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UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS
Eastern Division

In Re:)	BK No.: 15-15249
)	
GULF PACKAGING, INC.,)	Chapter: 11
)	Honorable Pamela S. Hollis
)	
Debtor(s))	

**ORDER ESTABLISHING PROCEDURES FOR TREATMENT
OF RECLAMATION CLAIMS**

Upon the Motion (the “Motion”) to Establish Procedures for Treatment of Reclamation Claims, filed by Gulf Packaging, Inc., the above-captioned debtor and debtor in possession (the “Debtor”); and the Court having jurisdiction to consider the Motion pursuant to 28 U.S.C. §§ 157 and 1334, and consideration of the Motion being a core proceeding pursuant to 28 U.S.C. § 157(b)(2); and the Court finding that the relief requested in the Motion is in the best interests of the Debtor and its estate; and it appearing that due and sufficient notice of the Motion has been provided by the Debtor and that no other or further notice is required; and upon the hearing on the Motion conducted on June __, 2015 and the record made thereat; and after due deliberation and good cause appearing therefor, it is **HEREBY ORDERED THAT:**

1. The Motion is granted as set forth herein.
2. Unless otherwise ordered by the Court, the following procedures shall apply to all Reclamation Claims asserted in this chapter 11 case:
 - a. Any vendor asserting a Reclamation Claim must demonstrate that it has satisfied all requirements and filing deadlines under section 546(c) of the Bankruptcy Code and applicable state law entitling such vendor to a right of reclamation.
 - b. Within 60 days after the entry of an order (the “Reclamation Order”) approving the Motion (the “Service Date”), the Debtor will file with the Bankruptcy Court and serve on the parties listed below (the “Notice Parties”), a statement listing (i) those Reclamation Claims, if any, which the Debtor believes to have been correctly asserted according to applicable law, as well as the amounts of such Reclamation Claims, and the parties holding such Reclamation Claims; and (ii) those Reclamation Claims that the Debtor disputes, as well as the amounts of such Reclamation Claims, the parties holding such Reclamation Claims and the Debtor's recommendations concerning such Reclamation Claims.
 - c. The Notice Parties include (i) the office of the United States Trustee for the Northern District of Illinois, (ii) the holders of the twenty (20) largest unsecured claims against the Debtor, (iii) counsel to FCC, (iv) counsel to the Committee, (v) any party known by Debtor's counsel to have asserted a Reclamation Claim, and (vi) all other parties requesting notice in this chapter 11 case.
 - d. The Notice Parties will have fourteen (14) days from the Service Date (the “Objection Deadline”) to file a written objection with the Bankruptcy Court and serve such objection on the Debtor and the other Notice Parties.

e. To the extent that no objection is filed, the Debtor's decision with regard to such Reclamation Claim(s) shall control. To the extent a written objection is filed and served as set forth above on or before the Objection Deadline, the Debtor will promptly request a hearing on such objection before this Court, and the Court's decision shall govern such Reclamation Claim.

f. Nothing in the Reclamation Procedures shall modify the automatic stay of section 362(a) of the Bankruptcy Code with respect to any Reclamation Goods. As such, the Reclamation Procedures shall not alter in any way the procedures, standards and burden of proof applicable or required pursuant to sections 362(a) and 546(c) of the Bankruptcy Code with respect to any attempt by a seller to obtain possession of any of the Reclamation Goods or otherwise to collect its Reclamation Claim. Without limiting the foregoing, no seller shall be entitled to obtain possession of any Reclamation Goods without first obtaining an order of this Court after notice and hearing and complying with the Reclamation Procedures. The Debtor reserves all rights to object to any such motion or other pleading filed.

3. The foregoing Reclamation Procedures are the sole and exclusive method for the resolution and payment of reclamation claims asserted against the Debtor. All sellers are prohibited from seeking any other means for the resolution or treatment of their Reclamation Claims, including, without limitation: (a) commencing adversary proceedings against the Debtor in connection with any Reclamation Claims; (b) seeking to obtain possession of any Reclamation Goods; or (c) interfering with the delivery of any Reclamation Goods to the Debtor.

4. Notwithstanding anything to the contrary contained herein, any payment to be made, or any authorization contained, hereunder shall be subject to the terms of any final orders granting the use of cash collateral approved by this Court in this chapter 11 case (including with respect to any budgets governing or relating to such use); and to the extent there is any inconsistency between the terms of such cash collateral orders and any action taken or proposed to be taken hereunder, the terms of such cash collateral orders shall control.

Enter:



Honorable Pamela S. Hollis

United States Bankruptcy Judge

Dated: June 23, 2015

Prepared by:

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