

United States Bankruptcy Court for the Western District of Pennsylvania

PAWB Local Form 33

PART 1: Case Information:

1.a. Debtor 1 _____
First Name Middle Name Last Name

1.b. Debtor 2 _____
(Spouse, for First Name Middle Name Last Name
joint cases)

1.c. Case Number: _____

**APPLICATION FOR
PAYMENT OF
UNCLAIMED FUNDS**

Part 2: Claim Information

For the benefit of the Claimant(s) named below, application is made for the payment of unclaimed funds on deposit with the Court. I have no knowledge that any other party may be entitled to these funds, and I am not aware of any dispute regarding these funds.

Note: If there are joint Claimants, complete the fields below for both Claimants.

2.a. Amount:

2.b. Owner(s) of Record:

2.c. Claimant's Name:

2.e. Joint Claimant's Name (if applicable):

2.d. Claimant's Current Mailing Address:

2.f. Joint Claimant's Current Mailing Address (if applicable):

Part 3: Applicant Information

Applicant represents that (*check each statement that applies*):

- 3.a. Applicant is the Claimant.
- 3.b. Applicant is representing the Claimant as: _____.
- 3.c. Applicant is a representative of the deceased Claimant's estate.

Part 4: Supporting Documentation

- Applicant has read the Instructions for Completing an Application for Payment of Unclaimed Funds ([Link](#)) and is providing the Court with the required supporting documentation corresponding to this Application.

Part 5: Notice to United States Attorney and All Interested Parties

5.a. Applicant will immediately send a copy of this Application and supporting documentation to the United States Attorney, pursuant to 28 U.S.C. § 2042, to the following address:

Office of the United States Attorney
Western District of Pennsylvania
Joseph F. Weis, Jr. United States Courthouse
700 Grant Street, Suite 4000
Pittsburgh, PA 15219

5.b. Applicant will immediately send a copy of this Application to the debtor(s), debtor's attorney, previous owners of the claim, United States Trustee, and former and/or current case Trustee(s). Applicant has attached a certificate of service to this Application listing the names, addresses and methods of service.

Part 6: Applicant Declaration

6.a. Applicant Declaration:

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Date: _____

Signature of Applicant

Printed Name of Applicant

Address: _____

Telephone Number: _____

Email Address: _____

6.b. Co-Applicant Declaration (if applicable):

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Date: _____

Signature of Co-Applicant

Printed Name of Co-Applicant

Address: _____

Telephone Number: _____

Email Address: _____

Part 7. Notarization

(required for all applicants)

STATE OF _____

COUNTY OF _____

This Application for Unclaimed Funds, dated _____, was subscribed and sworn to before me this ____ day of _____, 20__ by _____, who signed above and is (are) personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is (are) subscribed to the within instrument. WITNESS my hand and official seal.

(SEAL) Notary Public _____

My commission expires:

INSTRUCTIONS FOR COMPLETING AN APPLICATION FOR PAYMENT OF UNCLAIMED FUNDS (PAWB Local Form 33)

The United States Bankruptcy Court for the Western District of Pennsylvania (the "Court") is the custodian of unclaimed funds for an individual or entity who is entitled to the money but who has failed to claim ownership of it in a bankruptcy case filed in the Western District of Pennsylvania. The United States Judiciary has set forth procedures and policies for holding, safeguarding, and accounting for unclaimed funds. The Court has set forth procedures and policies for requesting payment of unclaimed funds held by the Court, by way of W.PA.LBR 3011-1 and PAWB Local Forms 33 and 34. These instructions correspond to the Application for Payment of Unclaimed Funds (PAWB Local Form 33). Compliance with these Instructions is mandatory. Pursuant to 18 U.S.C. § 3057, any indication of fraud in the Application or supplemental documentation will be forwarded promptly to the United States Attorney for further analysis.

Searching Unclaimed Funds

Any party wishing to determine what specific unclaimed funds the Court is in custody of before filing an Application is directed to the United States Judiciary's [Unclaimed Funds Locator website](https://ucf.uscourts.gov/) at <https://ucf.uscourts.gov/>. To search unclaimed funds for the Court, select "PAWB – Pennsylvania Western Bankruptcy Court" from the dropdown list and enter any applicable search criteria. Anyone needing access to a computer to perform the search may use the Court's public computer terminals located at 5414 U.S. Steel Tower, 600 Grant Street, Pittsburgh, PA 15219 or U.S. Courthouse, Room B160, 17 South Park Row, Erie, PA 16501. Please be aware that, for unclaimed funds appearing on the Unclaimed Funds Locator website, requests for funds must be filed in the court where they are held. For unclaimed funds held by another court, please consult the rules and procedures for that specific court and file the request in the appropriate venue.

Completing the Application for Payment of Unclaimed Funds (PAWB Local Form 33)

Any party who seeks the payment of unclaimed funds must file an Application for Payment of Unclaimed Funds (PAWB Local Form 33). The "Applicant" referenced in these instructions is the party completing and filing the Application.

Part 1: Case Information

- 1.a.** Enter the full name of the Debtor in the bankruptcy case, as it appears on the case docket.
- 1.b.** If the case is a joint bankruptcy case (spouses filing together), enter the full name of the second debtor/spouse as it appears on the case docket.
- 1.c.** Enter the bankruptcy case number as it appears on the case docket, including the initials of the Presiding Judge assigned to the case. For example, Case Number 00-01234-ABC.

Part 2: Claim Information

- 2.a.** Enter the amount of the funds claimed in the Application.
- 2.b.** Enter the name of the Owner(s) of Record. The Owner(s) of Record is the original payee(s) of the funds.
- 2.c.** Enter the name of the Claimant, the party entitled to the funds and to whom the funds will be paid if this Application is granted. The Owner(s) of Record and the Claimant may be the same.
- 2.d.** Enter the current mailing address of the Claimant.
- 2.e.** If there is more than one Claimant (e.g., a married couple are the Claimants), enter the name of the joint Claimant.
- 2.f.** Enter the current mailing address of the joint Claimant, if applicable.

Part 3: Applicant Information

- 3.a.** If the Applicant is the same as the Claimant, check this box.
- 3.b.** If the Applicant is representing the Claimant in some role or capacity (e.g., attorney for the Claimant, representative of a corporate Claimant), check this box and enter the role.
- 3.c.** If the Applicant is a representative of the deceased Claimant's estate, check this box.

Part 4: Supporting Documentation

The Applicant must determine what supporting documentation is required based on which claimant category the Claimant falls under as described below. Requirements for additional supporting documentation vary depending on the type of Claimant and whether the Claimant is represented.

Sufficient documentation must be provided to the Court to establish the Claimant's identity and entitlement to the funds. Proof of identity must be provided in unredacted form with a current address. If there are joint Claimants, then supporting documentation must be provided for both Claimants.

A. Owner of Record

The Owner of Record is the original payee entitled to the funds appearing in the records of the Court. If the Claimant is the Owner of Record, the following additional documentation is required:

1. Owner of Record - Individual

- a. Proof of identity of the Owner of Record (e.g., unredacted copy of driver's license, other state-issued identification card, or U.S. passport that includes current address).

2. Owner of Record - Business or Government Entity

- a. An Application for Payment of Unclaimed Funds (PAWB Local Form

- 33) signed by an authorized representative for and on behalf of the business or government entity;
- b. A notarized statement of the signing representative's authority;
- c. Proof of identity of the signing representative (e.g., unredacted copy of driver's license, other state-issued identification card, or U.S. passport that includes current address).

If the Owner of Record's name has changed since the funds have been deposited with the Court, then proof of the name change must be provided.

B. Successor Claimant

A successor Claimant may be entitled to the unclaimed funds as a result of transfer, assignment, purchase, merger, acquisition, or succession by other means. If the Claimant is a successor to the original Owner of Record, the following documentation is required:

1. Successor Claimant – Individual

- a. Proof of identity of the successor Claimant (e.g., unredacted copy of driver's license, other state-issued identification card, or U.S. passport that includes current address); and
- b. Documentation sufficient to establish chain of ownership or the transfer of claim from the original Owner of Record.

2. Successor Claimant – Business or Government Entity

- a. An Application for Payment of Unclaimed Funds (PAWB Local Form 33) signed by an authorized representative for and on behalf of the successor entity;
- b. A notarized statement of the signing representative's authority;
- c. A notarized power of attorney signed by an authorized representative of the successor entity;
- d. Proof of identity of the signing representative (e.g., unredacted copy of driver's license, other state-issued identification card, or U.S. passport that includes current address); and
- e. Documentation sufficient to establish chain of ownership or the transfer of claim from the original Owner of Record.

3. Deceased Claimant's Estate

- a. Proof of identity of the estate representative (e.g., unredacted copy of driver's license, other state-issued identification card, or U.S. passport that includes current address);
- b. Certified copies of probate documents or other documents authorizing the representative to act on behalf of the decedent or

decedent's estate in accordance with applicable state law (e.g., small estate affidavit); and

- c. Documentation sufficient to establish the deceased Claimant's identity and entitlement to the funds.

C. Claimant Representative

If the Applicant is Claimant's attorney or other representative, the following documentation is required:

1. Proof of identity of the representative (e.g., unredacted copy of driver's license, other state-issued identification card, or U.S. passport that includes current address);
2. A notarized power of attorney signed by the Claimant (or Claimant's authorized representative) on whose behalf the representative is acting; and
3. Documentation sufficient to establish the Claimant's entitlement to the funds, as set forth in paragraphs A and B above.

Check this box to attest that these instructions have been read and that the proper supporting documentation has been included with the Application.

If the Applicant wishes to provide the Court with any additional, explanatory information (e.g., background of the claim, clarification on the ownership of the funds), such information may be included with the supporting documentation.

Part 5: Notice to United States Attorney and All Interested Parties

5.a. Pursuant to 28 U.S.C. § 2042 and PAWB Local Bankruptcy Rule 3011-1, the United States Attorney for the Western District of Pennsylvania must be served with the Application and supporting documentation. Check this box to attest that the United States Attorney will immediately be served with the Application and supporting documentation.

5.b. Pursuant to PAWB Local Bankruptcy Rule 3011-1, the Application (but not the supporting documentation) must be served on all interested parties, including the debtor, debtor's attorney (if applicable), all previous owners of the claim, the United States Trustee, and case trustees. Check this box to attest that these parties will immediately be served with the Application.

The Applicant must attest to the service of these parties by completing and attaching to the Application a certificate of service substantially conforming to PAWB Local Form 7 listing the names, addresses and methods of service on the parties.

If the previous owner(s) of a claim cannot be served, the Applicant must include a statement addressing why that is not possible.

Part 6: Applicant Declaration

6.a. The Applicant must attest to the truthfulness of the information provided in the Application by signing and dating it in this section. The Applicant also enters his/her address, telephone number and email address.

6.b. If the Application is filed with a second Applicant, the Co-Applicant completes this section.

Part 7. Notarization

The Applicant must have the Application notarized by a notary public who attests to the identity of the Applicant signing the Application. If a Co-Applicant signs the Application, the notary must attest to the identity of both Applicants. If necessary, the notary may include additional acknowledgement forms with the Application.

Tax Identification Information

The funds will be payable to the Claimant. In conjunction with the Application, the Applicant must include a form signed by the Claimant (with an original, “wet” signature rather than an electronic signature) that certifies the Claimant’s tax identification number (TIN).

For a Claimant who is a U.S. person¹, this certification form should be either one of the judiciary vendor forms ([AO 213 “Vendor Information and Taxpayer Identification Number \(TIN\) Certification”](#) or [AO 213P “Payee Information and TIN Certification”](#)) or the Internal Revenue Service’s Form W-9 “Request for Taxpayer Identification Number and Certification” (accessible by searching on the Internal Revenue Service (IRS) website at <https://www.irs.gov>). If a Claimant wishes to be paid via Electronic Funds Transfer (EFT), then the [AO 213](#) form or [AO 213P](#) form must be used.

For a Claimant who is not a U.S. person, the certification form should be an appropriate form from the IRS W-8 series (accessible by searching on the IRS website at <https://www.irs.gov>) accompanied by the judiciary form [AO-215](#) (“Request to Determine Foreign Vendor Tax Payments”).

The Claimant’s name or “doing business as” name on the certification form should match the Claimant payee name on the Proposed Order submitted with the Application (see Proposed Order (PAWB Local Form 34) section below).

Proposed Order (PAWB Local Form 34)

Each Application for Payment of Unclaimed Funds (PAWB Local Form 33) filed with the Court must be accompanied by a proposed order in substantial conformance with the Court’s

¹ “U.S. person” includes an individual who is a U.S. citizen or U.S. resident alien; a partnership, corporation, company or association created or organized in the U.S. or under the laws of the U.S.; an estate (other than a foreign estate); or a domestic trust (as defined in 26 C.F.R. 301.7701-7).

standard Order Granting Application for Payment of Unclaimed Funds (PAWB Local Form 34). The payee on the proposed order should match the Claimant in the Application and the individual or entity listed on the tax identification number certification form submitted with the Application (see the previous section “Tax Identification Information”).

Filing the Application for Payment of Unclaimed Funds (PAWB Local Form 33)

An Applicant who is a CM/ECF Filing User shall file the Application electronically using the “Pay Unclaimed Funds” event under the Motions/Applications menu in CM/ECF, with the proposed order (Form 34) and certificate of service filed as attachments to the Application. Supporting documentation and tax identification information must not be submitted using CMECF; instead, it must be submitted through the Court’s electronic document submission system (“EDSS”) on the Court’s website (<http://www.pawb.uscourts.gov/electronic-document-submission-system>).

An Applicant who is not a CM/ECF Filing User shall submit the Application, the proposed order (Form 34), a certificate of service, supporting documentation, and tax identification information electronically using the Court’s EDSS on the Court’s website (<http://www.pawb.uscourts.gov/electronic-document-submission-system>). An Applicant who does not have access to a computer may submit the aforementioned documentation by hand delivery, mail, or courier service.

Assistance

The Clerk’s Office cannot provide legal advice. Applicants may contact the Clerk’s Office at 412-316-1655 with questions about the Application, related documentation, or filing procedures.