

07-10-2000

FORM PTO-1594

U.S. DEPARTMENT OF COMMERCE

(Rev. 6-93)

RECOI



ET

Patent and Trademark Office

OMB No. 0651-0011 (exp. 4/94)

Tab settings 6-2 AM 11:19

101398258

OPR/FINANCE

To the Assistant Commissioner for Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party:

Mr. Warren Bieger

MRD  
6-9-00

- Individual(s)
- General Partnership
- Corporation-State Delaware
- Other Responsible Officer of the debtor

Additional name(s) of conveying party(ies) attached?  Yes  No

3. Nature of conveyance:

- Assignment
- Security Agreement
- Other Discharge of Bankruptcy
- Association
- Limited Partnership
- Change of Name

Execution Date: September 22, 1998

2. Name and address of receiving party(ies)

Name: U.S. Metalsource Corp.

Internal Address: \_\_\_\_\_

Street Address: 229 South State Street

City: Dover State: Delaware ZIP: 19901

- Individual(s) citizenship \_\_\_\_\_
- Association \_\_\_\_\_
- General Partnership \_\_\_\_\_
- Limited Partnership \_\_\_\_\_
- Corporation-State Delaware
- Other \_\_\_\_\_

If assignee is not domiciled in the United States, a domestic representative designation is attached:  Yes  No

(Designations must be a separate document from assignment)

Additional name(s) & address(es) attached?  Yes  No

4. Application number(s) or Registration number(s):

A. Trademark Application No.(s)

B. Trademark Registration No.

229,183

Additional numbers attached?  Yes  No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Frederick B. Ziesenheim

Internal Address: Webb Ziesenheim Loqsdon

Orkin & Hanson, P.C.

Street Address: 700 Koppers Building

436 Seventh Avenue

City: Pittsburgh State: PA ZIP: 15219-1818

6. Total number of applications and registrations involved:

1

7. Total fee (37 CFR 3.41).....\$ 40.00

Enclosed

Authorized to be charged to deposit account

8. Deposit account number:

(Attach triplicate copy of this page if paying by deposit account)

07/06/2000 DNGUYEN 00000115 229183

01 FC-481

40.00 OP

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Frederick B. Ziesenheim

*Frederick B. Ziesenheim*

June 6, 2000

Name of Person Signing

Signature

Date

Total number of pages including cover sheet, attachments and document

7

Mail documents to be recorded with required cover sheet information to:  
U.S. Patent and Trademark Office, Office of Public Records  
Crystal Gateway 4, Room 335, Washington, D.C. 20231

TRADEMARK  
REEL: 002097 FRAME: 0875

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

#877  
4/14

IN RE:

U.S. METALSOURCE CORP.,  
Debtor.

CASE NO. 91-2919 JLC  
Chapter 11

98003472

**FINAL DECREE**

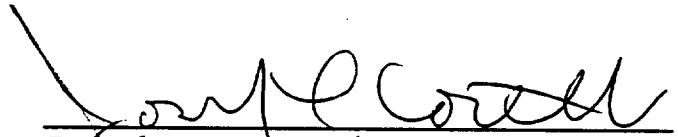
Upon the Motion for Final Decree filed by the Responsible Officer of the Debtor, and it appearing that the Debtor's Amended and Restated Plan of Reorganization dated May 3, 1993 (the "Plan") has been consummated, that the Responsible Officer has no property of the Debtor in his possession and that this case is in a position to be closed, and good cause appearing therefore, it is

ORDERED, ADJUDGED AND DECREED:

1. That Warren Bieger, the Responsible Officer of the Debtor, be and is hereby discharged of his trust and is released from all liability pursuant to the Plan; and

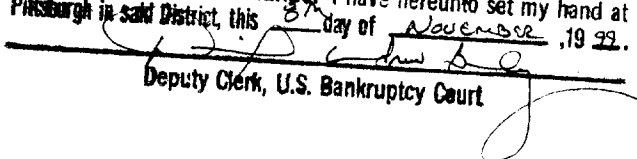
2. that the estate of the Debtor herein and the above-captioned case be and the same is hereby CLOSED.

By the Court

  
Joseph L. Cosetti, J.  
Sept 22 1998

In The United States Bankruptcy Court For The Western District of Pennsylvania I, the undersigned Deputy Clerk, U.S. Bankruptcy Court in and for said District, DO HEREBY CERTIFY that this copy has been compared with the original thereof and that it is a complete and correct copy of such original as it appears of record and on file in my office.

IN TESTIMONY WHEREOF I have hereunto set my hand at Pittsburgh in said District, this 8<sup>th</sup> day of November, 1999.

  
Deputy Clerk, U.S. Bankruptcy Court

8871  
In The United States Bankruptcy Court For The Western District of Pennsylvania I, the undersigned Deputy Clerk, U.S. Bankruptcy Court in and for said District, DO HEREBY CERTIFY that this copy has been compared with the original thereof and that it is a complete and correct copy of such original as it appears of

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA  
PITTSBURGH IN SAID DISTRICT, this 5th day of November, 1993.

Deputy Clerk, U.S. Bankruptcy Court

IN RE:

U.S. METALSOURCE CORP.,  
Debtor.

CASE NO. 91-2919 JLC

Chapter 11

98003472

**MOTION FOR FINAL DECREE**

U.S. Metalsource Corp. (the "Debtor"), by and through its attorneys, Reed Smith Shaw & McClay, submits this Motion for Final Decree pursuant to Section 350 of the Bankruptcy Code and Rule 3022 of the Bankruptcy Rules:

1. On August 12, 1991, the Debtor filed a petition for relief under Chapter 11 of Title 11 of the United States Code. By Order of the Bankruptcy Court dated January 4, 1993, Warren Bieger, a member of the Official Committee of Unsecured Creditors of the Debtor was appointed the Responsible Officer of the Debtor and was authorized to oversee and manage the process of disposing of the Debtor's assets.

2. By Order of the Bankruptcy Court dated May 3, 1993, the Debtor's Second Amended and Restated Plan of Reorganization (the "Plan") was confirmed. The Plan provided for the complete disposition of all of the Debtor's assets.

3. Following confirmation of the Plan, the Responsible Officer sold all of the Debtor's real and personal property. The

last asset sale was the sale of the Buffalo, New York real estate on September 28, 1994. The net proceeds from all asset sales, including those occurring before the confirmation of the Plan, were in the approximate amount of \$39 million.

4. Under the Plan, the following classes of claims were to receive 100% of the allowed amount of such claims:

- Class 1.1 - Administrative Claims
- Class 2.1 - Secured Claims of CIT
- Class 2.2 - Secured Claims other than CIT and Steel Co. Noteholders
- Class 2.3 - Steel Co. Noteholders' Secured Claims
- Class 3.1 - Employee Priority Claims
- Class 3.2 - Benefit Plan Priority Claims
- Class 3.3 - Tax Priority Claims

Each class listed above did indeed receive 100% of their respective allowed claim amounts.

5. Under the Plan, it was estimated that general unsecured creditors, whose claims totaled approximately \$39 million, would receive between 13% and 18% of their allowed claim amounts. As a result of the Responsible Officer's success in selling the assets of the Debtor for more than anticipated, the Responsible Officer was able to make a distribution to unsecured creditors of 25% of allowed claim amounts on June 29, 1994 and an additional 11% of allowed claim amounts on July 24, 1996.

6. After the Buffalo real estate was sold in September 1994, the only significant remaining asset of the Debtor's Estate was a claim against W&B Associates and IBM Corporation pending in

Federal District Court in the Southern District of New York. This claim finally was resolved in February 1998 with a payment to the Debtor from the defendants in the net amount of \$900,000.

7. With the IBM case resolved, the Responsible Officer is now in a position to close the bankruptcy case and dissolve the Debtor. The Debtor filed final tax returns on or about May 15, 1998.

8. Furthermore, the Debtor intends to distribute the proceeds from the IBM litigation together with all other cash remaining in the Debtor's bank account to general unsecured creditors on or about August 21, 1998 (the "Final Distribution"). The Final Distribution will be in the approximate amount of an additional 3% of allowed unsecured claims, bringing the total of all distributions to unsecured creditors to approximately 39%.

9. By reason of the foregoing, the Plan has been substantially consummated under Section 1101(2) of the Bankruptcy Code, in that:

- a. all assets of the Debtor have been sold;
- b. the distributions required by the Plan have been made except for the Final Distribution, which will occur on or about August 21, 1998; and
- c. all reports required by the Court in the Confirmation Order have been made.

10. The Responsible Officer has in all respects complied with the Plan and Confirmation Order, and, upon the Final Distribution, will have no property of the Debtor in his possession or under his control.

11. This case is in a position to be closed with the entry of a Final Decree.

WHEREFORE, the Debtor, by the Responsible Officer, requests that the Court enter a Final Decree discharging the Responsible Officer and closing the case.

Dated: July 31, 1998



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Thomas P. Lawton III (29044)  
Reed Smith Shaw & McClay  
435 Sixth Avenue  
Pittsburgh, PA 15219  
(412) 288-3131

Counsel for The Official  
Committee of Unsecured Creditors  
of U.S. Metalsource Corp. at the  
request of the Responsible  
Officer

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

IN RE:

U.S. METALSOURCE CORP.

CASE NO: 91-2919 JLC

REPORT FOR BANKRUPTCY JUDGES IN CASES TO BE CLOSED

DATE PETITION FILED: 8/12/91

CURRENT CHAPTER 11

CHAPTER 11 CASES

XX Plan Confirmed

Plan Not Confirmed

If plan was confirmed and the case is still in Chapter 11, what percentage dividend was (or is) to be paid under the plan to the general unsecured class of creditors: %

A. Fees and Expenses (in dollars) - Designate future payments as estimates and distinguish them from the actual past payments.

Trustee's Statutory Compensation \$514,562
Fee for Accountant
Fee for Attorney for Trustee
Fee for Broker
\$1,523,068 Fee for Attorney for Debtor
Fee for Auctioneer
\$795,332 Fee for Attorney for Creditors' Committee
Other (Detail Below)
Expenses Awarded to Professionals (Detail Below)

B. Distributions (in dollars) - Designate future payments as estimates and distinguish them from actual past payments.

\$25,974,524 Secured Creditors
Equity Security Holders
\$2,351,266 Priority Creditors
Debtor
\$16,885,851 Unsecured Creditors
\$2,500,000 Others (Detail Below)
Steel Note Holders

Claims Allowed (in dollars)

List amount allowed each class of creditor (whether paid in full or not). However, if a class received nothing, enter "0 on the line.

\$25,974,524 Secured Claims Paid 100%
\$2,351,266 Priority Claims Paid 100%
\$41,185,000 Unsecured Claims Paid 41%

ITEMIZATIONS (in dollars) - Designate future payments as estimates and distinguish them from actual past payments.

FEES PAID TO OTHER PROFESSIONALS

Zolfo Cooper \$390,863

EXPENSES AWARDED TO PROFESSIONALS

Trustee
Attorney for Trustee
Attorney for Debtor
\$86,850 Attorney for Creditors' Committee

DISTRIBUTIONS (OTHERS)

I certify under penalty of perjury that the information provided on this form is true and correct to the best of my knowledge, information, and belief and that all estimated payments have been designated appropriately as such.

7/31/98

DATE

Warren Bieger
PREPARER
Responsible Officer

SIGNATURE

Warren Bieger (Signature)