Case 09-10555-MBK Doc 2643 Filed 12/20/14 Entered 12/20/14 12:12:00 Docket #2643 Date Filed: 12/23/2014 Document Page 1 of 9

MINION & SHERMAN

ATTORNEYS AT LAW
33 CLINTON ROAD
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SCOTT D. SHERMAN*+ STUART D. MINION+ TELEPHONE (973) 882-2424 FACSIMILE (973) 882-0856

WRITER'S E-MAIL: ssherman@minionsherman.com

Certification of Service

* ALSO ADMITTED IN PENNSYLVANIA

+ ALSO ADMITTED IN NEW YORK

December 22, 2014

Via First Class Mail Only & Cortiefiel Mul

United States Attorney's Office Bankruptcy Section 970 Broad Street, Room 502 Newark, NJ 07102

United States Trustee's Office One Newark Center, Suite 2100 Newark, NJ 07102

The Locator Services Group, Ltd/ 280 Summer Street, Suite 701 Boston, MA 02210

Lorelei Davis Comcast Corporation One Comcast Center, 48th Floor Philadelphia, PA 19103-2838

Re:

Tarragon Corporation Case 09-10555

Dear Sir/Madam:

Service is hereby made upon you of the enclosed filed, stamped copy of Notice of Motion for Payment of Unclaimed Funds, Hearing Date is January 12, 2015. Please feel free to contact me should you have any questions or concerns.

Very truly yours.

Scott D. Sherman

SDS/dl Enclosure

Case 09-10555-MBK Doc 2643 Filed 12/23/14 Entered 12/30/14 12:12:08 Pages & Main S Bankruptcy Court NJ - Live Database Document Page 2 of 9 US Bankruptcy Court !

File a Motion:

09-10555-TBA Tarragon Corporation

Type: bk

Chapter: 11 v

Assets: y

Judge: TBA

U.S. Bankruptcy Court

Office: 2 (Newark)

District of New Jersey

Notice of Electronic Filing

The following transaction was received from Scott D. Sherman entered on 12/19/2014 at 3:20 PM EST and filed on

12/19/2014

Case Name:

Tarragon Corporation

Case Number:

09-10555-TBA

Document Number: 2642

Motion for Payment of Unclaimed Funds in the Amount \$ 1,463.48 Filed by Scott D. Sherman on behalf of Mark Warren, Esq., of The Locator Services Group Ltd., Attorney in Fact for Comcast Corporation. Hearing scheduled for 1/12/2015 at 10:00 AM at TBA - Courtroom 3A, Newark. (Attachments: #(1) Certificate of Service #(2) Certification # (3) Exhibit # (4) Affidavit of Document Authenticity # (5) Proposed Order) (Sherman, Scott)

The following document(s) are associated with this transaction:

Document description: Main Document

Original filename:\\Fileserver\clients\TLSG\b\tarragon\nm.pdf

Electronic document Stamp:

[STAMP bkecfStamp_ID=1002741850 [Date=12/19/2014] [FileNumber=40419006 -0] [561d5c231175e5a96cdf34579c60cb66e81df3bc9520ff63b104840da616b4722 28ccb715d1cd78b757d01dfd8815054d57064b54ec0baedab2844685fd7559a]]

Document description: Certificate of Service

Original filename:\\Fileserver\clients\TLSG\b\tarragon\cs.pdf

Electronic document Stamp:

[STAMP bkecfStamp_ID=1002741850 [Date=12/19/2014] [FileNumber=40419006 -1] [0a6f9bbbf420dbb65d9c25551bd209b9cb1dccd1785f23d542afe2b2cd96803d8 29375ba12dfd3625af8aa9940aa2d0cc2e78b848d87fb2f94a81e743fcf2c56]]

Document description: Certification

Original filename:\\Fileserver\clients\TLSG\b\tarragon\cert.pdf

Electronic document Stamp:

[STAMP bkecfStamp_ID=1002741850 [Date=12/19/2014] [FileNumber=40419006 -2] [1d492139b724a5aefc86418dc40634a0239b295e020f8f12e4987836c650e0cc8 0b72ca368f4b47aa3c06b1b979dc855d54e84ae95785d73bb5d2ad6adc6475a]]

Document description: Exhibit

Original filename:\\Fileserver\clients\TLSG\b\tarragon\140Comcast\$1463 48 exhibits 12 15 14.pdf

Electronic document Stamp:

[STAMP bkecfStamp_ID=1002741850 [Date=12/19/2014] [FileNumber=40419006 -3] [2e61e1a41859d69b527f15e223c2d5b64c53435686ebdd6ec87ada049cc207cb2

86ecc31d87fb0c9cc118689229f1b81954c7e066e9dedbcc1379e8739fec8fd]]

Document description: Affidavit of Document Authenticity

Original filename:\\Fileserver\clients\TLSG\b\tarragon\140Comcast\$1463 48 affidavit 12 15 14.pdf

Electronic document Stamp:

[STAMP bkecfStamp_ID=1002741850 [Date=12/19/2014] [FileNumber=40419006 -4] [9c2db0034f9678c2fff175adbec44af8f31587fabe673254592620d6bb9049bdd

UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-2(c)

Scott D. Sherman, Esquire MINION & SHERMAN 33 Clinton Road, Suite 200 West Caldwell, New Jersey 07006 Phone (973) 882-2424

Phone (9/3) 882-2424 Fax: (973) 882-0856

Email: ssherman@minionsherman.com

In Re: Tarragon Corporation

Case No.:

09-10555-DHS

Judge:

DONALD H. STECKROTH

Chapter:

11

NOTICE OF MOTION FOR PAYMENT OF UNCLAIMED FUNDS

Comcast Corporation has filed papers with the Court, by and through its Attorney-in-Fact Scott D. Sherman, Esq., as counsel for Mark Warren, Esq., of The Locator Services Group Ltd., ("Movant") moving this Court to order the withdrawal of moneys on deposit for this estate in the name of creditor/debtor, Comcast to order the payment of these moneys to claimant.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one, in this bankruptcy case. (If you do not have an attorney you may wish to consult one.)

If you do not want the court to order the payment of unclaimed funds on behalf of Comcast, or if you want the court to consider your views on this motion, then on or before January 5, 2015, you or your attorney must:

File with the court a written request for a hearing or a written response at:

Clerk of the Court United States Bankruptcy Court 402 East State Street, Room 20 Trenton, NJ 08608

If you mail your request for a hearing or response to the court for filing, you must mail it early enough so the court will receive it on or before the date stated above. You must also mail a copy to:

United States Attorney's Office Bankruptcy Section 970 Broad Street, Room 502 Newark, NJ 07102 The Locator Services Group Ltd. 280 Summer Street, Suite 701 Boston, MA 02210

United States Trustee's Office One Newark Center, Suite 2100 Lorelei Davis Comcast Corporation Case 09-10555-MBK Doc 2643 Filed 12/23/14 Entered 12/30/14 12:12:08 Desc Main Document Page 4 of 9

Newark, NJ 07102

One Comcast Center, 48th Fl. Philadelphia, PA 19103-2838

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion and may enter an order granting that relief:

Date: December 19, 2014

Respectfully Submitted:

/s/ Scott D. Sherman
Scott D. Sherman, Esquire
MINION & SHERMAN
33 Clinton Road, Suite 200
West Caldwell, NJ 07006

Phone: (973) 882-2424 Fax: (973) 882-0856

Email: ssherman@minionsherman.com

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UNITED STATES BANKRUPTCY COURT

DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-2(c)

Scott D. Sherman, Esquire MINION & SHERMAN 33 Clinton Road, Suite 200 West Caldwell, New Jersey 07006

Phone (973) 882-2424 Fax: (973) 882-0856

Email: ssherman@minionsherman.com

In Re: Tarragon Corporation

Case No.:

09-10555-DHS

Judge:

DONALD H. STECKROTH

Chapter:

11

Hearing Date: 1/12/2015

CERTIFICATE OF SERVICE

In accordance with the requirements of Statute 28 USCA 2042, I Scott D. Sherman as counsel for Mark Warren, Esq. of The Locator Services Group Ltd., do hereby certify under penalties of perjury that the following parties were noticed via first class U.S. mail, certified, postage pre-paid, of the intent of The Locator Services Group Ltd., Attorney-in-Fact for Comcast Corporation, to withdraw all monies deposited in the Court Registry in the name of said claimant per Statute 28 USCA 2041 on December 18, 2014:

United States Attorney's Office Bankruptcy Section 970 Broad Street, Room 502 Newark, NJ 07102 United States Trustee's Office One Newark Center, Suite 2100 Newark, NJ 07102

Comcast P.O. Box 105257 Atlanta GA 30348-5257 Lorelei Davis Comcast Corporation One Comcast Center, 48th Fl. Philadelphia, PA 19103-2838

Respectfully Submitted:

/s/ Scott D. Sherman
Scott D. Sherman, Esquire
MINION & SHERMAN
33 Clinton Road, Suite 200
West Caldwell, NJ 07006

Phone: (973) 882-2424 Fax: (973) 882-0856

Email: ssherman@minionsherman.com

UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-2(c)

Scott D. Sherman, Esquire MINION & SHERMAN 33 Clinton Road, Suite 200 West Caldwell, New Jersey 07006

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Email: ssherman@minionsherman.com

In Re: Tarragon Corporation

Case No.:

09-10555-DHS

Judge:

DONALD H. STECKROTH

Chapter:

11

Hearing Date: 1/12/2015

ORDER DIRECTING PAYMENT OF UNCLAIMED FUNDS

The relief set forth on the following page, numbered two (2) is hereby **ORDERED**.

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The Motion filed by Scott D. Sherman, Esq., as counsel for Mark Warren, Esq. of The Locator Services Group Ltd., Attorney-in-Fact for Comcast Corporation, for the withdrawal of funds paid into the Court Registry to come on for consideration, after appropriate notice, the Court having considered the motion finds that the motion should be granted and that the claimant is entitled to the sum of \$1,463.48 deposited, by the United States Bankruptcy Court for the District of New Jersey. It is accordingly,

ORDERED, that pursuant to 28 USCA 2041 and 28 USC 2042, the Bankruptcy Clerk, District of New Jersey, shall pay from the Registry of the Court the unclaimed monetary sum of \$1,463.48 to the order of:

Comcast Corporation c/o The Locator Services Group Ltd. 280 Summer St, Suite 701 Boston, MA 02210

Claimant's: <u>27-0000798</u>
() Social Security Number

(X) Employer Identification Number

UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-2(c)

Scott D. Sherman, Esquire MINION & SHERMAN 33 Clinton Road, Suite 200 West Caldwell, New Jersey 07006

Phone (973) 882-2424 Fax: (973) 882-0856

Email: ssherman@minionsherman.com

In Re: Tarragon Corporation

Case No.:

09-10555-DHS

Judge:

DONALD H. STECKROTH

Chapter:

11

Hearing Date: 1/12/2015

MOTION FOR ORDER DIRECTING PAYMENT OF UNCLAIMED FUNDS

- 1. In conformance with provisions of statutes 28 USCA 2041 and 28 USCA 2042 the undersigned, Scott D. Sherman ("Movant") as counsel for Mark Warren, Esq. of The Locator Services Group Ltd., Attorney-in-Fact for Comcast Corporation ("Claimant"), motions the Court for an Order directing the Clerk of the Court to pay from the Registry of the Court the monetary sum of \$1,463.48 payable as so indicated on the Order Directing Payment of Unclaimed Funds.
- 2. Said funds belonging to Comcast have been returned to the Registry of the Court pursuant to the requirements of statute 28 USCA 2041 and deposited in the Treasury of the United States.

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3. Mark Warren, Esq. of The Locator Services Group Ltd. has been appointed by Comcast Corporation as its lawful

Attorney-in-Fact who is duly authorized by the attached original Power of Attorney and supporting documentation

to recover said unclaimed funds.

4. Claimants' Social Security Number or Employer Identification Number is: 27-0000798.

5. The Locator Services Group Ltd. has made inquiry into the status of the claim and has no knowledge that this

claim has previously been paid, that any other motion for this claim is currently pending, or that a party other than

the movant is entitled and authorized to submit an application for this claim.

6. The original disbursement was not presented for payment within 90 days after issuance because: the original

check was never received by the creditor. It was likely lost in the mail due to a change of address or claimant's

name change.

WHEREAS: The Movant respectfully requests that the Court direct that the Clerk of the Court to remit the

requested monetary claim as so indicated on the Order Directing Payment of Unclaimed Funds.

Date: December 13, 2014

Respectfully Submitted:

/s/ Scott D. Sherman

Scott D. Sherman, Esquire MINION & SHERMAN

33 Clinton Road, Suite 200

West Caldwell, NJ 07006 Phone: (973) 882-2424

Fax: (973) 882-0856

Email: ssherman@minionsherman.com

Claimant's: 27-0000798

() Social Security Number (X) Employer Identification Number