

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

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|-------------------------------|---|-------------------------|
| In re: |) | Chapter 11 |
| |) | |
| Met-Coil Systems Corporation, |) | Case No. 03-12676 (MFW) |
| |) | |
| Debtor. |) | |

**DEBTOR’S MOTION TO SHORTEN NOTICE PERIOD WITH RESPECT TO
MOTION FOR ENTRY OF ORDER APPROVING FORM OF ACCESS AGREEMENT
AND AUTHORIZING DEBTOR TO ENTER INTO AGREEMENTS TO ALLOW
ACCESS ONTO PREMISES FOR ENVIRONMENTAL INVESTIGATION**

Debtor and debtor-in-possession Met-Coil Systems Corporation (the “Debtor”), by and through its undersigned counsel, hereby moves this Court for the entry of an order, pursuant to rules 2002 and 9006 of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”), and Rule 9006-1 of the Local Rules of the United States Bankruptcy Court for the District of Delaware (the “Local Rules”), shortening notice with respect to the Motion For Entry Of Order Approving Form Of Access Agreement And Authorizing Debtor To Enter Into Agreements To Allow Access Onto Premises For Environmental Investigation (the “Motion”),¹ and in support hereof, respectfully states as follows:

Relief Requested

1. By this motion, the Debtor requests that the Court enter an order shortening the notice period normally required by Local Rule 9006-1 to twelve (12) days so that the Motion may be heard at the existing omnibus hearing date of **October 20, 2003 at 3:00 p.m. ET** (the “Hearing”).

Basis for Relief

2. In the Motion, the Debtor seeks entry of an order: (a) approving the form of Access Agreement; (b) authorizing it to enter into the Access Agreements with the Property

1 Capitalized terms not defined herein shall have the meanings ascribed to them in the Motion.

Owners; and (c) authorizing it to indemnify the Property Owners as provided in the Access Agreement. The Debtor submits that it is vital that the Motion be heard and approved at the Hearing. As more fully described in the Motion, the relief requested in the Motion will enable the Debtor to conduct additional environmental investigations on certain properties adjacent to the Lockformer facility and to gain access to these properties to conduct these investigations, as required by the January 22, 2001 Order.

3. Shortening the required notice in this instance will not cause material prejudice to any party in interest. Further, a recent emergency has prevented the Debtor from filing the Motion in accordance with the notice requirements of Local Rule 9006-1 and Bankruptcy Rule 2002 in order for the Motion to be heard at the Hearing.

4. The Debtor's delay in filing the Motion is justified by recent emergency circumstances. Charles F. Kuoni, who is President and Chief Executive Officer of the Debtor is integral to the Debtor's efforts to finalize the Access Agreements and Mr. Kuoni's approval of the Motion was required before the Motion could be filed. During the week of September 29, 2003, a member of Mr. Kuoni's family was involved in a tragic traffic accident. These circumstances, of course, required Mr. Kuoni's presence with his family and made him unavailable to approve the Motion in time for the Motion to be filed in accordance with the notice requirements of Local Rule 9006-1 and Bankruptcy Rule 2002 in order for the Motion to be heard at the Hearing

5. As a result, the Debtor believes that sufficient cause exists and that it is in the best interests of its estate and creditors to shorten the normal notice period to twelve (12) days so that the Court may consider the Motion at the Hearing. Additionally, by agreeing to move the response deadline from October 10, 2003 to October 15, 2003, the Debtor has attempted to ensure that parties in interest have adequate time within which to respond to the Motion.

6. Thus, there is no likelihood of material prejudice to creditors and parties-in-interest if the Court grants the relief requested herein. The Debtor has caused the Motion to be served via hand delivery or overnight courier upon (a) the United States Trustee, (b) counsel to the Creditors' Committee, (c) counsel to the Debtor's prepetition and postpetition lenders, and (d) all those that have requested notice of pleadings pursuant to Bankruptcy Rule 2002.

WHEREFORE, the Debtor respectfully requests that the Court (i) enter an order approving the form, manner, sufficiency and shortening of the notice of the Motion as contemplated hereby such that a hearing on the Motion may be convened on October 20, 2003 at 3:00 p.m. ET, with objections, if any, to be filed and served on the undersigned co-counsel for the Debtor no later than October 15, 2003 at 4:00 p.m. ET; and (ii) grant such other and further relief as the Court deems just and proper.

Dated: October 8, 2003

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