



ORDERED in the Southern District of Florida on May 10, 2022.

A handwritten signature in black ink, appearing to read "Erik P. Kimball".

Erik P. Kimball, Judge
United States Bankruptcy Court

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA
West Palm Beach Division
www.flsb.uscourts.gov

In re: Case No. 21-15555 -EPK
PALM BEACH RESORT AND BEACH CLUB Chapter 11
CONDOMINIUM ASSOCIATION, INC.,
Debtor.

**ORDER GRANTING DISBURSING AGENT'S MOTION TO (A) ESTABLISH
DEADLINE FOR FILING CLAIMS BY, AND OBJECTION AND DISBURSEMENT
PROCEDURE FOR UNKNOWN HEIRS OF OWNER(S) OF UNIT-WEEK
INTEREST(S); AND (B) CORRECT NAMING CONVENTION USED FOR ALL
UNKNOWN HEIRS OF OWNER(S) OF UNIT-WEEK INTEREST(S)**

THIS MATTER came before this Court on May 9, 2022 at 1:30 p.m. upon
*Disbursing Agent's Motion To (a) Establish Deadline For Filing Claims By, and Objection
And Disbursement Procedure For Unknown Heirs Of Owner(S) Of Unit-Week Interest(S);*

And (b) Correct Naming Convention Used For All Unknown Heirs Of Owner(s) Of Unit-Week Interest(s) (the “Motion”) [ECF # 116]. The Court having considered the Motion, having considered the Court file, having considered arguments of counsel in support of the Motion, and for the reasons stated on the record, finds good cause to grant the Motion.

Accordingly, the Court hereby **ORDERS** as follows:

1. The Motion is **GRANTED**.
2. Any identified potential heir listed in the Report¹ filed by Linda Leali, the Attorney Ad-Litem [ECF #113] shall receive service of Notice to Identified Parties (the language of which shall be jointly agreed to by the Attorney Ad-Litem and the Disbursing Agent) and a copy of the previously approved Proof of Owner of Unit-Week Interest Form (the “Claim Form”).
3. Any party served with the Report shall have up to **30 days from date of such service** to file an amended claim with the Disbursing Agent by mailing such claim to the same address as on the Claim Form or submit through the designated website on the Claim Form.
4. The Court approves the following claim objection and disbursement process with respect to unknown heirs of Owner(s) of Unit-Week Interest(s) who submit an amended Omnibus Claim (as detailed in the Motion) form:
 - a. Deadline for Disbursing Agent to File an Objection or Notice of Distribution and Request for Entry of An Order Approving Disbursement: Disbursing Agent shall have up to 30 days following receipt of the Proof of Owner of Unit-Week Interest Form with supporting documents.
 - b. Supporting Documents: all Proof of Owner of Unit-Week Interest Forms submitted must be accompanied by documents to substantiate the claim.

¹ Capitalized term not defined herein shall have the same ascribed meaning as in the Motion.

- c. Objection to Claims by Unknown Heirs of Owner(s) of Unit-Week Interest(s): Disbursing Agent shall be permitted to file an objection to the claim submitted by an unknown heir and adopt the negative notice procedure for objection to claims provided under Local Rule 3007-1(D). Specifically, the claimants will be provided 30 days to respond to the objection following service of the same, and if no response is received by the Disbursing Agent within the foregoing period, the Court may grant the relief requested without a hearing upon submission of an order by the Disbursing Agent. The objection will adopt in modified form similar language as Local Form-24 pertaining to the negative notice procedure.

- d. Notice of Disbursement and Request for Entry of An Order Approving Disbursement: to the extent the Disbursing Agent determines upon review and evaluation of the documents received that a party filing a claim for Unit-Week is entitled to receive the distribution, the Distribution Agent will file a *Notice of Disbursement and Request for Entry of an Order Approving Disbursement*. The notice may be filed on negative notice, adopting Local Rule 9013-1(D)(2) and the language therein, whereby an order attached to the notice may be entered within 21 days if no response is filed by any interested party. The language of the bulletin included in the notice shall be modified to replace the word “motion” with “notice”.

5. The naming convention used for all Unknown Heirs shall be formally corrected to: Unknown Heirs of [name of decedent Owner of Unit-Week Interest(s)], instead of the former designation, which shall apply to any pleadings in the main proceeding and the adversary proceeding.

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Submitted by:

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