

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

IN RE: : Case No. 06-51848
: Jointly Administered
CEP Holdings, LLC, et al., :
: Chapter 11
:
Debtors. : Judge Marilyn Shea-Stonum

**MOTION FOR ORDER AUTHORIZING DEBTORS' RELEASE OF FUNDS TO
CARLISLE ENGINEERED PRODUCTS, INC.**

Now comes Carlisle Engineered Products, Inc. ("Carlisle"), by and through its undersigned counsel, and respectfully requests that this Court enter an order allowing CEP Holdings, LLC ("CEP Holdings") and Creative Engineered Polymer Products, LLC ("CEPP," collectively with CEP Holdings, the "Debtors") to release the funds from a check from Rubber Chemicals Antitrust Litigation (Flexsys) Settlement Fund made payable to Carlisle, dated December 21, 2006, in the amount of \$74,987.07, which the Debtors inadvertently deposited in their account. In support of its motion, Carlisle states and avers as follows:

1. The Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334. This is a core proceeding under 28 U.S.C. § 157(b)(2). Venue is proper pursuant to 28 U.S.C. §§ 1408 and 1409.
2. On or about January 17, 2007, the Debtors inadvertently deposited a check from Rubber Chemicals Antitrust Litigation (Flexsys) Settlement Fund made payable to Carlisle Engineered Products, Inc. ("Carlisle"), dated December 21, 2006, in the amount of \$74,987.07 (the "Check").

3. The Check represented settlement proceeds made payable to Carlisle in relation to an antitrust matter that did not involve the Debtors.
4. The Debtors came into possession of the Check when the payor, Rubber Chemicals Antitrust Litigation (Flexsys) Settlement Fund, mistakenly mailed the Check to the Debtors' Crestline, Ohio facility.
5. Neither the Debtors nor the bankruptcy estate have any interest in the check.
6. The Debtors and the Official Committee of Unsecured Creditors have consented to the relief sought herein.

WHEREFORE, for the foregoing reasons, Carlisle respectfully requests that this Court enter an order allowing the Debtors to release the proceeds of the Check, in the amount of \$74,987.07, to Carlisle upon the execution and entry of said order

Respectfully submitted,

/s/ Carrie M. Brosius

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**Attorneys for Carlisle Engineered
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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was filed electronically this 31st day of May, 2007. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

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