



ORDERED in the Southern District of Florida on August 28, 2023.

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-BKC-EPK
PALM BEACH RESORT AND BEACH CLUB CONDOMINIUM ASSOCIATION, INC., Chapter 11
Debtor.

ORDER GRANTING DISBURSING AGENT'S AMENDED *EX PARTE* MOTION TO APPROVE PAYMENT OF DISTRIBUTION AMOUNTS ASSOCIATED WITH CERTAIN OUT-OF-STATE UNIT-WEEK(S) INTERESTS TO CLERK OF BANKRUPTCY COURT UNCLAIMED FUND REGISTRY IN LIEU OF THE STATE OF FLORIDA UNCLAIMED FUNDS

THIS CAUSE came before the Court upon *Disbursing Agent's Amended Ex Parte Motion to Approve Payment Distribution Amounts Associated with Certain Out-of-State Unit-Week(s) Interests to Clerk of the Bankruptcy Court Unclaimed Funds Registry in Lieu of the*

the State of Florida Unclaimed Funds (the "Motion") [ECF # 196]. The Court having reviewed the Motion and record in the case, and finding that considering the circumstances detailed in the Motion, and despite the Disbursing Agents extensive efforts to issue distributions to the Unit-Week(s) Interests were not successful, the Court finds that no party in interest will be prejudiced by the distribution of all such amounts associated with certain out-of-state unit-week interests to the Clerk of the Bankruptcy Court in lieu of the State of Florida Unclaimed Funds, as previously provided for by the Plan [ECF # 53] as Confirmed [ECF # 97] and previously authorized by the Disbursement Orders [ECF # 175, 184 and 190] (as defined in the Motion). Accordingly, it is --

ORDERED as follows:

1. The Motion is **GRANTED**.
2. All distribution amounts associated solely with the out-of-state unit-week(s) interest listed on the Unclaimed Funds List, attached as Exhibit A1 to this Order shall be disbursed to the Clerk of the Bankruptcy Court in lieu of the State of Florida Unclaimed Funds.
3. The Disbursing Agent is authorized to send all such disbursements to the Clerk of the Bankruptcy Court and the Clerk of the Bankruptcy Court is directed to receive such deposits.
4. Out-of-state unit-week(s) interest listed on the Unclaimed Funds List or their heirs may, on petition to the Court and upon full proof of right thereto, obtain an order directing payment to them, using the forms attached hereto as Exhibit A2.
5. To the extent CM/ECF shall require the Disbursing Agent to enter such unit-week interests' owners or beneficial owners as "creditors" into the unclaimed funds

registry, such designation shall not alter their designation as unit-week(s) interest owners in this case rather than “creditors”.

6. The Disbursing Agent is direct to serve by mail and/or e-mail a copy of this Order and post on the website maintained at <https://www.eisingerlaw.com/palmbeachresort-bankruptcy/>, a copy of this order in a prominent location.

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Submitted by:

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Copies to:

Ido Alexander, Esq.

EXHIBIT A1
Unclaimed Funds List

Name	Description	Unit Week	Amount Due To Unit-Week(s) Interest and Deposited with Clerk of the Court	Address	Email
H. Hickman, Kay Hickman	1st Dist for Unit Week	107-5	\$ 5,439.14	PO Box 1422, Ocean Pines MD 21811	soonerlanny@gmail.com
Alexander Macleod, Mary Macleod	2nd Dist for Unit Week	112-4	\$ 406.79	4 St. Georges Terrace, Heme Bay, Kent, CT6 8RG, United Kingdom	maryjmacleod@me.com
Michael Schnaider	2nd Dist for Unit Week	207-34	\$ 406.79	241 Rockaway Beach Place, Churchill ON - LOL 1K0 Canada	mikeschnaider@gmail.com
Alexander Macleod, Mary Macleod	2nd Dist for Unit Week	107-3	\$ 406.79	4 St. Georges Terrace, Heme Bay, Kent, CT6 8RG, United Kingdom	maryjmacleod@me.com
Ken Magdaleno, Ana Mendieta	2nd Dist for Unit Week	101-46	\$ 559.95	292 Armstrong Avenue, Jersey City NJ 07305	AMAGDALENO@MEDIAONE.NET
Jewel Wheeler	2nd Dist for Unit Week	T-2/302-30	\$ 591.83	734 E Henry Street, Savannah GA 31401	jewelgw64@outlook.com
Reed Land Properties, LLC	2nd Dist for Unit Week	207-24	\$ 406.79	8555 Citrus Avenue, C116, Fontana CA 92336	srelitetrading1986@gmail.com
Terence Burling, Violet Burling	2nd Dist for Unit Week	207-44	\$ 406.79	33 Landsdowne Road, Finchley N3 1ET, United Kingdom	burlydan@ntlworld.com
Betty Bodacki, Unknown Spouse, Heirs, etc.	1st Dist for Unit Week 2nd Dist for Unit Week	210-7	\$ 5,845.94	7352 Riverside Dr, Clay MI 48001	
Junia Sarvela, Unknown Spouse, Heirs, etc.	1st Dist for Unit Week 2nd Dist for Unit Week	209-15	\$ 5,845.94	N5002 Sinissippi Point Rd, Juneau WI 53039	frankeme2003@yahoo.com
Margaret Littlefield, Unknown Spouse, Heirs, etc.	1st Dist for Unit Week 2nd Dist for Unit Week	208-6	\$ 5,642.98	17 Revere Dr, Sayville NY 11782	jennifer@macgroupinc.com
Michelle Brady, Angela Myszenski	1st Dist for Unit Week 2nd Dist for Unit Week	108-42	\$ 5,845.94	6889 Woodbank Dr, Bloomfield Township MI 48301	hungermanm@aol.com
Roxanne Gabel	1st Dist for Unit Week 2nd Dist for Unit Week	210-36	\$ 5,131.70	5610 Mooretown Rd, Williamsburg VA 23188	
Cleo Belt, Lorenzo Coles	1st Dist for Unit Week 2nd Dist for Unit Week	T/2/302-19	\$ 8,504.99	220 E Elm Street, Hazelton PA 18201	
Total amount to be deposited with the Clerk of the Court			\$ 45,442.36		

EXHIBIT A2

FORMS

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA
WEST PALM BEACH DIVISION
www.flsb.uscourts.gov

In Re: Case No. 21-15555-BKC-EPK

PALM BEACH RESORT AND BEACH CLUB CONDOMINIUM ASSOCIATION, INC.,
Debtor.

_____ /

APPLICATION TO WITHDRAW UNCLAIMED FUNDS OF UNIT-WEEK(S) INTEREST

Applicant(s), _____, applies to this court for entry of an order directing the clerk of the court to remit to the applicant the sum of \$ _____, said funds having been deposited into the Treasury of the United States as unclaimed funds held in the name of the Applicant as associated with Unit-Week(s) Interest # _____. Applicant further states that:

1. (Indicate one of the following items:)

_____ Applicant is the individual listed in the Unclaimed Funds List provided to the Clerk of the Court and who is associated with Unit-Week(s) Interest ownership under whose name these funds were deposited and states that no other application for this claim has been submitted by or at the request of this applicant. If funds were deposited in the names of both husband and wife, both must sign this application, or if one spouse is requesting release of funds in the name of that spouse only, applicant must attach a notarized affidavit stating why the funds should be released to only one spouse and not in the name of both. Also attached is a copy of an official government photo id of applicant to prove applicant's identity.

_____ Applicant is either a family member or other authorized personal representative of an incapacitated or deceased individual in whose name funds were deposited or a successor in interest to the individual or business under whose name the funds were deposited and who are associated with the Unit-Week(s) Interest ownership. **An original "power of attorney", and other supporting documents, including trust and/or probate documents which indicate applicant's entitlement to this claim are attached and made**

a part of this application. Also attached is a copy of an official government photo id of applicant to prove applicant's identity.

_____ Applicant is the duly authorized representative for the business or corporation listed in the Unclaimed Funds List provided to the Clerk of the Court under whose name and associated Unit-Week(s) Interest ownership these funds were deposited. The applicant has reviewed all applicable records and states that no other application for this claim has been submitted by or at the request of this claimant. **An Affidavit of Unit-Week(s) Interest Claimant and an original "power of attorney" are attached and made a part of this application.**

_____ Applicant is an attorney or a "funds locator" who has been retained by an individual or business or corporation under whose name and associated Unit-Week(s) Interest ownership the funds were deposited. Applicant has obtained an original "power of attorney" from the individual claimant or the duly authorized representative for the business or corporation named in the Unclaimed Funds List provided to the Clerk of the Court. **An Affidavit of Unit-Week(s) Interest Claimant and an original "power of attorney" are attached and made a part of this application.**

2. Applicant has made sufficient inquiry and has no knowledge that this claim has been previously paid, that any other application for this claim is currently pending before this court, or that any party other than the applicant is entitled to submit an application for this claim.

Dated: _____

Name Under Which Funds Were Deposited

Unit-Week Interest #

Name of Party on Whose Behalf
Application Was Filed*

Signature of Applicant
(Note: In addition to signing, complete all
information below)

Last Four Digits of SS#

Tax ID (EIN #)

Address: _____

Print Name and Title of Applicant

Print Company Name

Print Street Address

Print City and State

Telephone (including area code)

*Attach copy of official government photo id for all parties on whose behalf this application is being filed.

State of _____

County of _____

Sworn to and Subscribed before me on this _____ day of _____, 20 ____.

SIGNATURE OF NOTARY PUBLIC

[Seal]

UNITED STATES BANKRUPTCY COURT
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PALM BEACH RESORT AND BEACH CLUB CONDOMINIUM ASSOCIATION, INC.,
Debtor.

Chapter 11

_____ /

**AFFIDAVIT OF UNIT-WEEK(S)
INTEREST CLAIMANT**

1. I, _____, am (indicate status of Unit-Week(s) Interest Claimant)

() the individual unit-week(s) interest owner (or authorized personal representative of such person or entity) in whose name and unit-week(s) interest funds were deposited with the court who has granted a power of attorney to

_____ a "funds locator" or attorney to submit an application to withdraw the unclaimed funds on my behalf; or

() the duly authorized representative for the unit-week interest owner who is a "business" _____; or

() the duly authorized representative for unit-week interest claimant "business" as indicated in the attached corporate power of attorney who has granted a power of attorney to

_____ a "funds locator" or attorney, to submit an application to withdraw unclaimed funds on my behalf;

and I am seeking payment of unclaimed funds in the amount of \$ _____ deposited in this court in the name of _____ and representing unit-week interest number _____.

2. Claimant History: Substantiate claimant's right to funds, including but not limited to copies of deeds. Attach certified copies of all necessary documentation, including those which establish the chain of ownership of the original corporate unit-week interest. Also attach a copy of an official government photo id to prove your identity.

3. I (or the "business" I represent as unit-week(s) interest claimant) have neither previously received remittance for these funds nor have contracted with any other party other than the person named as a "funds locator" or attorney in paragraph one above to recover these funds.

I hereby certify that the foregoing statements are true and correct to the best of my knowledge and belief.

Dated: _____

signature of claimant or representative of "business" claimant

print name

title

Last Four Digits of Social Security # or Tax ID# (EIN #)
(Note: attach a copy of an official government photo id such as a driver's license or passport")

address

Phone number

signature of joint debtor (if applicable)

print name

Last Four Digits of Social Security # or Tax ID# (EIN #)
(Note: attach a copy of an official government photo id such as a driver's license or passport")

State of _____
County of _____

Sworn to and Subscribed before me on this _____ day of _____, 20 ____.

SIGNATURE OF NOTARY PUBLIC

[Seal]

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA
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In Re: Case No. 21-15555-BKC-EPK

PALM BEACH RESORT AND BEACH CLUB CONDOMINIUM ASSOCIATION, INC., Debtor.
Chapter 11

_____ /

**ORDER ON APPLICATION TO WITHDRAW
UNCLAIMED FUNDS OF UNIT-WEEK(S)
INTEREST**

Upon application by _____ on behalf of _____ and associated with Unit-Week(s) Interest # _____, and in accordance with the Courts Order in this proceeding, it is --

ORDERED that, the clerk is directed to disburse, after 14 calendar days from entry of this order, payment to _____ and, if applicable, the "funds locator" or attorney submitting the application, _____, the sum of \$ _____ now held as unclaimed funds in the treasury for the original

Unit-Week(s) Interest Claimant _____.

If the applicant is a “funds locator” or attorney, the check for these funds shall issue in the name of the party on whose behalf the funds are being claimed and the “funds locator” or attorney.

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Copies to:

Funds Recipient(s)

Funds Locator or Attorney (if applicable)