

SUPREME COURT OF THE UNITED STATES

DELAWARE, *Plaintiff*

Nos. 22O145 & 22O146
(Consolidated)

v.

ARKANSAS, *et al.*, *Defendants*

**PENNSYLVANIA'S MOTION FOR ORDER DIRECTING
WITHDRAWAL OF DEPOSITED FUNDS**

Under FRCP 67(b) and 28 U.S.C. § 2042, and for the reasons set forth in the Brief attached hereto, Pennsylvania hereby moves the Court to enter an order on the companion docket to this matter, 1:18-mc-00064-PNL (SDNY), directing the Clerk of Court to withdraw and transmit to Pennsylvania the sum of **\$6,331,070.91** from the funds associated with this matter presently on deposit in the Court Registry Investment System. Pennsylvania further seeks an order directing the Clerk to transmit interest accrued on the foregoing sum, less the authorized assessment fee. A proposed order is attached hereto.

Respectfully submitted,

s/ Joshua J. Voss _____

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Attorneys for Pennsylvania

Dated: May 2, 2023

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_____, 2023

ORDER

PIERRE N. LEVAL, *Special Master*:

Upon review of Pennsylvania's Motion for Order Directing Withdrawal of Deposited Funds, and any response thereto, it is hereby ORDERED that the Motion is GRANTED. An order in the form attached hereto shall be forthwith entered on the companion docket in the Southern District of New York, number 1:18-mc-00064-PNL.

PIERRE N. LEVAL, *Special Master*
Thurgood Marshall United
States Courthouse
40 Foley Square, Room 1901
New York, New York 10007
(212) 857-2310

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Delaware,	:	ORDER
	:	
v.	:	No. 1:18-mc-00064-PHL
	:	
Arkansas, et al.	:	
	:	

WHEREAS, by Order of February 21, 2018 (doc. 1), Judge Pierre N. Leval of the United States Court of Appeals for the Second Circuit, who serves as Special Master to the United States Supreme Court in the case of *Delaware v. Arkansas*, Nos. 22O145 and 22O146, directed the Clerk of Court to accept funds for deposit in the Court Registry Investment System (CRIS), pursuant to Rule 67 of the Federal Rules of Civil Procedure, pending further order;

WHEREAS, on or about April 9, 2018, March 18, 2021, and September 9, 2022, MoneyGram Payment Systems, Inc. (MoneyGram), deposited a total of \$94,167,933.15 into the CRIS (the Deposited Funds);

WHEREAS, Pennsylvania has moved in the Supreme Court for an order under FRCP 67(b) and 28 U.S.C. § 2042 directing the Clerk to withdrawal a certain sum, plus interest, from the CRIS and remit the same to Pennsylvania;

WHEREAS, the Court having reviewed the motion, and any responses thereto, has granted the motion;

WHEREFORE, IT IS HEREBY ORDERED:

1. Under FRCP 67(b) and 28 U.S.C. § 2042, the Clerk of the Court shall release and disburse the Deposited Funds currently on deposit in the CRIS as follows:

a. Six million three hundred thirty-one thousand seventy dollars and ninety-one cents (\$6,331,070.91) to “Commonwealth of Pennsylvania,” c/o Pennsylvania Treasury, Office of Chief Counsel, Attn: Christopher B. Craig, Esq., 127 Finance Building Harrisburg, PA 17120; and

b. Six and seventy-two hundredths percent (6.72%) of the accrued interest on the total Deposited Funds (less any fees for handling the Deposited Funds as authorized by the Order of February 21, 2018) to “Commonwealth of Pennsylvania,” c/o Pennsylvania Treasury, Office of Chief Counsel, Attn: Christopher B. Craig, Esq., 127 Finance Building Harrisburg, PA 17120.

2. The parties shall comply with all further directions of the Clerk of the Court as necessary to affect the release and disbursement of Pennsylvania’s share of the Deposited Funds, as set forth above.

Dated: _____, 2023
New York, New York

SO ORDERED:

Pierre N. Leval
Special Master and Circuit Judge

CERTIFICATE OF SERVICE

I hereby certify that on May 2, 2023, I served by email the foregoing Motion, and accompanying Brief, on all counsel listed in the Amended Service Lists of April 27, 2023.

s/ Joshua J. Voss

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