

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

IN RE:)	Chapter 11
)	
MOLL INDUSTRIES, INC., <i>et al.</i> , ¹)	Case No. 10-11371 (MFW)
)	
Debtors.)	Jointly Administered
)	
)	Related Docket No. 442

**CERTIFICATION OF COUNSEL REGARDING MOTION FOR ENTRY OF AN
ORDER (I) PURSUANT TO SECTIONS 105(A) AND 363(B) OF THE BANKRUPTCY
CODE GRANTING NUNC PRO TUNC APPROVAL TO AMENDMENT TO KEY
EMPLOYEE INCENTIVE PLAN AND (II) PURSUANT TO BANKRUPTCY CODE
SECTION 105(A) AND BANKRUPTCY RULE 9019 FOR APPROVAL OF A
SETTLEMENT BETWEEN THE DEBTORS AND ANDY JOBSON**

The undersigned, counsel for Moll Industries, Inc. and its affiliated debtors (the “Debtors”), debtors and debtors-in-possession in the captioned cases, hereby certifies as follows:

1. On December 7, 2010, the Debtors’ filed their *Motion for Entry of an Order (I) Pursuant to Sections 105(a) and 363(b) of the Bankruptcy Code Granting Nunc Pro Tunc Approval to Amendment to Key Employee Incentive Plan and (II) Pursuant To Bankruptcy Code Section 105(a) And Bankruptcy Rule 9019 for Approval of a Settlement Between the Debtors and Andy Jobson* (the “Motion”) (Docket No. 442).

2. Objections to the Motion were due no later than December 20, 2010. On December 15, 2010, the Official Committee of Unsecured Creditors (the “Committee”) filed an objection to the Motion (the “Objection”) (Docket No. 449), which was the only objection filed with respect to the Motion. The Court held a hearing to consider the Motion and the Objection on December 28, 2010 (the “Hearing”).

¹ The Debtors in these cases are as follows: Moll Industries, Inc., Case No. 10-11371 (MFW); Moll Holdings, Inc., Case No. 10-11372 (MFW); Moll Europe Holdings, LLC, Case No. 10-11373 (MFW); and Moll Latin America Holdings, LLC, Case No. 10-11374 (MFW).


Docket No. 468
Date 1.6.11

3. Based on the Court's ruling on the record at the Hearing, a proposed order has been circulated to counsel to the Committee and is attached hereto as Exhibit A (the "Proposed Order"). Counsel for the Committee has notified undersigned counsel that the Committee consents to entry of the Proposed Order.

WHEREFORE, the Debtors respectfully request that this Honorable Court enter the Proposed Order attached hereto as Exhibit A.

Date: January 6, 2010
Wilmington, DE

SULLIVAN • HAZELTINE • ALLINSON LLC



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EXHIBIT A

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

IN RE:)	Chapter 11
)	Case No. 10-11371 (MFW)
MOLL INDUSTRIES, INC., <i>et al.</i> , ¹)	Jointly Administered
)	
Debtors.)	Related Docket No. 442

**ORDER WITH RESPECT TO DEBTORS' MOTION FOR ENTRY OF
AN ORDER (I) PURSUANT TO SECTIONS 105(a) AND 363(b) OF
THE BANKRUPTCY CODE AUTHORIZING *NUNC PRO
TUNC* AMENDMENT TO KEY EMPLOYEE INCENTIVE
PLAN AND (II) PURSUANT TO BANKRUPTCY CODE
SECTION 105(a) AND BANKRUPTCY RULE 9019 APPROVING
A SETTLEMENT BETWEEN THE DEBTORS AND ANDY JOBSON**

Upon the Debtors' Motion² for an order (i) pursuant to Sections 105(a) and 363(b) of the Bankruptcy Code authorizing the Debtors to retroactively amend the Incentive Plan and authorize, nunc pro tunc, the payment of the Bonus Payments and (ii) pursuant to Section 105(a) of the Bankruptcy Code and Bankruptcy Rule 9019 approving the Settlement Agreement; and it appearing that this Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334; and it appearing that this is a core proceeding pursuant to 28 U.S.C. § 157(b)(2); and that venue of this proceeding and the Motion is proper in this district pursuant to 28 U.S.C. §§ 1408 and 1409; and due and proper notice of the Motion having been given; and having considered the objection to the Motion filed by the Official Committee of Unsecured Creditors and the evidence presented and arguments of counsel at the hearing on the Motion on December 28, 2010 (the "Hearing"), and after due deliberation and for the reasons set forth at the Hearing;

¹ The Debtors in these cases are as follows: Moll Industries, Inc., Case No. 10-11371 (MFW); Moll Holdings, Inc., Case No. 10-11372 (MFW); Moll Europe Holdings, LLC, Case No. 10-11373 (MFW); and Moll Latin America Holdings, LLC, Case No. 10-11374 (MFW).

² Capitalized terms used but not defined herein shall have the same meaning ascribed to them in the Motion.

IT IS HEREBY ORDERED as follows:

1. The Motion is granted in part and denied in part as set forth herein.
2. The Debtors are hereby authorized to retroactively amend the Incentive Plan to include the Bonus Payments subject to the terms of this order.
3. The Bonus Payments shall be, and hereby are, approved *nunc pro tunc* to September 17, 2010.
4. Within thirty (30) days from the date of entry of this Order, Mr. Jobson shall disgorge and repay to the Debtors the amount of \$831.58, representing interest on the \$25,000 Bonus Payment made to Mr. Jobson on July 1, 2010 at the federal judgment rate for the period from July 1, 2010 through and September 17, 2010.
5. The Debtor's request to approve a settlement between the Debtors and Mr. Jobson pursuant to Section 105(a) of the Bankruptcy Code and Bankruptcy Rule 9019 shall be, and hereby is, denied with prejudice.
6. Mr. Jobson shall not be entitled to any payment from the Debtors with respect to the Asserted Contract.
7. Mr. Jobson shall disgorge and repay to the Debtors the \$11,702.63 Commission Payment made to Mr. Jobson on September 17, 2010 within 30 days from the date of entry of this Order.
8. The Court shall retain jurisdiction to hear and determine all matters arising from the implementation of this Order.

Dated: January ___, 2011

THE HONORABLE MARY F. WALRATH
UNITED STATES BANKRUPTCY JUDGE

Miscellaneous:10-11371-MFW Moll Industries, Inc.

Type: bk

Chapter: 11 v

Office: 1 (Delaware)

Assets: y

Judge: MFW

Case Flag: LEAD, CLMSAGNT, PlnDue, DsclsDue, Sealed Doc(s)

U.S. Bankruptcy Court**District of Delaware**

Notice of Electronic Filing

The following transaction was received from William A. Hazeltine entered on 1/6/2011 at 4:54 PM EST and filed on 1/6/2011

Case Name: Moll Industries, Inc.**Case Number:** 10-11371-MFW**Document Number:** 468**Docket Text:**

Certification of Counsel Regarding Debtors Motion for Entry of an Order (I) Pursuant to Sections 105(a) and 363(b) of the Bankruptcy Code Granting Nunc Pro Tunc Approval to Amendment to Key Employee Incentive Plan and (II) Pursuant To Bankruptcy Code Section 105(a) And Bankruptcy Rule 9019 for Approval of a Settlement Between the Debtors and Andy Jobson (related document(s)[442]) Filed by Moll Industries, Inc.. (Hazeltine, William)

The following document(s) are associated with this transaction:

Document description:Main Document**Original filename:**C:\fakepath\COC - Jobson Order.pdf**Electronic document Stamp:**

[STAMP bkecfStamp_ID=983460418 [Date=1/6/2011] [FileNumber=9212907-0]
[2574bef49b648640451aa33222427de733edbf3754dbe20f51d4caf1f049d55df08b1
264638c82ddeb46514d0ed2adb22576f1f09c4eee44538586474254c5af]]

10-11371-MFW Notice will be electronically mailed to:

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