

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

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In re: :
 : Case No. 06-51848
CEP HOLDINGS, LLC, et al.,¹ : (Jointly Administered)
 :
Debtors. : Chapter 11
 :
 : Honorable Marilyn Shea-Stonum
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**MOTION FOR AN EXPEDITED HEARING ON MOTION FOR AN ORDER
PURSUANT TO SECTION 365 OF THE BANKRUPTCY CODE AUTHORIZING
DEBTORS TO ASSUME AMENDED EMPLOYMENT AGREEMENT**

CEP Holdings, LLC and its debtor affiliates, debtors and debtors-in-possession in the above-captioned cases (the “**Debtors**”), hereby file this Motion for an Expedited Hearing (this “**Motion**”) on the Motion for Order Pursuant to Section 365 Authorizing the Debtors to Assume Amended Employment Agreement (the “**Assumption Motion**” filed contemporaneously herewith). In support of this Motion, the Debtors respectfully state as follows:

BACKGROUND

1. Concurrently herewith the Debtors filed the Assumption Motion requesting that this Court authorize the assumption of the Amendment to Employment and Noncompetition Agreement (the “**Amended Agreement**”) dated February 1, 2007 by and between the Debtors and Joseph Mallak, the CEO and President of each of the Debtors. The Amended Agreement is the result of two competing dynamics. The Debtors and the Official Committee of Unsecured Creditors (the “**Committee**”) recognize that Mr. Mallak’s services will continue to be needed by

¹ The Debtors include: CEP Holdings, LLC, Creative Engineered Polymer Products, LLC and Thermoplastics Acquisition, LLC.

the Debtors, albeit to a lesser degree than earlier in the cases. Conversely, the Debtors and Committee desire to reduce the costs of administration of the Debtors' estates. To this end, the Debtors and Committee have requested that Mr. Mallak provide services as an hourly employee, with the Committee specifically requesting that the Amended Agreement be effective as of February 1, 2007. The Debtors, Committee and Mr. Mallak negotiated the terms of the Amended Agreement in good faith with the belief that the relief requested in the Assumption Motion is in the best interests of the Debtors' estates for the reasons set forth therein.

2. Given the good faith negotiations of the parties and documenting the Amended Agreement, the Debtors are just now prepared to file the Assumption Motion. That being said, it is unfair to Mr. Mallak to expect him to work in limbo at the request of the Debtors and Committee if the Assumption Motion is not heard until the omnibus hearing date set for March 2007. The Debtors are fearful that the uncertainty will lead to their loss of Mr. Mallak's services.

RELIEF REQUESTED

3. By this Motion, the Debtors request that the Court enter an Order pursuant to Bankruptcy Rule 9006 shortening the time required for notice of the Assumption Motion and scheduling an expedited hearing on the Assumption Motion for the hearing set for February 13, 2007.

BASIS FOR RELIEF

4. Bankruptcy Rule 9006 permits the Court to reduce the time period prescribed for notice of certain actions "for cause shown." The Debtors submit that there is sufficient cause to justify shortening the standard notice period for the relief requested in the Assumption Motion.

5. Under the terms of this Court's Case Management Order, a hearing on the Approval Motion will be set in March 2007 as this Court no longer conducts bi-weekly

hearing/status conferences. An expedited hearing on the Assumption Motion is necessary, because the uncertainty caused by a delayed hearing may encourage Mr. Mallak to refuse services to the Debtors in the interim. This would have a devastating effect on the Debtors final wind down and would effectively shut down the liquidation of CEP Mexico.

WHEREFORE, The Debtors respectfully requests that the Court enter an Order substantially in the form of Exhibit A hereto scheduling a hearing on the Approval Motion on or about February 13, 2007.

Dated: February 6, 2006
Cleveland, Ohio

Respectfully submitted,

CEP HOLDINGS, LLC, et. al.,
Debtors and Debtors-in-possession

By: /s/ Thomas M. Wearsch
One of Their Attorneys

Joseph F. Hutchinson, Jr. (0018210)

Thomas M. Wearsch (0078403)

Eric R. Goodman (0076035)

BAKER & HOSTETLER LLP

3200 National City Center

1900 East 9th Street

Cleveland, Ohio 44114-3485

Counsel for the Debtors and Debtors-in-possession