K. Fitzgerald
Judith K. Fitzgerald
U.S. Bankruptcy Judge