

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

IN RE: ) Chapter 11  
MOLL INDUSTRIES, INC., *et al.*,<sup>1</sup> ) Case No. 10-11371 (MFW)  
 ) Jointly Administered  
 )  
Debtors. ) Related Docket No. 133

**MOTION TO SHORTEN NOTICE WITH RESPECT TO  
DEBTORS' MOTION FOR ORDER (A) APPROVING SALE PROCEDURES  
IN CONNECTION WITH SALE OF SUBSTANTIALLY ALL OF THE  
DEBTORS' ASSETS, (B) APPROVING THE EXPENSE REIMBURSEMENT, (C)  
SCHEDULING AN AUCTION AND HEARING TO APPROVE THE TRANSACTION  
AND APPROVING THE FORM AND MANNER OF NOTICE THEREOF,  
AND (D) ESTABLISHING PROCEDURES RELATING TO THE  
ASSUMPTION AND ASSIGNMENT OF EXECUTORY CONTRACTS**

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 Substantially All of the Debtors' Assets, (B) Approving the Expense Reimbursement, (C) Scheduling an Auction and Hearing to Approve the Transaction and Approving the Form and Manner of Notice Thereof, and (D) Establishing Procedures Relating to the Assumption and Assignment of Executory Contracts (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 transaction, approving the form and manner of notice thereof, and establishing

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<sup>1</sup> 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. 134  
Date 6.11.10

procedures relating to the assumption and assignment of executory. The Debtors submit that the Sale Procedures will permit interested parties reasonable opportunities, 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 engaged in negotiations regarding the sale of the remaining operations of the Debtors in Seagrove, North Carolina. As set forth more fully in the Procedures Motion, a prompt sale of these assets is essential in order to maximize the value of these assets. The filing of this Procedures Motion was delayed due to negotiations with a potential bidder in an attempt to enter into an agreement with a stalking horse bidder. Unfortunately, this did not come to fruition.

4. Based on the foregoing, the Debtors respectfully request that this Honorable Court enter an order scheduling the hearing on the Application on the already scheduled omnibus hearing date (the "Omnibus Hearing") of June 21, 2010, with any objection to the Application to be filed no later than 12:00 p.m. on June 18, 2010.

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 Attorneys General in the States where the Acquired Assets are located; (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 June 21, 2010 at 10:30 a.m., and granting such other and further relief as this Court deems just and proper.

Dated: June 11, 2010  
Wilmington, Delaware

**SULLIVAN • HAZELTINE • ALLINSON LLC**

/s/ William A. Hazeltine

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*Attorneys for the Debtors and Debtors-in-Possession, Moll Industries, Inc., et al.*

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

IN RE: ) Chapter 11  
MOLL INDUSTRIES, INC., *et al.*,<sup>2</sup> ) Case No. 10-11371 (MFW)  
 ) Jointly Administered  
 )  
Debtors. ) Related Docket No. \_\_\_\_\_

**ORDER GRANTING MOTION TO SHORTEN NOTICE WITH RESPECT TO  
DEBTOR'S APPLICATION PURSUANT TO SECTIONS 327(e) AND 1107(b) OF THE  
BANKRUPTCY CODE, FED. R. BANKR. P. 2014(a) AND DEL. BANKR. L. R. 2014-1  
FOR AN ORDER AUTHORIZING THE EMPLOYMENT AND RETENTION OF LK  
SHIELDS SOLICITORS AS SPECIAL COUNSEL FOR THE DEBTORS AND  
DEBTORS-IN-POSSESSION *NUNC PRO TUNC* TO THE PETITION DATE**

Upon consideration of the Debtors' Motion for Order (A) Approving Sale Procedures in Connection with Sale of Substantially All of the Debtors' Assets, (B) Approving the Expense Reimbursement, (C) Scheduling an Auction and Hearing to Approve the Transaction and Approving the Form and Manner of Notice Thereof, and (D) Establishing Procedures Relating to the Assumption and Assignment of Executory Contracts (the "Procedures Motion") and finding just cause for the relief requested therein;

IT IS HEREBY ORDERED THAT:

1. The Motion is GRANTED.
2. A hearing on the Application will be held on June 21, 2010 at 10:30 a.m.
3. The deadline to object to the Application is June 18, 2010 at 12:00 p.m.

\_\_\_\_\_  
The Honorable Mary F. Walrath  
United States Bankruptcy Judge

Dated: June \_\_\_\_, 2010

<sup>2</sup> 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).

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

## Notice of Electronic Filing

The following transaction was received from William A. Hazeltine entered on 6/11/2010 at 3:26 PM EDT and filed on 6/11/2010

**Case Name:** Moll Industries, Inc.**Case Number:** 10-11371-MFW**Document Number:** 134**Docket Text:**

Motion to Shorten *Notice With Respect to Sale Procedures Motion* (related document(s)[133]) Filed by Moll Industries, Inc.. Hearing scheduled for 6/21/2010 at 10:30 AM at US Bankruptcy Court, 824 Market St., 5th Fl., Courtroom #4, Wilmington, Delaware. Objections due by 6/18/2010. (Hazeltine, William)

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

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

[STAMP bkecfStamp\_ID=983460418 [Date=6/11/2010] [FileNumber=8534400-0]  
[3b414a935238429bdce16e519080d7858c148928b57b9effd7f919afddcba4008511  
661bdc31a4a4562a08a053cf6c70c521f0603cb249816a78050c9096866]]

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

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