

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In Re:) Chapter 11
NEXPAK CORPORATION, *et al.*,¹) Case No. 09-11244 (PJW)
) Jointly Administered
)
Debtors.) **Related Docket No.** 756 & 764

**AMENDED ORDER GRANTING DEBTOR'S FIFTH OMNIBUS OBJECTION TO
CLAIMS (SUBSTANTIVE) PURSUANT TO 11 U.S.C § 502,
FED. R. BANKR. P. 3007 AND DEL. BANKR. L.R. 3007-1
(CLAIMS ASSERTED UNDER BANKRUPTCY CODE SECTION 503(B)(9))**

Upon the Debtor's Fifth Omnibus Objection to Claims (Substantive) pursuant to 11 U.S.C. § 502, Fed. R. Bankr. P. 3007 and Del. Bankr. L.R. 3007-1 (the "Objection"); and it appearing that notice of the Objection was good and sufficient and that no other or further notice need be given; and the Court having considered the Objection, the Declaration of Kevin F. Dowd in Support of the Objection (Exhibit A to Objection) and the claims listed on Exhibits 1 and 2 attached hereto, and any responses thereto; and upon the record herein; and after due deliberation thereon; and good and sufficient cause appearing therefore, it is hereby

FOUND AND DETERMINED THAT:

- A. Each holder of a claim listed on Exhibits 1 and 2 attached hereto was properly and timely served with a copy of the objection, the Proposed Order,² the Exhibits and the Notice; and
- B. The relief requested in the Objection is in the best interests of the Debtors, their estates and their creditors; and it is therefore

¹ The Debtors are the following entities: NexPak Corporation (2207); Atlanta Precision Molding Co., LLC (4923); EPM Holdings, Inc. (4658); NexPak Holdings LLC (8844); JMC Acquisition LLC (1660); and AEI Acquisition LLC (1655).

² Capitalized terms not otherwise defined herein shall have the meanings ascribed to such terms in the Objection.

ORDERED, ADJUDGED AND DECREED THAT:

1. The Objection is Sustained as set forth herein.
2. The Incorrectly Classified Claim identified on Exhibit 1 hereto shall be, and hereby is, reclassified as pre-petition general unsecured claims.
3. The Reduce and Allow Claims identified on Exhibit 2 hereto shall be, and hereby are, reduced and allowed as administrative expense priority claims pursuant to Section 503(b)(9) of the Bankruptcy Code in the amounts listed under the "Allowed Amount" column on Exhibit 2.
4. The Debtors rights to amend, modify, or supplement the objections asserted in the Objection and to file additional objections to the Proofs of Claim or any other claims (filed or not) which may be asserted against the Debtors, and to seek further reduction of any Claim to the extent such Claim has been paid, are hereby preserved. Additionally, should one or more of the grounds of the objection stated in this Objection be dismissed, the Debtors' rights to object on other stated grounds, or on any other grounds that the Debtors discover during the pendency of these cases, are hereby preserved.
5. The Court shall retain jurisdiction over the Debtors and the claimants listed on the Exhibits attached hereto with respect to any matters related to or arising from the Objection or implementation of this Order.

6. Each of the Disputed Claims and the Debtor's objections thereto as asserted in this Objection constitute a separate contested matter as contemplated by Bankruptcy Rule 9014 and Local Rule 3007-1. This Oder shall be deemed a separate order with respect to each claim.

Oct 22
Dated: ~~November~~, 22, 2010
Wilmington, Delaware



The Honorable Peter J. Walsh, Judge
United States Bankruptcy Court

EXHIBIT 1

EXHIBIT 1

INCORRECTLY CLASSIFIED 503(b)(9) CLAIM

Name and Address of Claimant	Name of Debtor	Claim No.	Amount of Claim	Claim Classification Status	Modified Classification Status	Reason for Reclassification
Incite Strategic, LLC	NexPak Corporation	84	\$3,428.51	Administrative (503(b)(9))	General Unsecured	The claim is for payment for services performed for the Debtors and not for goods sold to and received by the Debtors

EXHIBIT 2

EXHIBIT 2

REDUCE AND ALLOW 503(b)(9) CLAIMS

Name and Address of Claimant	Name of Debtor	Claim No.	Asserted Amount of Claim	Allowed Amount of Claim	Claim Classification Status	Reason for Reclassification
Keyence Corp. of America	NexPak Corporation	38	\$192.00	\$187.00	Administrative (503(b)(9))	Includes freight charges.
Martin Pallet, Inc.	NexPak Corporation	54	\$5,997.18	\$3,226.08	Administrative (503(b)(9))	Includes good received by the Debtors before the 20 day period prior to the Petition Date and freight charges.
Yushin American, Inc.	NexPak Corporation	52	\$179.00	\$169.40	Administrative (503(b)(9))	Includes freight charges.