

APPENDIX

Appendix A

**FILED
APR 17 2025**

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

JAN PETERS,

Plaintiff - Appellant,

v.

MALIA M. COHEN, replacing
Betty T. Yee, in her official
Capacity as Chief Fiscal
Officer, State Controller of The
State of California, and as
Trustee of The Unclaimed
Property Fund,

Defendant - Appellee.

No. 24-1040

D.C. No.
2:22-cv-00266-JAM-DB
Eastern District of California,
Sacramento

ORDER

Before: McKEOWN, FORREST, and
SANCHEZ, Circuit Judges.

The panel unanimously voted to deny the petition for panel rehearing. Judges Forrest and Sanchez voted to deny the petition for rehearing en banc, and Judge McKeown recommended denial of the petition for rehearing en banc. The full court was advised of the petition for rehearing en banc, and no judge of the court requested a vote on whether to rehear the matter en banc. Fed. R. App. P. 40.

The petition for panel rehearing and rehearing en banc, Dkt. #47, is **DENIED**.

Appendix B

**FILED
MAR 7 2025**

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

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MEMORANDUM*

Appeal from the United States District Court
for the Eastern District of California
John A. Mendez, District Judge, Presiding

Argued and Submitted February 5, 2025
San Francisco, California

Before: McKEOWN, FORREST, and SANCHEZ,
Circuit Judges.

Plaintiff-Appellant Jan Peters appeals the district court's grant of summary judgment to Defendant-Appellee the California State Controller in this action concerning the escheatment of Peters's Amazon stock to the state under California's Unclaimed Property Law ("UPL"), *see* Cal. Civ. Proc. Code § 1500, *et seq.* Because the parties are familiar with the facts, we do not recite them here. We have jurisdiction under 28 U.S.C. § 1291, and we affirm.

"We review questions of standing *de novo*." *Tyler v. Cuomo*, 236 F.3d 1124, 1131 (9th Cir. 2000). "Whether a state is immune from suit under the Eleventh Amendment is a question of law" also reviewed *de novo*. *Bethel Native Corp. v. Dep't of Interior*, 208 F.3d 1171, 1173 (9th Cir. 2000) (citation omitted). Finally, we review *de novo* a district court's

* This disposition is not appropriate for publication and is not precedent except as provided by Ninth Circuit Rule 36-3.

grant of summary judgment, considering the record in the light most favorable to the nonmoving party. *King v. Cnty. of L.A.*, 885 F.3d 548, 556 (9th Cir. 2018).

To demonstrate standing, Peters must show that he suffered an injury in fact that is “fairly traceable” to the challenged conduct and is “likely” to be “redressed by a favorable decision.” *Lujan v. Defs. of Wildlife*, 504 U.S. 555, 560–61 (1992) (cleaned up). Peters seeks to enjoin the Controller from enforcing or administering California’s UPL against him in the future. He must therefore demonstrate “a sufficient likelihood that he will again be wronged in a similar way.” *Bates v. United Parcel Serv., Inc.*, 511 F.3d 974, 985 (9th Cir. 2007) (citation omitted).

As the district court observed, “[Peters] has not identified that any other property has been, or will imminently be, escheated to the State.” Indeed, Peters already received the proceeds from the sale of his escheated stock and testified that he has no additional assets in his Charles Schwab account nor owns any other accounts or property located in the United States. Peters’s concern over the possibility the Controller may seek to reach stocks located in his German brokerage account is too speculative to confer standing. *See Clapper v. Amnesty Int’l USA*, 568 U.S. 398, 409 (2013) (“[A]llegations of possible future injury’ are not sufficient [to satisfy standing].” (citation omitted)). Peters has therefore failed to demonstrate the requisite likelihood of future harm to

pursue his claim for prospective injunctive relief against the Controller.¹

We have held that the Eleventh Amendment does not prevent suits against the Controller for the return of non-permanently escheated property or the proceeds of that property where the claim is “based on the public official having acted beyond his statutory authority (the ‘ultra vires exception’)” or where “the plaintiff’s theory [is] that the action leading to the government’s possession of the property was constitutionally infirm.” *Taylor v. Westly (Taylor I)*, 402 F.3d 924, 934 (9th Cir. 2005) (footnote omitted); see also *Suever v. Connell (Suever I)*, 439 F.3d 1142, 1147 (9th Cir. 2006).

Peters attempts to align this case with *Taylor I* and *Suever I* by asserting violations of the UPL’s notice provisions as well as his Fifth and Fourteenth Amendment rights and characterizing his requested relief as seeking the “return of his property.” Peters concedes that his escheated stock was sold by the state and the sale proceeds returned to him. He contends, however, that he is entitled to the difference

¹ Peters argues that because one of the plaintiffs in *Taylor II* was English, we must reach the same result in this case—that a non-resident has standing for a prospective injunction. See *Taylor v. Westly (Taylor II)*, 488 F.3d 1197, 1199–1200 (9th Cir. 2007). But in *Taylor II* we did not address whether the absence of property held in the United States deprived a plaintiff of the required likelihood of a future injury. Therefore, it does not control the question before us. See *Webster v. Fall*, 266 U.S. 507, 511 (1925); accord *United States v. Marin*, 90 F.4th 1235, 1240 (9th Cir. 2024). This is true even of jurisdictional issues, like standing. See *United States v. L.A. Tucker Truck Lines, Inc.*, 344 U.S. 33, 38 (1952).

between the current market value of his escheated stock and the price at which it was sold in 2018.

This form of relief is plainly foreclosed under our precedent in *Suever v. Connell* (*Suever II*), 579 F.3d 1047, 1059 (9th Cir. 2009) (rejecting a claim against the Controller for “the amount of the difference between the proceeds of the sale of [the plaintiffs’] unclaimed property and the current market value”). In *Suever II*, we explained that plaintiffs are “not entitled to *more* than the actual property that the State took into its possession or the proceeds of that property” because “such claims for additional compensation, whether described as ‘restitution’ or otherwise, are indistinguishable in effect from claims for money damages against the State and, as such, are barred by the Eleventh Amendment.” *Id.* (citing *Taylor I*, 402 F.3d at 932, 935).

Peters’s claim under the Takings Clause is similarly unavailing. This court has clarified that “the constitutionally grounded self-executing nature of the Takings Clause does not alter the conventional application of the Eleventh Amendment.” *Seven Up Pete Venture v. Schweitzer*, 523 F.3d 948, 954 (9th Cir. 2008), *cert. denied*, 555 U.S. 885 (2008). In *Seven Up Pete Venture*, we held that the Eleventh Amendment bars reverse condemnation actions brought in federal court against state officials in their official capacities. *Id.* at 956. In any event, where a plaintiff’s property has been seized or sold by the state pursuant to California’s UPL, their “property [or its proceeds] ha[ve] not been taken at all, but ha[ve] merely been held in trust . . . by the Controller.” *Taylor I*, 402 F.3d at 936. Thus, Peters cannot establish a violation of the Takings Clause.

We conclude that Peters's request for injunctive relief ordering the return of his property is a request for money damages barred under the Eleventh Amendment. This bar applies equally to his related request for declaratory relief because such relief does "not fall within the *Ex parte Young* prospective relief exception to the Eleventh Amendment." *Id.* at 935.

AFFIRMED.

Appendix C

UNITED STATES DISTRICT COURT EASTERN DISTRICT OF CALIFORNIA

JAN PETERS,
Plaintiff,

v.

MALIA M. COHEN, in her
official capacity as Controller of the
State of California,
Defendant.

No. 2:22-cv-00266-JAM-DB

ORDER DENYING PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT AND GRANTING DEFENDANT'S MOTION FOR SUMMARY JUDGMENT

This matter is before the Court on the parties' cross-motions for summary judgment under Rule 56(a) of the Federal Rules of Civil Procedure. Plaintiff Jan Peters ("Plaintiff") filed his motion for summary judgment on October 3, 2023, Plf.'s Mot. for Summary Judgment, ECF No. 63, and Defendant Malia Cohen, sued in her official capacity as the California State Controller, ("Defendant") filed her cross-motion ten days later, Def.'s Mot. for Summary Judgment, ECF No. 64. For the reasons stated below, the Court DENIES Plaintiff's motion for summary judgment

and GRANTS Defendant's motion for summary judgment.¹

I. BACKGROUND AND UNDISPUTED FACTS

Plaintiff is a citizen of Germany and has never resided in California. Plf.'s Statement of Undisputed Facts ("SUF") No. 1, ECF No. 63-3. From 2000 to 2010, Plaintiff worked for Amazon.de, a subsidiary of Amazon.com, Inc., in Munich, Germany. Def.'s SUF No. 1, ECF No. 64-2. As an employee of Amazon.de, Plaintiff received shares in Amazon.com, Inc. (the "Shares"), which were held in an account managed by Charles Schwab & Co., Inc. ("Charles Schwab") Def.'s SUF No. 2. Charles Schwab filed a "Holder Notice Report" and "Holder Remit Report" to the State Controller's Office after deeming Plaintiff's stock as unclaimed property under California's Unclaimed Property Law ("UPL"), Cal. Civ. Proc. Code § 1500, *et seq.* Def.'s SUF Nos. 7, 11. Charles Schwab ultimately transferred the Shares to the State Controller's Office, Def.'s SUF No. 11, who then sold the Shares as required under the UPL, Def.'s SUF No. 13. After the Shares were sold, Plaintiff filed a claim with the State Controller's Office to recover the proceeds from the sale. Def.'s SUF No. 14. The Controller's Office reviewed Plaintiff's claim and wired Plaintiff the proceeds, less wire transfer fees. Def.'s SUF No. 14.

Dissatisfied with the amount of the proceeds he received, Plaintiff filed his complaint in this action asserting two causes of action under 42 U.S.C. section 1983. Compl., ECF No. 1. Plaintiff seeks an

¹ This motion is determined to be suitable for decision without oral argument. E.D. Cal. L.R. 230(g).

injunction enjoining the future enforcement of the UPL, declaratory relief that Plaintiff's Fifth and Fourteenth Amendment rights were violated, and attorney's fees and costs under 42 U.S.C. section 1988. Prayer for Relief, Compl. at 27.

Plaintiff also seeks an injunction ordering Defendant to return the Shares. Id. However, because the Shares have already been sold, Plaintiff actually seeks the difference between the current value of the Shares and the sale price. Plf.'s Opp'n to Def.'s Mot. for Summary Judgment ("Plf.'s Opp'n"), ECF No. 67 at 8, 20-21; Exh. 14 to Def.'s Mot. for Summary Judgment, ECF No. 64-4 at 141-42. Plaintiff contends the Shares are currently more valuable than when they were sold. See Plf.'s Opp'n at 8, 20-21; Exh. 14 to Def.'s Mot. for Summary Judgment.

Plaintiff filed an opposition to Defendant's cross-motion, Plf.'s Opp'n, ECF No. 67, and Defendant filed a reply. Reply, ECF No. 70. However, Plaintiff did not file a response to Defendant's statement of undisputed facts as required under this Court's Local Rule 260(b). See generally Plf.'s Opp'n. Rather than deem all Defendant's facts undisputed, the Court has determined whether any of Plaintiff's facts sufficiently dispute Defendant's facts and any facts insufficiently disputed have been deemed admitted. Beard v. Banks, 548 U.S. 521, 527 (2006); Fed. R. Civ. P. 56(e).

After this action was filed, Malia Cohen succeeded Betty Yee as California's State Controller. Ms. Cohen has thus replaced Ms. Yee as the defendant in this action under Rule 25 of the Federal Rules of the

Civil Procedure. Def.'s Mot. for Summary Judgment at 1 n.1.

II. OPINION

A. Legal Standard

A Court must grant a party's motion for summary judgment "if the movant shows that there is no genuine dispute as to any material fact and the movant is entitled to a judgment as a matter of law." Fed. R. Civ. P. 56(a). The movant bears the initial burden of "informing the district court of the basis for its motion, and identifying [the documents] which it believes demonstrate the absence of a genuine issue of a material fact." Celotex Corp v. Catrett, 477 U.S. 317, 323 (1986). A fact is material if it "might affect the outcome of the suit under the governing law." Anderson v. Liberty Lobby, Inc., 477 U.S. 242, 248 (1986). Once the movant makes this initial showing, the burden rests upon the nonmoving party to "set forth specific facts showing that there is a genuine issue for trial." Id. An issue of fact is genuine if "the evidence is such that a reasonable jury could return a verdict for the nonmoving party." Id. All reasonable inferences are drawn in favor of the non-moving party. In re Oracle Corp. Sec. Litig., 627 F.3d 376, 387 (9th Cir. 2010) (citing Anderson, 477 U.S. at 255).

When parties file cross-motions for summary judgment, the Court must consider each motion on its own merits and "the appropriate evidentiary material identified and submitted in support of both motions, and in opposition to both motions, before ruling on each of them." Fair Hous. Council of Riverside Cnty., Inc. v. Riverside Two, 249 F.3d 1132, 1134-36 (9th Cir. 2001).

B. Analysis

1. California's Unclaimed Property Law

“[T]he purpose of the UPL is to locate owners of apparently lost or abandoned property and restore their property to them; but if these efforts are unsuccessful, to give the benefit of any unclaimed property to California, rather than to financial institutions or other private entities holding the property (‘holders’).” Taylor v. Yee (Taylor V), 780 F.3d 928, 931 (9th Cir. 2015). Holders must transfer property that meets the UPL’s definition of unclaimed property to the State, which is known as escheatment. See UPL §§ 1510 et seq.

Before and after escheatment, the UPL requires multiple forms of notice be given to the owners of unclaimed property to comply with due process. See id. If the owner does not timely respond and establish his right to the property, the property is deemed unclaimed and escheats to the State. Id. §§ 1530, 1532(a)-(b). Under UPL section 1563(b), the Controller must liquidate unclaimed, escheated securities that are listed on a stock exchange at the prevailing prices on that exchange. Id. § 1563(b).

Escheated property, including the proceeds from the sale of securities, does not “permanently escheat to the state.” Id. § 1501.5(a). Instead, the Controller holds the unclaimed property, including the proceeds from a sale, in trust for the owner. Those who “claim[] to have been the owner . . . of property paid or delivered to the Controller under this chapter may file a claim to the property or to the net proceeds from its sale.” Id. § 1540(a).

Since the UPL was amended in 2007, the Ninth Circuit has repeatedly found the UPL's notice procedures facially constitutional. Taylor v. Westly, 525 F.3d 1288, 1289 (9th Cir. 2008); Taylor V, 780 F.3d at 934-35 (citing Suever v. Connell (Suever II), 579 F.3d 1047, 1054 n.4 (9th Cir. 2009)). Plaintiff concedes and instead brings an as-applied challenge. Plf.'s Opp'n at 11.

Although Plaintiff argues the UPL does not apply to German citizens, e.g., Plf.'s Mot. for Summary Judgment at 2; Plf.'s Opp'n at 8, a foreign national's unclaimed property may escheat to the State if the holder of that property is domiciled in California. UPL § 1510(d). Therefore, Plaintiff's argument that the Controller lacks jurisdiction over a foreign citizen's property is legally unsupported.

2. Plaintiff's Motion for Summary Judgment, ECF No. 63

Many material facts in support of Plaintiff's motion for summary judgment are disputed or unsupported by the evidence, including but not limited to whether the holder of the Shares is domiciled in California, whether Defendant failed to give Plaintiff notice as prescribed by the UPL, and whether Defendant's agent modified Plaintiff's address in the holder's records. E.g., Def.'s Response to Plf.'s SUF Nos. 2, 5, 11, 16, 22, 23, 27, 34, 35. Plaintiff also fails to meet his burden demonstrating that escheatment of the Shares violates Federal or state securities laws. See Plf.'s P. & A., ECF No. 63-1 at 30-31. Given these genuine disputes of material fact and burden of proof failures, Plaintiff's motion for summary judgment is denied.

3. Defendant's Motion for Summary Judgment, ECF No. 64

Defendant moves for summary judgment on standing and Eleventh Amendment grounds. Def.'s P. & A. ("Mot."), ECF No. 64-1 at 5, 7.

a. Standing

Defendant argues Plaintiff lacks standing to maintain this action because Plaintiff received the proceeds from the sale of the Shares. Def.'s Mot. at 11; Def.'s SUF No. 14.

Plaintiff must satisfy three elements to establish standing: (1) he suffered an "injury in fact" that is concrete, particularized, actual, and imminent—not hypothetical; (2) there exists a "causal connection between the injury and conduct complained of;" and (3) "it must be likely, as opposed to merely speculative, that the injury will be redressed by a favorable decision." Lujan v. Defs. of Wildlife, 504 U.S. 555, 560-61 (1992) (internal quotations omitted).

Plaintiff asserts he suffered an injury in fact when the Shares were unconstitutionally transferred to, and liquidated by, the State Controller's Office. The amount Plaintiff received from the liquidation is purportedly less than the current market price of the Shares. Plf.'s Opp'n at 8, 20-21; Exh. 14 to Def.'s Mot. for Summary Judgment at 141-42. Thus, Plaintiff seeks to recover the appreciation he was not paid. That Plaintiff was paid the proceeds from the sale only partly redresses the harm sustained. The Court therefore finds Plaintiff has standing to maintain this action. Plaintiff also seeks an injunction enjoining the future enforcement and administration of the UPL.

Prayer for Relief, Compl. at 27. However, Plaintiff has not identified that any other property has been, or will imminently be, escheated to the State. Def.'s SUF No. 16; Def.'s Response to Plf.'s SUF No. 10, ECF No. 64-3. Rather, Plaintiff is merely concerned about the possibility that other property may be treated as his Shares were. Exh. 2 to Def.'s Mot. for Summary Judgment at 27-28. The mere potential for future escheatment of unidentified property is hypothetical and speculative. Plaintiff has not demonstrated that he has suffered, or will imminently suffer, an actual injury in which an injunction enjoining the future enforcement of the UPL would likely redress. The injury Plaintiff suffered—the loss in appreciation due to the forced liquidation of the Shares—is insufficient to enjoin the future enforcement of the UPL. Therefore, the Court finds Plaintiff lacks standing to seek this remedy.

In sum, the Court finds Plaintiff has standing to seek the difference between the current value of the Shares and the proceeds from the sale of the Shares but lacks standing to enjoin Defendant from prospectively enforcing the UPL. Whether Plaintiff may recover the Shares' post-liquidation gain is a separate legal issue addressed by the Court in the next section.

b. Eleventh Amendment Immunity

Defendant argues she is entitled to judgment as a matter of law because she is immune from suit under the Eleventh Amendment. Def.'s Mot. at 14-16. Plaintiff asserts several reasons why the Eleventh Amendment does not bar this action, but each is unpersuasive, unsupported by legal authority, or has already been rejected by the Ninth Circuit.

Under the Eleventh Amendment, a plaintiff cannot assert a claim under 42 U.S.C. section 1983 against a state or a state official sued in her official capacity absent a state's waiver. U.S. Const. amend. XI; Will v. Michigan Dep't of State Police, 491 U.S. 58, 71 (1989); Doe v. Lawrence Livermore Nat. Lab'y, 131 F.3d 836, 839 (9th Cir. 1997); Edelman v. Jordan, 415 U.S. 651, 662-63 (1974). Plaintiff does not contend California consented to suit or otherwise waived its sovereign immunity. See generally Plf.'s Opp'n. Here, Defendant is sued in her official capacity as the State Controller of California. Compl. ¶ 4. Therefore, this action is barred by the Eleventh Amendment unless an exception applies.

Plaintiff correctly notes that the Eleventh Amendment does not bar actions to recover one's own property from a state if (1) the public official acted beyond their statutory authority (*ultra vires*) or (2) when the action leading to government possession was unconstitutional. Malone v. Bowdoin, 369 U.S. 643, 647-48 (1962); Taylor v. Westly (Taylor I), 402 F.3d 924, 934-35 (9th Cir. 2005)); see also United States v. Lee, 106 U.S. 196 (1882). But in this context, where escheated property is sold, Plaintiff cannot recover more than the proceeds from the sale because it is

indistinguishable from, and treated as, an award of damages against the State—which is barred by the Eleventh Amendment. Suever II, 579 F.3d at 1058-59; Edelman, 415 U.S. at 668; Seven Up Pete Venture v. Schweitzer, 523 F.3d 948, 956 (9th Cir. 2008), *cert. denied*, 555 U.S. 885 (2008) (Fifth Amendment). In other words, while Lee and Malone allow a plaintiff to sue a state to recover one’s own property, they do not permit a plaintiff to recover anything greater than the proceeds from a stock sale even if the state official’s conduct was unconstitutional or *ultra vires*. Suever II, 579 F.3d at 1058-59.

Under the Ex Parte Young exception, a plaintiff may sue a state official in their official capacity to obtain prospective injunctive relief. Ex Parte Young, 209 U.S. 123, 159–160 (1908); Taylor I, 402 F.3d 924; Will, 491 U.S. at 71 n.10; Kentucky v. Graham, 473 U.S. 159, 167 n.14 (1985). A claim for damages, however, remains barred by the Eleventh Amendment. Id. at 167 n.14. Plaintiff seeks an injunction ordering the return of the difference between the proceeds from the sale of the Shares and the current value of the Shares. Prayer for Relief, Compl. at 27; Plf.’s Opp’n at 8, 20-21; Exh. 14 to Def.’s Mot. for Summary Judgment at 141-42. While this may appear prospective in nature, the practical effect is no different than an award of damages and is thus treated accordingly. Suever II, 579 F.3d at 1059; *see also* Edelman, 415 U.S. at 662-63; Schweitzer, 523 F.3d at 956. Therefore, Plaintiff’s claims do not fall within the Ex Parte Young exception. Taylor I, 402 F.3d at 935; Schweitzer, 523 F.3d at 956; Graham, 473 U.S. at 165. The same is true of Plaintiff’s request for declaratory relief. Taylor I, 402 F.3d at 935 (holding a request for declaratory relief that property was

unconstitutionally taken does not fall within the Ex Parte Young exception).

Lastly, Plaintiff's argument that the Eleventh Amendment is no bar to this action because the Unclaimed Property Fund is comprised of private money, rather than funds of the State, Plf.'s Opp'n at 27-28, has already been rejected by the Ninth Circuit. Suever II, 579 F.3d at 1060 (holding that Plaintiff cannot recover more than the proceeds from the liquidation even though the Unclaimed Property Fund is not comprised of state funds).

In sum, because Plaintiff has already received the proceeds from the sale of the Shares, the Eleventh Amendment bars any further relief to remedy the harm Plaintiff may have sustained in connection with the transfer and liquidation of the Shares.

III. ORDER

For the reasons set forth above, the Court DENIES Plaintiff's motion for summary judgment and GRANTS Defendant's motion for summary judgment.

IT IS SO ORDERED.

Dated: February 14, 2024


JOHN A. MENDEZ
SENIOR UNITED STATES DISTRICT JUDGE

Appendix D

Code of Civil Procedure

Title 10, Chapter 7

Unclaimed Property Law

§ 1300. For the purposes of this title, the following definitions shall apply:

(a) “Property,” unless specifically qualified, includes all classes of property, real, personal and mixed.

(b) “Unclaimed property,” unless specifically qualified, means all property

(1) which is unclaimed, abandoned, escheated, permanently escheated, or distributed to the state, or

(2) which, under any provision of law, will become unclaimed, abandoned, escheated, permanently escheated, or distributed to the state, or (3) to the possession of which the state is or will become entitled, if not claimed by the person or persons entitled thereto within the time allowed by law, whether or not there has been a judicial determination that such property is unclaimed, abandoned, escheated, permanently escheated, or distributed to the state.

(c) “Escheat,” unless specifically qualified, means the vesting in the state of title to property the whereabouts of whose owner is unknown or whose owner is unknown or which a known owner has

refused to accept, whether by judicial determination or by operation of law, subject to the right of claimants to appear and claim the escheated property or any portion thereof. When used in reference to the law of another state, “escheat” includes the transfer to the state of the right to the custody of such property.

(d) “Permanent escheat” means the absolute vesting in the state of title to property the whereabouts of whose owner is unknown or whose owner is unknown or which a known owner has refused to accept, pursuant to judicial determination, pursuant to a proceeding of escheat as provided by Chapter 5 (commencing with Section 1410) of this title, or pursuant to operation of law, and the barring of all claims to the property by the former owner thereof or his successors.

(e) “Controller” means the State Controller.

(f) “Treasurer” means the State Treasurer.

(g) “Domicile,” in the case of a corporation, refers to the place where the corporation is incorporated.

(Amended by Stats. 1968, Ch. 356.)

Code of Civil Procedure

Title 10, Chapter 7

Unclaimed Property Law

§ 1500. This chapter may be cited as the Unclaimed
Property Law.

(Amended by Stats. 1968, Ch. 356.)

Code of Civil Procedure

Title 10, Chapter 7

Unclaimed Property Law

§ 1510. Escheat of intangible personal property

Unless otherwise provided by statute of this state, intangible personal property escheats to this state under this chapter if the conditions for escheat stated in Sections 1513 through 1521 exist, and if:

(a) The last known address, as shown on the records of the holder, of the apparent owner is in this state.

(b) No address of the apparent owner appears on the records of the holder and:

(1) The last known address of the apparent owner is in this state; or

(2) The holder is domiciled in this state and has not previously paid the property to the state of the last known address of the apparent owner; or

(3) The holder is a government or governmental subdivision or agency of this state and has not previously paid the property to the state of the last known address of the apparent owner.

(c) The last known address, as shown on the records of the holder, of the apparent owner is in a state that does not provide by law for the escheat of such property and the holder is (1) domiciled in this state

or (2) a government or governmental subdivision or agency of this state.

(d) The last known address, as shown on the records of the holder, of the apparent owner is in a foreign nation and the holder is (1) domiciled in this state or (2) a government or governmental subdivision or agency of this state.

Code of Civil Procedure

Title 10, Chapter 7

Unclaimed Property Law

§ 1511. Escheat of money orders, travelers checks,
etc.; conditions

(a) Any sum payable on a money order, travelers check, or other similar written instrument (other than a third-party bank check) on which a business association is directly liable escheats to this state under this chapter if the conditions for escheat stated in Section 1513 exist and if:

(1) The books and records of such business association show that such money order, travelers check, or similar written instrument was purchased in this state;

(2) The business association has its principal place of business in this state and the books and records of the business association do not show the state in which such money order, travelers check, or similar written instrument was purchased; or

(3) The business association has its principal place of business in this state, the books and records of the business association show the state in which such money order, travelers check, or similar written instrument was purchased, and the laws of the state of purchase do not provide for the escheat of the sum payable on such instrument.

(b) Notwithstanding any other provision of this chapter, this section applies to sums payable on money orders, travelers checks, and similar written instruments deemed abandoned on or after February 1, 1965, except to the extent that such sums have been paid over to a state prior to January 1, 1974. For the purposes of this subdivision, the words “deemed abandoned” have the same meaning as those words have as used in Section 604 of Public Law Number 93-495 (October 28, 1974), 88th Statutes at Large 1500.

Code of Civil Procedure

Title 10, Chapter 7

Unclaimed Property Law

§ 1513.5. Notice of escheat by banking or financial
organization

(a) Except as provided in subdivision (c), if the holder has in its records an address for the apparent owner, which the holder's records do not disclose to be inaccurate, every banking or financial organization shall make reasonable efforts to notify any owner by mail or, if the owner has consented to electronic notice, electronically, that the owner's deposit, account, shares, or other interest in the banking or financial organization will escheat to the state pursuant to clause (i), (ii), or (iii) of subparagraph (A) of paragraph (1), (2), or (6) of subdivision (a) of Section 1513. The holder shall give notice either:

(1) Not less than two years nor more than two and one-half years after the date of last activity by, or communication with, the owner with respect to the account, deposit, shares, or other interest, as shown on the record of the banking or financial organization.

(2) Not less than 6 nor more than 12 months before the time the account, deposit, shares, or other interest becomes reportable to the Controller in accordance with this chapter.

(b) The notice required by this section shall specify the time that the deposit, account, shares, or other interest will escheat and the effects of escheat,

including the necessity for filing a claim for the return of the deposit, account, shares, or other interest. The face of the notice shall contain a heading at the top that reads as follows: "THE STATE OF CALIFORNIA REQUIRES US TO NOTIFY YOU THAT YOUR UNCLAIMED PROPERTY MAY BE TRANSFERRED TO THE STATE IF YOU DO NOT CONTACT US," or substantially similar language. The notice required by this section shall, in boldface type or in a font a minimum of two points larger than the rest of the notice, exclusive of the heading, (1) specify that since the date of last activity, or for the last two years, there has been no owner activity on the deposit, account, shares, or other interest; (2) identify the deposit, account, shares, or other interest by number or identifier, which need not exceed four digits; (3) indicate that the deposit, account, shares, or other interest is in danger of escheating to the state; and (4) specify that the Unclaimed Property Law requires banking and financial organizations to transfer funds of a deposit, account, shares, or other interest if it has been inactive for three years. It shall also include a form, as prescribed by the Controller, by which the owner may declare an intention to maintain the deposit, account, shares, or other interest. If that form is filled out, signed by the owner, and returned to the banking or financial organization, it shall satisfy the requirement of clause (iii) of subparagraph (A) of paragraph (1), clause (iii) of subparagraph (A) of paragraph (2), or clause (iii) of subparagraph (A) of paragraph (6) of subdivision (a) of Section 1513. In lieu of returning the form, the banking or financial organization may provide a telephone number or other electronic means to enable the owner to contact that organization. The contact,

as evidenced by a memorandum or other record on file with the banking or financial organization, shall satisfy the requirement of clause (iii) of subparagraph (A) of paragraph (1), clause (iii) of subparagraph (A) of paragraph (2), or clause (iii) of subparagraph (A) of paragraph (6) of subdivision (a) of Section 1513. If the deposit, account, shares, or other interest has a value greater than two dollars (\$2), the banking or financial organization may impose a service charge on the deposit, account, shares, or other interest for this notice in an amount not to exceed the administrative cost of mailing or electronically sending the notice and form and in no case to exceed two dollars (\$2).

(c) Notice as provided by subdivisions (a) and (b) shall not be required for deposits, accounts, shares, or other interests of less than fifty dollars (\$50), and, except as provided in subdivision (b), no service charge may be made for notice on these items.

(d) In addition to the notices required pursuant to subdivision (a), the holder may give additional notice as described in subdivision (b) at any time between the date of last activity by, or communication with, the owner and the date the holder transfers the deposit, account, shares, or other interest to the Controller.

(e) At the time a new account is opened with a banking or financial organization, the organization shall provide a written notice to the person opening the account informing the person that his or her property may be transferred to the appropriate state if no activity occurs in the account within the time period specified by state law. If the person opening the

account has consented to electronic notice, that notice may be provided electronically.

Code of Civil Procedure

Title 10, Chapter 7

Unclaimed Property Law

§ 1514. Safe deposit box or other safekeeping
depository, contents or proceeds of sale of contents;
notice of escheat to state; default by owner

(a) The contents of, or the proceeds of sale of the contents of, any safe deposit box or any other safekeeping repository, held in this state by a business association, escheat to this state if unclaimed by the owner for more than three years from the date on which the lease or rental period on the box or other repository expired, or from the date of termination of any agreement because of which the box or other repository was furnished to the owner without cost, whichever last occurs.

(b) If a business association has in its records an address for an apparent owner of the contents of, or the proceeds of sale of the contents of, a safe deposit box or other safekeeping repository described in subdivision (a), and the records of the business association do not disclose the address to be inaccurate, the business association shall make reasonable efforts to notify the owner by mail, or, if the owner has consented to electronic notice, electronically, that the owner's contents, or the proceeds of the sale of the contents, will escheat to the state pursuant to this section. The business association shall give notice not less than 6 months and not more than 12 months before the time the contents, or the proceeds of the sale of the contents,

become reportable to the Controller in accordance with this chapter.

(c) The face of the notice shall contain a heading at the top that reads as follows: “THE STATE OF CALIFORNIA REQUIRES US TO NOTIFY YOU THAT YOUR UNCLAIMED PROPERTY MAY BE TRANSFERRED TO THE STATE IF YOU DO NOT CONTACT US,” or substantially similar language. The notice required by this subdivision shall specify the date that the property will escheat and the effects of escheat, including the necessity for filing a claim for the return of the property. The notice required by this section shall, in boldface type or in a font a minimum of two points larger than the rest of the notice, exclusive of the heading, do all of the following:

- (1) Identify the safe deposit box or other safekeeping repository by number or identifier.
- (2) State that the lease or rental period on the box or repository has expired or the agreement has terminated.
- (3) Indicate that the contents of, or the proceeds of sale of the contents of, the safe deposit box or other safekeeping repository will escheat to the state unless the owner requests the contents or their proceeds.
- (4) Specify that the Unclaimed Property Law requires business associations to transfer the contents of, or the proceeds of sale of the contents of, a safe deposit box or other safekeeping repository to the Controller if they remain unclaimed for more than three years.

(5) Advise the owner to make arrangements with the business association to either obtain possession of the contents of, or the proceeds of sale of the contents of, the safe deposit box or other safekeeping repository, or enter into a new agreement with the business association to establish a leasing or rental arrangement. If an owner fails to establish such an arrangement prior to the end of the period described in subdivision (a), the contents or proceeds shall escheat to this state.

(d) In addition to the notice required pursuant to subdivision (b), the business association may give additional notice in accordance with subdivision (c) at any time between the date on which the lease or rental period for the safe deposit box or repository expired, or from the date of the termination of any agreement, through which the box or other repository was furnished to the owner without cost, whichever is earlier, and the date the business association transfers the contents of, or the proceeds of sale of the contents of, the safe deposit box or other safekeeping repository to the Controller.

(e) The contents of, or the proceeds of sale of the contents of, a safe deposit box or other safekeeping repository shall not escheat to the state if, as of June 30 or the fiscal yearend next preceding the date on which a report is required to be filed under Section 1530, the owner has owned, with a banking organization providing the safe deposit box or other safekeeping repository, any demand, savings, or matured time deposit, or account subject to a negotiable order of withdrawal, which has not

escheated under Section 1513 and is not reportable under subdivision (d) of Section 1530.

(f) The contents of, or the proceeds of sale of the contents of, a safe deposit box or other safekeeping repository shall not escheat to the state if, as of June 30 or the fiscal yearend next preceding the date on which a report is required to be filed under Section 1530, the owner has owned, with a financial organization providing the safe deposit box or other safekeeping repository, any demand, savings, or matured time deposit, or matured investment certificate, or account subject to a negotiable order of withdrawal, or other interest in a financial organization or any deposit made therewith, and any interest or dividends thereon, which has not escheated under Section 1513 and is not reportable under subdivision (d) of Section 1530.

(g) The contents of, or the proceeds of sale of the contents of, a safe deposit box or other safekeeping repository shall not escheat to the state if, as of June 30 or the fiscal yearend next preceding the date on which a report is required to be filed under Section 1530, the owner has owned, with a banking or financial organization providing the safe deposit box or other safekeeping repository, any funds in an individual retirement account or under a retirement plan for self-employed individuals or similar account or plan pursuant to the internal revenue laws of the United States or the income tax laws of this state, which has not escheated under Section 1513 and is not reportable under subdivision (d) of Section 1530.

(h) In the event the owner is in default under the safe deposit box or other safekeeping repository agreement and the owner has owned any demand, savings, or matured time deposit, account, or plan described in subdivision (e), (f), or (g), the banking or financial organization may pay or deliver the contents of, or the proceeds of sale of the contents of, the safe deposit box or other safekeeping repository to the owner after deducting any amount due and payable from those proceeds under that agreement. Upon making that payment or delivery under this subdivision, the banking or financial organization shall be relieved of all liability to the extent of the value of those contents or proceeds.

(i) For new accounts opened for a safe deposit box or other safekeeping repository with a business association on and after January 1, 2011, the business association shall provide a written notice to the person leasing the safe deposit box or safekeeping repository informing the person that his or her property, or the proceeds of sale of the property, may be transferred to the appropriate state upon running of the time period specified by state law from the date the lease or rental period on the safe deposit box or repository expired, or from the date of termination of any agreement because of which the box or other repository was furnished to the owner without cost, whichever is earlier.

(j) A business association may directly escheat the contents of a safe deposit box or other safekeeping repository without exercising its rights under Article 2 (commencing with Section 1630) of Chapter 17 of Division 1 of the Financial Code.

Code of Civil Procedure

Title 10, Chapter 7

Unclaimed Property Law

§ 1530. Report of escheated property

(a) Every person holding funds or other property escheated to this state under this chapter shall report to the Controller as provided in this section.

(b) The report shall be on a form prescribed or approved by the Controller and shall include:

(1) Except with respect to traveler's checks and money orders, the name, if known, and last known address, if any, of each person appearing from the records of the holder to be the owner of any property of value of at least fifty dollars (\$50) escheated under this chapter. This paragraph shall become inoperative on July 1, 2014.

(2) Except with respect to traveler's checks and money orders, the name, if known, and last known address, if any, of each person appearing from the records of the holder to be the owner of any property of value of at least twenty-five dollars (\$25) escheated under this chapter. This paragraph shall become operative on July 1, 2014.

(3) In the case of escheated funds of life insurance corporations, the full name of the insured or annuitant, and his or her last known address, according to the life insurance corporation's records.

(4) In the case of the contents of a safe deposit box or other safekeeping repository or in the case of other tangible property, a description of the property and the place where it is held and may be inspected by the Controller. The report shall set forth any amounts owing to the holder for unpaid rent or storage charges and for the cost of opening the safe deposit box or other safekeeping repository, if any, in which the property was contained.

(5) The nature and identifying number, if any, or description of any intangible property and the amount appearing from the records to be due, except that items of value under twenty-five dollars (\$25) each may be reported in aggregate.

(6) Except for any property reported in the aggregate, the date when the property became payable, demandable, or returnable, and the date of the last transaction with the owner with respect to the property.

(7) Other information which the Controller prescribes by rule as necessary for the administration of this chapter.

(c) If the holder is a successor to other persons who previously held the property for the owner, or if the holder has changed his or her name while holding the property, he or she shall file with his or her report all prior known names and addresses of each holder of the property.

(d) The report shall be filed before November 1 of each year as of June 30 or fiscal yearend next preceding,

but the report of life insurance corporations, and the report of all insurance corporation demutualization proceeds subject to Section 1515.5, shall be filed before May 1 of each year as of December 31 next preceding. The initial report for property subject to Section 1515.5 shall be filed on or before May 1, 2004, with respect to conditions in effect on December 31, 2003, and all property shall be determined to be reportable under Section 1515.5 as if that section were in effect on the date of the insurance company demutualization or related reorganization. The Controller may postpone the reporting date upon his or her own motion or upon written request by any person required to file a report.

(e) The report, if made by an individual, shall be verified by the individual; if made by a partnership, by a partner; if made by an unincorporated association or private corporation, by an officer; and if made by a public corporation, by its chief fiscal officer or other employee authorized by the holder.

Code of Civil Procedure

Title 10, Chapter 7

Unclaimed Property Law

§ 1531. Notice and publication of lists of escheated property

(a) Within one year after payment or delivery of escheated property as required by Section 1532, the Controller shall cause a notice to be published, in a manner that the Controller determines to be reasonable, which may include, but not be limited to, newspapers, Internet Web sites, radio, television, or other media. In carrying out this duty, the Controller shall not use any of the following:

- (1) Money appropriated for the Controller's audit programs.
- (2) More money than the Legislature appropriates for this subdivision's purpose.
- (3) A photograph in a notice.
- (4) An elected official's name in a notice.

(b) Within 165 days after the final date for filing the report required by Section 1530, the Controller shall mail a notice to each person having an address listed in the report who appears to be entitled to property of the value of fifty dollars (\$50) or more escheated under this chapter. If the report filed pursuant to Section 1530 includes a social security number, the

Controller shall request the Franchise Tax Board to provide a current address for the apparent owner on the basis of that number. The Controller shall mail the notice to the apparent owner for whom a current address is obtained if the address is different from the address previously reported to the Controller. If the Franchise Tax Board does not provide an address or a different address, then the Controller shall mail the notice to the address listed in the report required by Section 1530.

(c) The mailed notice shall contain all of the following:

(1) A statement that, according to a report filed with the Controller, property is being held to which the addressee appears entitled.

(2) The name and address of the person holding the property and any necessary information regarding changes of name and address of the holder.

(3) A statement that, if satisfactory proof of claim is not presented by the owner to the holder by the date specified in the notice, the property will be placed in the custody of the Controller and may be sold or destroyed pursuant to this chapter, and all further claims concerning the property or, if sold, the net proceeds of its sale, must be directed to the Controller.

(d) This section is intended to inform owners about the possible existence of unclaimed property identified pursuant to this chapter.

Code of Civil Procedure

Title 10, Chapter 7

Unclaimed Property Law

§ 1531.5. Notification program for possible owners of
escheated property

(a) The Controller shall establish and conduct a notification program designed to inform owners about the possible existence of unclaimed property received pursuant to this chapter.

(b) Any notice sent pursuant to this section shall not contain a photograph or likeness of an elected official.

(c)(1) Notwithstanding any other law, upon the request of the Controller, a state or local governmental agency may furnish to the Controller from its records the address or other identification or location information that could reasonably be used to locate an owner of unclaimed property.

(2) If the address or other identification or location information requested by the Controller is deemed confidential under any laws or regulations of this state, it shall nevertheless be furnished to the Controller. However, neither the Controller nor any officer, agent, or employee of the Controller shall use or disclose that information except as may be necessary in attempting to locate the owner of unclaimed property.

(3) This subdivision shall not be construed to require disclosure of information in violation of federal law.

(4) If a fee or charge is customarily made for the information requested by the Controller, the Controller shall pay that customary fee or charge.

(d) Costs for administering this section shall be subject to the level of appropriation in the annual Budget Act.

Code of Civil Procedure

Title 10, Chapter 7

Unclaimed Property Law

§ 1532. Payment or delivery of escheated property

(a) Every person filing a report as provided by Section 1530 shall, no sooner than seven months and no later than seven months and 15 days after the final date for filing the report, pay or deliver to the Controller all escheated property specified in the report. Any payment of unclaimed cash in an amount of at least two thousand dollars (\$2,000) shall be made by electronic funds transfer pursuant to regulations adopted by the Controller. The Controller may postpone the date for payment or delivery of the property, and the date for any report required by subdivision (b), upon the Controller's own motion or upon written request by any person required to pay or deliver the property or file a report as required by this section.

(b) If a person establishes their right to receive any property specified in the report to the satisfaction of the holder before that property has been delivered to the Controller, or it appears that, for any other reason, the property may not be subject to escheat under this chapter, the holder shall not pay or deliver the property to the Controller but shall instead file a report with the Controller, on a form and in a format prescribed or approved by the Controller, containing information pertaining to the property subject to escheat.

(c) Any property not paid or delivered pursuant to subdivision (b) that is later determined by the holder to be subject to escheat under this chapter shall not be subject to the interest provision of Section 1577.

(d) The holder of any interest under subdivision (b) of Section 1516 shall deliver a duplicate certificate to the Controller or shall register the securities in uncertificated form in the name of the Controller. Upon delivering a duplicate certificate or providing evidence of registration of the securities in uncertificated form to the Controller, the holder, any transfer agent, registrar, or other person acting for or on behalf of the holder in executing or delivering the duplicate certificate or registering the uncertificated securities, shall be relieved from all liability of every kind to any person including, but not limited to, any person acquiring the original certificate or the duplicate of the certificate issued to the Controller for any losses or damages resulting to that person by the issuance and delivery to the Controller of the duplicate certificate or the registration of the uncertificated securities to the Controller.

(e) Payment of any intangible property to the Controller shall be made at the office of the Controller in Sacramento or at another location as the Controller by regulation may designate. Except as otherwise agreed by the Controller and the holder, tangible personal property shall be delivered to the Controller at the place where it is held.

(f) Payment is deemed complete on the date the electronic funds transfer is initiated if the settlement to the state's demand account occurs on or before the

banking day following the date the transfer is initiated. If the settlement to the state's demand account does not occur on or before the banking day following the date the transfer is initiated, payment is deemed to occur on the date settlement occurs.

(g) Any person required to pay cash by electronic funds transfer who makes the payment by means other than an authorized electronic funds transfer shall be liable for a civil penalty of 2 percent of the amount of the payment that is due pursuant to this section, in addition to any other penalty provided by law. Penalties are due at the time of payment. If the Controller finds that a holder's failure to make payment by an appropriate electronic funds transfer in accordance with the Controller's procedures is due to reasonable cause and circumstances beyond the holder's control, and occurred notwithstanding the exercise of ordinary care and in the absence of willful neglect, that holder shall be relieved of the penalties.

(h) An electronic funds transfer shall be accomplished by an automated clearinghouse debit, an automated clearinghouse credit, a Federal Reserve Wire Transfer (Fedwire), or by an international funds transfer. Banking costs incurred for the automated clearinghouse debit transaction by the holder shall be paid by the state. Banking costs incurred by the state for the automated clearinghouse credit transaction may be paid by the holder originating the credit. Banking costs incurred for the Fedwire transaction charged to the holder and the state shall be paid by the person originating the transaction. Banking costs charged to the holder and to the state for an

international funds transfer may be charged to the holder.

(i) For purposes of this section:

(1) “Electronic funds transfer” means any transfer of funds, other than a transaction originated by check, draft, or similar paper instrument, that is initiated through an electronic terminal, telephonic instrument, modem, computer, or magnetic tape, so as to order, instruct, or authorize a financial institution to credit or debit an account.

(2) “Automated clearinghouse” means any federal reserve bank, or an organization established by agreement with the National Automated Clearing House Association or any similar organization, that operates as a clearinghouse for transmitting or receiving entries between banks or bank accounts and that authorizes an electronic transfer of funds between those banks or bank accounts.

(3) “Automated clearinghouse debit” means a transaction in which the state, through its designated depository bank, originates an automated clearinghouse transaction debiting the holder’s bank account and crediting the state’s bank account for the amount of payment.

(4) “Automated clearinghouse credit” means an automated clearinghouse transaction in which the holder, through its own bank, originates an entry crediting the state’s bank account and debiting the holder’s bank account.

(5) “Fedwire” means any transaction originated by the holder and utilizing the national electronic payment system to transfer funds through federal reserve banks, pursuant to which the holder debits its own bank account and credits the state’s bank account.

(6) “International funds transfer” means any transaction originated by the holder and utilizing the international electronic payment system to transfer funds, pursuant to which the holder debits its own bank account, and credits the funds to a United States bank that credits the Unclaimed Property Fund.

Code of Civil Procedure

Title 10, Chapter 7

Unclaimed Property Law

§ 1532.1. Payment or delivery of property escheated
to state

Notwithstanding Sections 1531 and 1532, property that escheats to the state pursuant to Section 1514 shall not be paid or delivered to the state until the earlier of (a) the time when the holder is requested to do so by the Controller or (b) within one year after the final date for filing the report required by Section 1530 as specified in subdivision (d) of Section 1530. Within one year after receipt of property as provided by this section, the Controller shall cause a notice to be published as provided in Section 1531.

Code of Civil Procedure

Title 10, Chapter 7

Unclaimed Property Law

§ 1533. Exclusion of certain tangible personal property from notice requirement and escheat

Tangible personal property may be excluded from the notices required by Section 1531, shall not be delivered to the State Controller, and shall not escheat to the state, if the State Controller, in his discretion, determines that it is not in the interest of the state to take custody of the property and notifies the holder in writing, within 120 days from receipt of the report required by Section 1530, of his determination not to take custody of the property.

Appendix E

Generic Newspaper Advertisements

YOU MAY BE OWED MONEY!

Notice of Unclaimed Property

STATE CONTROLLER'S OFFICE

Division of Unclaimed Property

P.O. Box 942850

Sacramento, CA 94250-5873

The State Controller's Office has received unclaimed property belonging to over 2 million individuals and companies. This includes bank accounts, stocks, bonds, uncashed checks, and safe deposit box contents. Most accounts become unclaimed when there is no owner contact with the institution or account activity for three (3) years. Often the owner forgets the account exists, moves and does not have a forwarding address or the forwarding address expires.

This money is waiting to be claimed by its rightful owners.

Call 1-800-992-4647

California Service for the Deaf or Hearing Impaired

From TOD phones 1-800-735-2029 and ask for

1-800-992-4647

If phone lines are busy send in the attached coupon.

STATE CONTROLLER – P. O. BOX 942850 –
SACRAMENTO, CA 94250-5873

Last Name Please Print First Name Middle In.

Current Street Address City State Zip

Previous Street Address City State Zip

Last Name Please Print First Name Middle In.

Previous Cities Lived in Daytime Phone Number

Signature Social Security Number

This ad covering accounts received in the 1989
through 1993 reporting periods is in line of CCP
1531 and is in accordance with Chapter 139,
Statutes of 1994.

**YOU MAY BE OWED
MONEY!**

Notice of Unclaimed Property

STATE CONTROLLER'S OFFICE
Division of Unclaimed Property
P.O. Box 942850
Sacramento, CA 94250-5873

The State Controller's Office has received unclaimed property belonging to over 2 million individuals and companies. This includes bank accounts, stocks, bonds, uncashed checks, and safe deposit box contents. Most accounts become unclaimed when there is no owner contact with the institution or account activity for three (3) years. Often the owner forgets the account exists, moves and does not have a forwarding address or the forwarding address expires.

This money is waiting to be claimed by its rightful owners.

Call 1-800-992-4647

California Service for the Deaf or Hearing Impaired
From TOD phones 1-800-735-2029 and ask for
1-800-992-4647

This ad covering accounts received in the 1989 through 1993 reporting periods is in line of CCP 1531 and is in accordance with Chapter 139, Statutes of 1994.

Have you moved
or lost track of
your old accounts?

**YOU MAY
BE OWED
MONEY!**

Notice of Owners of Unclaimed Property

The State Controller's Office has received unclaimed property belonging to over 2 million individuals and companies. This includes bank accounts, stocks, bonds, uncashed checks, and safe deposit box contents. Most accounts become unclaimed when there is no owner contact with the institution or account activity for three (3) years. Often the owner forgets the account exists, moves and does not have a forwarding address or the forwarding address expires.

This money is waiting to be claimed by its rightful owners.

Call 1-800-992-4647

STATE CONTROLLER'S OFFICE
BUREAU OF UNCLAIMED PROPERTY

Notice to Owners of Unclaimed Property
The State of California
may have received Property
belonging to You

The State Controller's Office has received unclaimed property belonging to over 5.7 million individuals and companies. This includes bank accounts, stocks, bonds, uncashed checks, and safe deposit box contents. Most accounts become unclaimed when there is no owner contact with the institution or account activity for three (3) years. Often the owner forgets the account exists, moves and does not have a forwarding address or the forwarding address expires.

Property, or the proceeds of its sale if any, may be claimed by its rightful owner.

STATE CONTROLLER'S OFFICE
Search our Web site at
<http://www.Claimit.ca.gov>

Appendix F

Owner Unknown Aggregate Account Reporting by State Farm Insurance Companies

Section A – Property Owner Information

Owner(s) Name		Reported Owner Address
OWNER UNKNOWN		PRE 1192, CA 00000-0000
Type of Property		Reported By
Insurance claim checks		STATE FARM INSURANCE COMPANIES UNKNOWN
Cash Reported	Shares	Name of Security
\$5,279,789.70	Reported	Reported
Property ID Number		
15061239		

Date: 10/16/2013
Source: INT
Property ID Number: 015061239
Owner(s) Name: OWNER UNKNOWN
Reported Owner Address: PRE 1192
CA 00000-0000
Type of Property: Insurance claim checks
Cash Reported: \$5,279,789.70
Reported By: State Farm Insurance Companies
Unknown Overages

According to our records, you may be entitled to the money, property, or proceeds from any sale of the property listed above.

If you are claiming the property or the proceeds you must complete Steps 1-4.

Please note: If you are claiming multiple properties, you may file one Claim Affirmation Form and attach a copy of the Property Details screen to each additional property you are claiming. If there are multiple owners for any property, each owner must either sign the Claim Affirmation Form or file a separate Claim Affirmation Form to receive their share of the property.

STEP 1

Write down your Property ID Number, you may need to refer to this number later.

- * Print and keep this "Property Details" screen for your records.

STEP 2

Fill out a Claim Affirmation Form.

- * Click here to [Claim This Property](#) and to fill out the Claim Affirmation Form. You must still print and sign the Claim Affirmation Form and send it to the address below with the required documents. We need an original signature so you cannot submit the completed form electronically. Note: This is a secure website; your personal information is protected.

OR

- * If you prefer, you may contact us at the number listed below and one of our representatives will mail the Claim Affirmation Form with your property information to you. When you receive the form and filing instructions, complete, sign and return the form along with the required documents.

You must **SIGN** the Claim Affirmation Form or it will be returned.

STEP 3

Read the filing instructions and send us copies of the documents required to prove ownership.

STEP 4

Mail the completed, signed Claim Affirmation Form and required documents to:

Date: 10/16/2013
Source: INT
Property ID Number: 967489988
Owner(s) Name: 1576 ITEMS EACH UNDER \$50.00
Reported Owner Address: 00000
Type of Property: Aggregate Insurance Property
Cash Reported: \$24,159.57
Reported By: STATE FARM LIFE INSURANCE COMPANY

According to our records, you may be entitled to the money, property, or proceeds from any sale of the property listed above.

If you are claiming the property or the proceeds you must complete Steps 1-4.

Please note: If you are claiming multiple properties, you may file one Claim Affirmation Form and attach a copy of the Property Details screen to each additional property you are claiming. If there are multiple owners for any property, each owner must either sign the Claim Affirmation Form or file a separate Claim Affirmation Form to receive their share of the property.

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- * Click here to [Claim This Property](#) and to fill out the Claim Affirmation Form. You must still print and sign the Claim Affirmation Form and send it to the address below with the required documents. We need an original signature so you cannot submit the completed form electronically. Note: This is a secure website; your personal information is protected.

OR

- * If you prefer, you may contact us at the number listed below and one of our representatives will mail the Claim Affirmation Form with your property information to you. When you receive the form and filing instructions, complete, sign and return the form along with the required documents.

You must **SIGN** the Claim Affirmation Form or it will be returned.

STEP 3

Read the filing instructions and send us copies of the documents required to prove ownership.

STEP 4

Mail the completed, signed Claim Affirmation Form and required documents to:

Date: 10/16/2013
Source: INT
Property ID Number: 962742772
Owner(s) Name: 1802 ITEMS EACH UNDER \$50.00
Reported Owner Address: 00000
Type of Property: Aggregate Insurance Property
Cash Reported: \$27,323.96
Reported By: STATE FARM LIFE INSURANCE COMPANY

According to our records, you may be entitled to the money, property, or proceeds from any sale of the property listed above.

If you are claiming the property or the proceeds you must complete Steps 1-4.

Please note: If you are claiming multiple properties, you may file one Claim Affirmation Form and attach a copy of the Property Details screen to each additional property you are claiming. If there are multiple owners for any property, each owner must either sign the Claim Affirmation Form or file a separate Claim Affirmation Form to receive their share of the property.

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OR

- * If you prefer, you may contact us at the number listed below and one of our representatives will mail the Claim Affirmation Form with your property information to you. When you receive the form and filing instructions, complete, sign and return the form along with the required documents.

You must **SIGN** the Claim Affirmation Form or it will be returned.

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Read the filing instructions and send us copies of the documents required to prove ownership.

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Mail the completed, signed Claim Affirmation Form and required documents to: