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District/off: 113A-9
Date Rcvd: Nov 04, 2020

User: Mceacp
Form ID: pdfdoc

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Total Noticed: 2

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United States Trustee - FTM7, 7
USTPRegion21.TP.ECF@USDOJ.GOV


Zachary A Harrington
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TOTAL: 215

[Dodmuf] [District Order Denying Motion for Unclaimed Funds]

ORDERED.

Dated: November 4, 2020



Michael G. Williamson
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
FT. MYERS DIVISION
www.flmb.uscourts.gov

In re:

Case No.
9:08-bk-04360-MGW
Chapter 7

Ulrich Felix Anton Engler
aka Ulrich Engler
aka Richard Engler
aka Richie Engler

Debtor* /

ORDER DENYING MOTION FOR UNCLAIMED FUNDS

THIS CASE came on for consideration of the Motion for Unclaimed Funds (the "Motion") filed by Daniel Schmidhauser on October 28, 2020 (Doc No. 1700). The Motion does not meet the following requirements of 28 U.S.C. § 2042 and the financial guidelines for the U.S. Bankruptcy Court, Middle District of Florida as follows:

- Proof of service upon the United States Attorney at Attn: Civil Process Clerk, 400 N. Tampa Street, Suite 3200, Tampa, FL 33602 was not provided.
- The last four digits of the claimant's Social Security Number or Tax Identification Number were not provided.
- An Internal Revenue Service Form W-9 for the claimant was not provided.
- Form AO 213P for the non-individual claimant was not provided.
- A copy of the individual claimant's driver's license was not provided.
- A notarized signature of the claimant was not provided.

- Claimant's name, address and telephone number were not provided.
- No explanation of the right of the claimant to the unclaimed funds was provided.
- The Movant did not supply a notarized original Power of Attorney.
- The Corporate claimant failed to provide a corporate power of attorney signed by an officer of the company and a statement of the signing officer's authority.
- The Movant did not supply a certified copy of the decedent's death certificate and/or certified copies of all probate documents that substantiate the right to act on behalf of the decedent's estate.
- The Movant did not supply sufficient documentation evidencing the transfer of the claim or proof of purchase/sale of the assets.
- The amount of funds requested does not match the amount held in the court registry.
- There are no funds on deposit in the name of the movant.
- Other: Missing Internal Revenue Service form W-8BEN.

Accordingly, it is

ORDERED:

That the Motion for Payment of Unclaimed Funds filed by Daniel Schmidhauser, \$12,916.67 is denied without prejudice to filing an amended motion.

The Clerk's office is directed to serve a copy of this order on interested parties.

*All references to "Debtor" shall include and refer to both of the debtors in a case filed jointly by two individuals.