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Signed: October 06, 2009

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RANDALL J. NEWSOME
U.S. Bankruptcy Judge

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Co-Counsel for Jeffrey H. Beck, LIQUIDATING TRUSTEE OF
THE CROWN PAPER LIQUIDATING TRUST

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

In re:) Case No.: 00-41584 (RN)
)
CROWN VANTAGE, INC.,) Chapter 11
CROWN PAPER CO.,)
)
Debtors.) **ORDER GRANTING MOTION BY**
) **LIQUIDATING TRUSTEE SEEKING**
) **ORDER (I) CLARIFYING**
) **UNCLAIMED AND UNDELIVERABLE**
) **FUNDS SURRENDER PROCEDURES ,**
) **(II) APPROVING WIND-DOWN**
) **PROCEDURES; AND (III)**
) **AUTHORIZING ABANDONMENT OF**
) **LIQUIDATING TRUST ASSETS AND**
) **DESTRUCTION OF LIQUIDATING**
) **TRUST DOCUMENTS**
)
) [No Hearing Requested.]

UPON consideration of the motion (the "Motion") filed by Jeffrey H. Beck, in his capacity as the Liquidating Trustee¹ (the "Liquidating Trustee"), of the Crown Paper Liquidating Trust (the "Liquidating Trust") created pursuant to the *Debtors' Second Amended Disclosure Statement and*

¹ Capitalized terms used herein shall have the meaning ascribed to such terms as set forth in the Plan and in the Trustee's Motion for an Order (I) Clarifying the Unclaimed and Undeliverable Funds Surrender Procedure; (II) Approving Wind-Down Procedures; and (III) Authorizing Abandonment of Liquidating Trust Assets and Destruction of Liquidating Trust Documents (also referred to herein as the "Motion").

PACHULSKI STANG ZIEHL & JONES LLP
ATTORNEYS AT LAW
SAN FRANCISCO, CALIFORNIA

1 *Joint Liquidating Plan of Reorganization*, as amended (the “Plan”), confirmed by Order of this Court
2 dated November 19, 2001, seeking an Order (I) Clarifying the Unclaimed and Undeliverable Funds
3 Surrender Procedure; (II) Approving Wind-Down Procedures; and (III) Authorizing Abandonment
4 of Liquidating Trust Assets and Destruction of Liquidating Trust Documents; and it appearing that
5 due and sufficient notice of the Motion has been given and no further notice need be given; and good
6 and sufficient cause appearing;

7 IT IS HEREBY ORDERED THAT:

- 8 1. The Motion is granted in its entirety.
- 9 2. The proposed procedures set forth in the Motion, and further described below, are
10 approved.
- 11 3. In the event that six months have elapsed from the date upon which the Initial
12 Distribution was made by the Liquidating Trustee, and there remain any Initial Distributions that
13 have not been cashed and have not been returned to the Liquidating Trustee (the “Unclaimed
14 Distributions”), then the Liquidating Trustee shall stop payment on any Unclaimed Distribution, and
15 any cash amounts in respect of Unclaimed Distributions shall be included in the final distribution
16 check to such Holders..
- 17 4. With respect to all Final Distribution checks that remain uncashed or undeliverable
18 after thirty (30) days from the Final Distribution record date, the Liquidating Trustee shall stop
19 payment on each such unclaimed or undeliverable Final Distribution check, and then surrender the
20 funds related to the unclaimed or undeliverable distributions to the Clerk of the Court along with any
21 other remaining cash of the Liquidating Trust (collectively, the Trust Funds”) for disposition in
22 accordance with title 28, ch. 129, §§ 2041 et seq., United States Code.
- 23 5. When surrendering the Trust Funds to the Clerk of the Court, the Liquidating Trustee
24 shall (1) before or as part of the LT Termination Certificate (as defined below), (a) file a signed
25 statement providing that, except as noted in the LT Termination Certificate, all final distribution
26 checks issued by the Liquidating Trustee have been cashed, and listing for each uncashed or
27 undeliverable check (i) the payee’s Liquidating Trust claim number, (ii) the name of the payee, (iii)
28 the payee’s last-known address, and (iii) the amount of the unclaimed distribution, and (b) deliver a

1 check payable to the Clerk for the sum of the listed amounts, for deposit in the U.S. Treasury and
2 disposition under chapter 129 of title 28, United States Code; and (2) not need to provide additional
3 information regarding the unclaimed distributions.

4 6. The Clerk shall remit funds to a Holder in the amount noted on the LT Termination
5 Certificate for such Holder if such Holder requests payment in writing to the Clerk within five years
6 after receipt of such funds from the Liquidating Trustee.

7 7. Any Trust Funds that remain unclaimed for a period of five years after being
8 deposited with the Clerk shall be turned over to the U.S. Treasury in accordance with chapter 129 of
9 title 28, United States Code.

10 8. Upon completion of final activities as required by the Plan, Trust Agreement, and/or
11 Orders of this Court, the Liquidating Trustee shall file a certificate with the Court certifying that all
12 conditions necessary to terminate the Trust have occurred (the "LT Termination Certificate"). The
13 form of LT Termination Certification that shall be filed has been filed at docket no. 2224 as **Exhibit**

14 **1.**

15 9. Upon the Liquidating Trustee's filing of the LT Termination Certification, the Court
16 will enter on an *ex parte* basis an Order terminating the Liquidating Trust, issuing a discharge
17 pursuant to the Plan, and closing this bankruptcy case (the "LT Termination and Discharge Order").
18 A copy of the LT Termination and Discharge Order has been filed at docket no. 2224 as **Exhibit 2.**

19 10. The LT Termination Certification and LT Termination and Discharge Order shall not
20 be filed with or approved by the Court until all conditions necessary to terminate the Liquidation
21 Trust have occurred.

22 11. The discharge contemplated by the Plan is approved and shall be effective once such
23 Order is signed.

24 12. The Liquidating Trustee is authorized to abandon the Trust Assets listed on Exhibit C
25 to the Motion.

26 13. The Liquidating Trustee is authorized to abandon and destroy any Liquidating Trust
27 documents upon entry of the LT Termination and Discharge Order.

28 ** END OF ORDER **

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Court Service List

Service shall be effected pursuant to that *Order Authorizing the Retention and Employment of Logan & Company, Inc. as Claims Agent for Debtors and as Noticing Agent for Clerk of the Bankruptcy Court Pursuant to 28 U.S.C. § 156(c) Nunc Pro Tunc*, entered on April 5, 2000 [Docket No. 62].

Notice Recipients

District/Off: 0971-4
Case: 00-41584

User: tleyba
Form ID: pdfec

Date Created: 10/7/2009
Total: 4

Recipients of Notice of Electronic Filing:

aty Debra I. Grassgreen dgrassgreen@pszjlaw.com

TOTAL: 1

Recipients submitted to the BNC (Bankruptcy Noticing Center):

cr Bilzin, Sumberg, Dunn, Baena and Price c/o Scott L. Baena 2500 1st Union Financial Center 200 S
Biscayne Blvd. Miami, FL 33131-2385
op Jeffrey H. Beck J Beck & Associates, Inc 595 S. Federal Highway #600 Boca Raton,, FL 33432
trop Jeffrey H. Beck 225 NE Mizner Blvd. Ste. 300 Boca Raton, FL 33432

TOTAL: 3