

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

IN RE:) Chapter 11
) Case No. 10-11371 (MFW)
MOLL INDUSTRIES, INC., *et al.*,¹) Jointly Administered
))
Debtors.) **Related Docket No. 530**

**MOTION TO SHORTEN NOTICE WITH RESPECT TO DEBTORS' MOTION
FOR ORDER (A) APPROVING SALE PROCEDURES IN CONNECTION
WITH SALE OF THE DEBTORS' REAL PROPERTY LOCATED IN SEAGROVE,
NORTH CAROLINA AND (B) SCHEDULING AN AUCTION
AND HEARING TO APPROVE THE TRANSACTION AND
APPROVING THE FORM AND MANNER OF NOTICE THEREOF**

Moll Industries, Inc. and its affiliated debtors (collectively, the "Debtors"), debtors and debtors-in-possession in the above captioned Chapter 11 cases, hereby move this Honorable Court for the entry of an order, pursuant to Fed.R.Bankr.P. 9006 and Del. Bankr. L.R. 9006-1(e), shortening the notice period for the Debtors' Motion for Order (A) Approving Sale Procedures in Connection with Sale of the Debtors' real property (the "Real Property") located at Seagrove, North Carolina and (B) Scheduling an Auction and Hearing to Approve the Transaction and Approving the Form and Manner of Notice Thereof (the "Procedures Motion"). In support of this Motion, the Debtors state as follows:

1. Pursuant to the Procedures Motion, filed contemporaneously with this Motion, the Debtors request entry of an order approving sale procedures, scheduling an auction and hearing to approve the sale of the Real Property and approving the form and manner of notice thereof. The Debtors submit that the Sale Procedures will permit interested parties reasonable opportunities,

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).

consistent with the Debtors' financial constraints, to evaluate whether to propose a bid for the Debtors' assets.

2. While Fed. R. Bankr. P. 2002(a)(2) normally requires 21 days notice of a motion requesting a sale of property of the estate outside the ordinary course of business, that same rule also authorizes a bankruptcy court to shorten this notice period "for cause shown." Similarly, Fed. R. Bankr. P. 9006(c) gives a bankruptcy court authority to shorten a notice period "for cause shown." "Cause" is determined by courts on a case by case basis, based on the particular facts of the case.

3. Here, ample cause exists to grant the request to shorten notice on the Motion. For several months, the Debtors have been actively marketing the Real Property. Prompt approval of the sale procedures proposed in the Procedure Motion is essential in order to provide as much time as possible to further market the Intellectual Property prior to the Auction. The filing of this Procedures Motion was delayed due to negotiations with the stalking horse bidder culminating in the execution of the purchase agreement attached to the Procedures Motion.

4. Based on the foregoing, the Debtors respectfully request that this Honorable Court enter an order scheduling the hearing on the Motion on the scheduled hearing date of March 30, 2011, with any objection to the Motion to be filed no later than 4:00 p.m. on March 25, 2011.

5. The Debtors will serve this motion and the Procedures Motion by hand or overnight delivery on (i) the Office of the United States Trustee; (ii) counsel to the Committee; (iii) counsel to NexBank; (iv) the Debtors' prepetition secured lenders; (v) the Debtors' 20 largest creditors; (vi) all taxing authorities having jurisdiction over any of the Acquired Assets, including the Internal Revenue Service; (vii) the United States Department of Justice; (viii) all parties that have requested special notice pursuant to Bankruptcy Rule 2002; (ix) all Persons known or reasonably believed to have asserted a Lien on any of the Acquired Assets; (x) the

counterparties to each of the Debtors contracts and leases that may be an Assigned Contract; (xi) all Persons known or reasonably believed to have expressed an interest in acquiring the Acquired Assets; (xii) the Attorney General of North Carolina; (xiii) the Environmental Protection Agency and (xiv) any applicable state environmental agency.

WHEREFORE, based on the foregoing, the Debtors respectfully request the entry of an order, in the form attached hereto, shortening the notice period on the Application such that a hearing on the Application be scheduled for the Omnibus Hearing date of March 30, 2011 at 1:30 p.m., and granting such other and further relief as this Court deems just and proper.

Dated: March 22, 2011
Wilmington, Delaware

SULLIVAN • HAZELTINE • ALLINSON LLC

/s/ William A. Hazeltine

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FOR THE DISTRICT OF DELAWARE**

IN RE:) Chapter 11
MOLL INDUSTRIES, INC., *et al.*,¹) Case No. 10-11371 (MFW)
) Jointly Administered
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Debtors.) **Related Docket No. ____**

**ORDER GRANTING MOTION TO SHORTEN NOTICE WITH RESPECT
TO DEBTORS' MOTION FOR ORDER (A) APPROVING SALE PROCEDURES IN
CONNECTION WITH SALE OF THE DEBTORS' REAL PROPERTY LOCATED IN
SEAGROVE, NORTH CAROLINA AND (B) SCHEDULING AN AUCTION
AND HEARING TO APPROVE THE TRANSACTION
AND APPROVING THE FORM AND MANNER OF NOTICE THEREOF**

Upon consideration of the Debtors' Motion to Shorten Notice (the "Motion to Shorten") with respect to Debtors' Motion for Order (A) Approving Sale Procedures in Connection with Sale of the Debtors' Real Property Located in Seagrove, North Carolina and (B) Scheduling an Auction and Hearing to Approve the Transaction and Approving the Form and Manner of Notice Thereof (the "Procedures Motion") and finding just cause for the relief requested therein;

IT IS HEREBY ORDERED THAT:

1. The Motion to Shorten is GRANTED.
2. A hearing on the Procedures Motion will be held on March 30, 2011 at 1:30 p.m.
3. The deadline to object to the Procedure Motion is March 25, 2011 at 4:00 p.m.

The Honorable Mary F. Walrath
United States Bankruptcy Judge

Dated: March _____, 2011

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File a Motion: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 3/22/2011 at 2:53 PM EDT and filed on 3/22/2011

Case Name: Moll Industries, Inc.**Case Number:** 10-11371-MFW**Document Number:** 531**Docket Text:**

Motion to Shorten *Notice with Respect to Debtors' Motion for Order (A) Approving Sale Procedures in Connection with Sale of the Debtors' Real Property Located in Seagrove, North Carolina and (B) Scheduling an Auction and Hearing to Approve the Transaction and Approving the Form and Manner of Notice Thereof* (related document(s) [530]) Filed by Moll Industries, Inc.. (Attachments: # (1) Proposed Form of Order) (Hazeltine, William)

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

Document description:Main Document**Original filename:**C:\fakepath\Shorten re Sale Procedures.pdf**Electronic document Stamp:**

[STAMP bkecfStamp_ID=983460418 [Date=3/22/2011] [FileNumber=9482859-0]
[999545c63db6fabd735afe0e16819998420fd56a040005b2b784b576c4f2d24be4c5
cd9db6b9f2cf7a52156bf5a8db843627e21f151738136bdee291b2e132ba]]

Document description:Proposed Form of Order**Original filename:**C:\fakepath\Shorten re Sale Procedures - Order.pdf**Electronic document Stamp:**

[STAMP bkecfStamp_ID=983460418 [Date=3/22/2011] [FileNumber=9482859-1]
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dc3eadea2123109d3fcb513e809d5a227c1790ca934a47492eebec6c5bd]]

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

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Elihu Ezekiel Allinson, III on behalf of Debtor Moll Industries, Inc.
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