

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF OHIO**

In re)	Case No.
)	
)	Chapter
)	
Debtor(s).)	Adversary No.
_____)	
)	Judge
)	
Plaintiff(s),)	
v.)	
)	
)	<u>MOTION FOR ORDER FOR</u>
)	<u>DEPOSIT, INVESTMENT, AND TAX</u>
Defendant(s).)	<u>ADMINISTRATION OF</u>
)	<u>INTERPLEADER FUNDS</u>
)	

Pursuant to [Local Bankruptcy Rule 7067-1\(a\)](#), _____

(the “Movant”) moves this Court for an Order directing the Clerk to accept and deposit into the

registry of the Court certain interpleader funds in the possession of the Movant in this cause of action in the principal amount of \$ _____, and to invest those Funds in the Disputed Ownership Fund (“DOF”) established within the Court Registry Investment System (“CRIS”), administered by the Administrative Office of the United States Courts (“AO”) under 28 U.S.C. § 2045.

The Movant further moves this Court to authorize and direct the Director of the AO, as custodian of the DOF, to deduct the appropriate DOF fee for the management of investments and tax administration, and to withhold and pay federal taxes due on behalf of the DOF.

MEMORANDUM IN SUPPORT

1. The Court has jurisdiction over this matter under 28 U.S.C. §§ 157 and 1334. This is a core proceeding under 28 U.S.C. § 157(b)(2). The venue of this case and this motion is proper under 28 U.S.C. §§ 1408 and 1409.

2. The Movant seeks an order of the Court to interplead the Funds pursuant to 28 U.S.C. § 1335, Fed. R. Civ. P. 22, and Fed. R. Bankr. P. 7022. Pursuant to Local Rule 7067-1(a) and General Order 22-01, the Funds shall be invested in the DOF established within the CRIS and administered by the AO. These Funds shall be subject to a DOF fee equal to two-tenths of one percent *per annum* and tax withholding required by the Internal Revenue Service.

3. The Court has the authority to grant this motion under 28 U.S.C. § 2041.

NOTICE

You are hereby notified pursuant to [LBR 9013-1\(a\)](#) that any objection must be filed within 14 days from the date of service as set forth on the certificate of service, if the relief sought is opposed, and that the Court may grant the relief requested without further notice unless a timely objection is filed.

REQUEST FOR RELIEF

The Movant respectfully requests that the Court grant this Motion and enter an Order, in a form substantially similar to the proposed order submitted herewith, directing the Clerk of the Court to deposit the Funds with the Treasurer of the United States, to be invested in the Disputed Ownership Fund of the Court Registry Investment System, administered by the Administrative Office of the United States Courts, subject to the control and jurisdiction of this Court.

Respectfully submitted,

/s/ _____

Attorney for Movant

CERTIFICATE OF SERVICE

The undersigned certifies that on _____ a true and correct copy of the foregoing

_____ was served via the Court's electronic case filing system on:

_____ and by regular U.S. mail, postage prepaid, to:

_____.

/s/ _____
