

SUPREME COURT OF THE UNITED STATES

DELAWARE, *Plaintiff*,

Docket Nos. 22O145 & 22O146

v.

(Consolidated)

ARKANSAS, *et al.*, *Defendants*.

**ORDER DIRECTING PARTIAL RELEASE
OF DEPOSITED FUNDS PURSUANT TO 28 U.S.C. § 2042**

WHEREAS, this case involves an interstate dispute in the original jurisdiction of the Supreme Court of the United States (the “Supreme Court Litigation”) concerning which state has priority to escheat uncashed Official Checks issued by non-party MoneyGram Payment Systems, Inc. (“MoneyGram”); and

WHEREAS, by Order dated March 29, 2017, the Supreme Court appointed Hon. Pierre N. Leval of the United States Court of Appeals for the Second Circuit as Special Master to oversee these proceedings; and

WHEREAS, pursuant to a stipulation, MoneyGram has deposited uncashed Official Checks aged five years old or more into a Court Registry Investment System Account (the “Escrow Account”) established pursuant to an order of the Special Master; and

WHEREAS, on March 20, 2018, March 10, 2021, and August 30, 2022, MoneyGram deposited funds associated with such uncashed Official Checks into the Escrow Account in the aggregate amount of \$94,147,933.15; and

WHEREAS, during the pendency of the Supreme Court Litigation, MoneyGram has paid or refunded certain of the deposited Official Check proceeds to the appropriate owner; and

WHEREAS, in light of such payments, MoneyGram is entitled to reimbursement of those paid or refunded amounts from the Escrow Account; and

WHEREAS, by motion dated June 7, 2023 (the “Motion”), MoneyGram has moved for an Order, pursuant to 28 U.S.C. § 2042, directing the release of \$ 5,343,239.42 from the Escrow Account to MoneyGram; and

WHEREAS, the Court, having reviewed the Motion and any responses thereto, has determined that there is good cause for the relief sought in the Motion;

IT IS HEREBY ON THIS __ DAY OF JUNE, 2023:

ORDERED THAT, the Motion is granted; and

ORDERED THAT, the Special Master will direct the attached order to the Clerk of the United States District Court for the Southern District of New York authorizing the release of \$ 5,343,239.42 to MoneyGram from the Escrow Account in a manner to be arranged between the Clerk and MoneyGram.

Hon. Pierre N. Leval, U.S.C.J.
Special Master

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

DELAWARE,	:	
	:	
	:	ORDER
v.	:	
	:	1:18-mc-00064-PNL
ARKANSAS, <i>et al.</i>	:	

WHEREAS, by Order dated February 1, 2018 (ECF No. 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, et al.*, Case Nos. 22O145 and 22O146 (the “Supreme Court Litigation”), has been designated by the Chief Judge of the United States Court of Appeals for the Second Circuit to sit in the United States District Court for the Southern District of New York in the above-captioned action; and

WHEREAS, pursuant to that same order, the Clerk of this Court was directed to open the above-captioned miscellaneous case and to establish an account in the Court Registry Investment System (the “Escrow Account”) into which non-party MoneyGram Payment Systems, Inc. (“MoneyGram”) could deposit uncashed Official Check proceeds; and

WHEREAS, on March 20, 2018, March 10, 2021, and August 30, 2022, MoneyGram deposited funds into the Escrow Account, in the aggregate amount of \$94,147,933.15; and

WHEREAS, during the pendency of the Supreme Court Litigation, MoneyGram has paid or refunded certain of the deposited Official Check proceeds to the appropriate owner; and

WHEREAS, in light of such payments, MoneyGram is entitled to reimbursement from the Escrow Account; and

WHEREAS, by motion dated June 7, 2023 (the “Motion”), MoneyGram has moved for an Order, pursuant to 28 U.S.C. § 2042, directing the release of \$ 5,343,239.42 from the Escrow Account to MoneyGram; and

WHEREAS, the Court, after having reviewed the Motion and any responses thereto, **GRANTED** the Motion:

IT IS HEREBY ON THIS __ DAY OF JUNE, 2023:

ORDERED THAT, the Clerk of the United States District Court for the Southern District of New York shall release the amount of \$ 5,343,239.42 to MoneyGram from the Escrow Account in a manner to be arranged between the Clerk and MoneyGram.

Hon. Pierre N. Leval, U.S.C.J.
Special Master