

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

In re:)	Chapter 11
)	
GULF PACKAGING, INC., ¹)	Case No. 15-15249
)	
Debtor.)	Honorable Pamela S. Hollis
)	
)	Hearing Date: May 5, 2015
)	Hearing Time: 10:00 a.m.
)	Courtroom: 644

NOTICE OF MOTION

PLEASE TAKE NOTICE that on **Tuesday, May 5, 2015 at 10:00 a.m.**, or as soon thereafter as counsel may be heard, we shall appear before the Honorable Pamela S. Hollis in the courtroom usually occupied by her, No. 644, in the Dirksen Federal Building at 219 South Dearborn Street, Chicago, Illinois, or whomever may be sitting in her place and stead, and then and there present the **DEBTOR'S MOTION FOR ORDER PURSUANT TO BANKRUPTCY RULES 1007(c) AND 9006(b) EXTENDING TIME TO FILE SCHEDULES OF ASSETS AND LIABILITIES AND STATEMENT OF FINANCIAL AFFAIRS**, a copy of which is attached hereto and hereby served upon you, at which time and place you may appear.

¹ The last four digits of the Debtor's tax identification number are 5030.

GULF PACKAGING, INC.

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PROPOSED COUNSEL TO THE DEBTOR

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

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In re:)		Chapter 11
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GULF PACKAGING, INC., ¹)		Case No. 15- <u>15249</u> (PSH)
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**DEBTOR’S MOTION FOR ORDER PURSUANT TO BANKRUPTCY RULES 1007(c)
AND 9006(b) EXTENDING TIME TO FILE SCHEDULES OF ASSETS AND
LIABILITIES AND STATEMENT OF FINANCIAL AFFAIRS**

Gulf Packaging, Inc., the above-captioned debtor and debtor in possession (the “Debtor,” “GPI” or the “Company”) for its Motion (the “Motion”) for Order Pursuant to Rules 1007(c) and 9006(b) of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”) Extending Time to File Schedules of Assets and Liabilities and Statement of Financial Affairs (collectively, the “Schedules and Statement”), respectfully represents:

JURISDICTION AND VENUE

1. The Court has jurisdiction over this Motion pursuant to 28 U.S.C. §§157 and 1334. This matter is a core proceeding pursuant to 28 U.S.C. § 157(b)(2)(A).
2. Venue in this Court is proper pursuant to 28 U.S.C. §§ 1408 and 1409.

INTRODUCTION

3. On this date (the “Petition Date”), GPI filed its voluntary petition for relief under chapter 11 of title 11 of the United States Code (the “Bankruptcy Code”). GPI continues to operate its business and manage its properties as debtor in possession, pursuant to sections 1107(a) and 1108 of the Bankruptcy Code.

¹ The last four digits of the Debtor’s tax identification number are 5030.

4. No request has been made for the appointment of a trustee or examiner, and no statutory committee has yet been appointed.

BACKGROUND

5. The Debtor is a national distributor of packaging equipment and supplies, which sells its product by and through several independent entities ("Affiliates").² Many of these Affiliates are also guarantors under GPI's credit facility with FCC, LLC d/b/a First Capital ("FCC"). When the Debtor is combined with the Affiliates, there are over twenty (20) warehousing locations to better serve the Debtor's customer base. When the Debtor is combined with the Affiliates, the overall aggregate amount of historical monthly sales is approximately \$9.5 million.

6. Additional information about the Debtor, its business and corporate and capital structures is set forth in the *Declaration of Edward T. Gavin, CTP in Support of Chapter 11 Petition and First Day Pleadings* (the "Gavin Declaration"), filed contemporaneously herewith.

RELIEF REQUESTED

7. By this Motion, the Debtor respectfully requests entry of an Order pursuant to Bankruptcy Rules 1007(c) and 9006(b), extending the time within which to file its Schedules and Statement. The Debtor requests a thirty (30) day extension, through and including June 12, 2015.³

² As used herein, "Affiliate" means a company that has a relationship – formal or informal – to the Debtor, and sells packaging products under a variation of the Gulf name. Unless otherwise set forth, use of the term "Affiliate" is not intended to have the same meaning as the "affiliate" term of art defined in section 101(2) of the Bankruptcy Code. All rights with respect to this issue are reserved.

³ The Debtor requests an additional thirty (30) days, giving the Debtor a total of forty-four (44) days to complete and file its Schedules and Statements.

ARGUMENT AND AUTHORITY

8. The Debtor has over 900 vendors, as well as other anticipated parties in interest. Although the Debtor has been working diligently to prepare the necessary motions and pleadings for this chapter 11 filing, the Debtor will be preoccupied with transitioning into chapter 11 and otherwise stabilizing the business within the next two weeks. Thus, the requested extension will ensure that the Schedules and Statement will be completed accurately and filed timely (the deadline to file the Schedules and Statement is presently May 13, 2015, fourteen days from the Petition Date). Completing the Schedules and Statement will require the compilation of a large amount of information from the Debtor's books, records, and documents. Given the importance of Schedules and Statements in any chapter 11 case, the Debtor believes it is in the best interests of its estate, and the chapter 11 process in general, for the Court to grant an extension of time so that the Debtor may completely, accurately, and fully complete the Schedules and Statement.

9. If this Motion is granted, the Schedules and Statement will be on file in advance of the creditors' meeting, and certainly before any deadline for filing proofs of claim in this chapter 11 case. Thus, no party in interest, or the Office of the United States Trustee, will be prejudiced.

10. Bankruptcy Rule 1007(c) allows an extension of the deadline to file Schedules and Statements "for cause," and Bankruptcy Rule 9006(b) generally allows the Court to enlarge the time to take action required under the Bankruptcy Rules "for cause shown" in "[the Court's] discretion" upon motion made prior to the expiration of the period prescribed by the Bankruptcy Rules.

11. Courts in this jurisdiction and across the country routinely find cause to extend the deadline for filing schedules and statements of financial affairs in chapter 11 cases. *See, e.g.,*

In re Caesars Entm't Operating Company, No. 15-01145 (ABG) (Bankr. N.D. Ill. Jan. 15, 2015) [Docket No. 60] (granting 47-day extension); *In re ITR Concession Co.*, No. 14-34284 (PSH) (Bankr. N.D. Ill. Sept. 23, 2014) [Docket No. 83] (granting 40-day extension); *In re Edison Mission Energy*, No. 12-49219 (JPC) (Bankr. N.D. Ill. Dec. 18, 2012) [Docket No. 127] (granting 45-day extension); *In re Clare Oaks*, No. 11-48903 (PSH) (Bankr. N.D. Ill. Dec. 8, 2011) [Docket No. 39] (granting 45-day extension); *In re Phoenix Payments Systems, Inc.*, No. 14-11848 (MFW) (Bankr. D. Del. Aug. 28, 2014) [Docket No. 111] (granting 16-day extension); *In re Sears Methodist Retirement System, Inc.*, No. 14-32821 (SGJ) (Bankr. N.D. Tex. June 12, 2014) [Docket No. 66] (granting 45-day extension); *In re Exide Technologies*, No. 13-11482 (KJC) (Bankr. D. Del. June 11, 2013) [Docket No. 75] (granting 30-day extension); *In re R.E. Loans, LLC*, No. 11-35865 (BJH) (Bankr. N.D. Tex. Sept. 19, 2011) [Docket No. 51] (granting 15-day extension).

12. Given the large number of creditors, and the fact that the Debtor is only requesting an additional thirty (30) days, the Debtor respectfully submits that ample cause for an extension exists and the requirements for granting the requested relief have been met.

NOTICE

13. Notice of this Motion has been provided to: (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, and (iv) all other parties requesting notice in these chapter 11 cases. The Debtor respectfully submits that such notice is appropriate and that no other or further notice need be provided.

NO PRIOR REQUEST

14. No prior request for the relief sought herein has been made to the Court or any other court.

WHEREFORE, the Debtor respectfully requests that this Court enter an Order (i) extending the Debtor's time to file its Schedules and Statement for thirty (30) days, through and including June 12, 2015, and (ii) granting such other and further relief as may be just and proper.

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Respectfully submitted this 29th day of April, 2015.

FRANKGECKER LLP

/s/ Joseph D. Frank

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PROPOSED COUNSEL TO THE DEBTOR

EXHIBIT A

Proposed Order

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

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In re:)	Chapter 11	
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**ORDER GRANTING DEBTOR’S MOTION FOR ORDER PURSUANT
TO BANKRUPTCY RULES 1007(c) AND 9006(b) EXTENDING
TIME TO FILE SCHEDULES OF ASSETS AND LIABILITIES
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Upon the Motion (the “Motion”) for Order Pursuant to Rules 1007(c) and 9006(b) of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”) Extending Time to File Schedules of Assets and Liabilities and Statement of Financial Affairs (collectively, the “Schedules and Statement”) filed by the above-captioned debtor and debtor in possession (the “Debtor”); and the Court having jurisdiction to consider this matter pursuant to 28 U.S.C. §§ 157(a) and 1334; and this matter being a core proceeding pursuant to 28 U.S.C. § 157(b)(2)(A); and the Court being satisfied that the relief requested in the Motion is appropriate and is in the best interests of the Debtor and its estate; and it appearing that sufficient notice of the Motion has been given, and that no other or further notice is required; and after due deliberation and good cause appearing therefor, it is HEREBY ORDERED THAT:

1. The Motion is granted as set forth herein; and
2. The deadline by which the Schedules and Statement must be filed is hereby extended through and including June 12, 2015.

Dated: _____
Chicago, Illinois

UNITED STATES BANKRUPTCY JUDGE

¹ The last four digits of the Debtor’s tax identification number are 5030.
2629682.1

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