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Attorney General Griffin Leads Bipartisan Coalition Securing Nationwide \$190 Million Unclaimed Property Settlement with Delaware

Griffin: 'I look forward to reuniting the people of Arkansas with their money'

LITTLE ROCK – Attorney General Tim Griffin today issued the following statement announcing that Arkansas, Pennsylvania, California, Texas, and Wisconsin—on behalf of a bipartisan coalition of 30 states—have agreed to a settlement with officials from Delaware to end the outstanding damages phase of an unclaimed property dispute won by Arkansas before the United States Supreme Court in 2023:

“This settlement concludes nearly eight years of litigation over unclaimed Official Checks and returns more than \$190 million to the people of Arkansas, our coalition partners, and other states. I’m proud of our work on this important case, and I’m grateful to our coalition partners—particularly the attorneys general of California, Texas, and Wisconsin, and attorneys for Pennsylvania—for their hard work on this matter.

“I want to express my appreciation to Solicitor General Nicholas Bronni, who argued the case before the United States Supreme Court. I look forward to reuniting the people of Arkansas with their money.”

The settlement effectively ends the remaining damages phase of the consolidated actions *Delaware v. Pennsylvania* and *Arkansas v. Delaware*. Arkansas's share of the settlement totals \$761,907.91 plus interest earned and expenses.

In February 2023, the United States Supreme Court unanimously agreed with Arkansas's arguments in *Arkansas v. Delaware*, which centered on which state is entitled to take custody of funds payable on unclaimed official checks sold by MoneyGram, a money transfer services company that operates in all 50 states and internationally.

In 2016, Arkansas brought an original jurisdiction action in the Supreme Court seeking more than \$250 million in unclaimed funds from uncashed MoneyGram official check products that were wrongly handed over to Delaware.

Under the Federal Disposition Act, proceeds on unclaimed money orders, traveler's checks, and similar items must be turned over to the state where the item was purchased. Yet since 2005, MoneyGram has turned those funds over to Delaware, as its state of incorporation.

In the opinion issued by Associate Justice Ketanji Brown Jackson, a unanimous court agreed that those funds are governed by the Federal Disposition Act and that MoneyGram should have turned those funds over to Arkansas and its coalition partners, not Delaware. As a result of that opinion, since February 2023, MoneyGram has been required to report sums on unclaimed unofficial checks to the state of purchase and funds associated with instruments purchased in Arkansas have been deposited with the Auditor of State's unclaimed property fund.

The settlement resolves what happens with money deposited with Delaware prior to the Supreme Court's unanimous opinion. Under the terms of the settlement, Delaware will transfer more than \$102 million of the property that MoneyGram reported to Delaware from 2011 to 2017 to the coalition states, based on each monetary instrument's place of purchase. Delaware's transfer represents roughly half of the report years disputed in the litigation.

In addition, approximately \$89 million deposited by MoneyGram in a litigation escrow account from 2018 to 2022, plus interest earned, will be distributed among all 50 states based on each instrument's place of purchase. The coalition states will receive nearly \$55 million, plus interest earned, from the escrow account.

States will assume custody and responsibility to return any property received under the terms of the settlement or from the escrow account to the owners, including paying any claims of

property. The settlement and escrow funds will be deposited with the Auditor of State's unclaimed property fund, where they can be reclaimed by Arkansans.

To read the Supreme Court's unanimous opinion, [click here](#).

To read the agreement, [click here](#).

About Attorney General Tim Griffin

Tim Griffin was sworn in as the 57th Attorney General of Arkansas on January 10, 2023, having previously served as the state's 20th Lieutenant Governor from 2015-2023. From 2011-2015, Griffin served as the 24th representative of Arkansas's Second Congressional District, where he served on the House Committee on Ways and Means, House Armed Services Committee, House Committee on Foreign Affairs, House Committee on Ethics and House Committee on the Judiciary while also serving as a Deputy Whip for the Majority.

Griffin has served as an officer in the U.S. Army Reserve Judge Advocate General's (JAG) Corps for more than 28 years and currently holds the rank of colonel. In 2005, Griffin was mobilized to active duty as an Army prosecutor at Fort Campbell, Kentucky, and served with the 101st Airborne Division (Air Assault) in Mosul, Iraq.

He is currently serving as the Commander of the 2d Legal Operations Detachment in New Orleans, Louisiana. His previous assignments include serving as the Commander of the 134th Legal Operations Detachment at Fort Liberty (née Bragg), North Carolina, and as a Senior Legislative Advisor to the Under Secretary of Defense for Personnel and Readiness at the Pentagon. Griffin earned a master's degree in strategic studies as a Distinguished Honor Graduate from the U.S. Army War College, Carlisle Barracks, Pennsylvania.

Griffin also served as U.S. Attorney for the Eastern District of Arkansas, and Special Assistant to the President and Deputy Director of Political Affairs for President George W. Bush; Special Assistant to Assistant Attorney General Michael Chertoff, Criminal Division, U.S. Department of Justice; Special Assistant U.S. Attorney, U.S. Attorney's Office, Eastern District of Arkansas; Senior Investigative Counsel, Government Reform and Oversight Committee, U.S. House of Representatives; and Associate Independent Counsel, Office of Independent Counsel David M. Barrett, In re: HUD Secretary Henry Cisneros.

Griffin is a graduate of Magnolia High School, Hendrix College in Conway, and Tulane Law School in New Orleans. He attended graduate school at Oxford University. He is admitted to practice law in Arkansas (active) and Louisiana (inactive). Griffin lives in Little Rock with his wife, Elizabeth, a Camden native, and their three children.

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