

Recently, several of the Debtors' creditors have filed motions seeking allowance of administrative expense claims under Bankruptcy Code section 503(b)(9) and, in some cases, immediate payment of such claims. Pursuant to Bankruptcy Code section 503(b)(9), administrative priority status is afforded to creditors for the value of goods received by a debtor in the ordinary course of business within twenty days prior to the petition date. This memorandum provides a brief summary of the administrative expense claim motions (collectively, the "Administrative Expense Motions") filed by such creditors (collectively, the "Administrative Expense Creditors").

I. Summary of Administrative Expense Motions

A. Motion of Creditor Plastican, Inc. for Allowance and Payment of Administrative Expense Claim Pursuant to 11 U.S.C. § 503(b)(9) (the "Plastican Motion").

By the Plastican Motion, Plastican, Inc. ("Plastican") seeks entry of an order allowing it an administrative expense claim in the amount of \$324,744.82 for plastic containers received by Bio-Lab, Inc. ("Bio-Lab") within twenty days of the petition date.

Plastican alleges that from February 27, 2009 to March 17, 2009, Plastican sold and delivered plastic containers in the ordinary course of business to Bio-Lab in the amount of \$324,744.82. Plastican contends that because the plastic containers were delivered to Bio-Lab within twenty days of the petition date, Plastican is entitled to an administrative expense claim pursuant to Bankruptcy Code section 503(b)(9).

A hearing will be held on the Plastican Motion on July 28, 2009 at 9:45 a.m. (ET), with a corresponding objection deadline of July 22, 2009 at 4:00 p.m. (ET).

B. Motion of Allstate Can Corporation for Allowance and Payment of Administrative Expenses Claim Pursuant to 11 U.S.C. § 503(b)(9) (the "Allstate Motion").

By the Allstate Motion, Allstate Can Corporation ("Allstate") seeks entry of an order allowing it an administrative expense claim in the amount of \$64,431.30 for containers received by the Debtors within twenty days of the petition date.

Allstate alleges that from February 26, 2009 to March 17, 2009, Allstate sold and delivered containers in the ordinary course of business to the Debtors in the amount of \$64,431.30. Allstate contends that because the containers were delivered to the Debtors within twenty days of the petition date, Allstate is entitled to an administrative expense claim pursuant to Bankruptcy Code section 503(b)(9). Allstate further requests payment of its administrative expense claim within thirty days of its allowance.

A hearing will be held on the Allstate Motion on July 28, 2009 at 9:45 a.m. (ET), with a corresponding objection deadline of July 22, 2009 at 4:00 p.m. (ET).

C. Berry Plastics Corporation's Motion for Allowance of Administrative Expense Claim Pursuant to 11 U.S.C. § 503(b)(9) (the "Berry Motion").

By the Berry Motion, Berry Plastics Corporation (“Berry”) seeks entry of an order allowing it an administrative expense claim in the amount of \$300,291.86 for plastic containers received by Chemtura Corporation (“Chemtura”) and Bio-Lab within twenty days of the petition date.

Berry alleges that from at least February 27, 2009 to March 17, 2009, Berry sold and delivered plastic containers in the ordinary course of business to Chemtura in the amount of \$47,968.24. Berry further alleges that from at least February 25, 2009 to March 17, 2009, Berry sold and delivered plastic containers to Bio-Lab in an amount of \$252,323.62. Berry contends that because the plastic containers were delivered to Chemtura and Bio-Lab within twenty days of the petition date, Berry is entitled to an administrative expense claim pursuant to Bankruptcy Code section 503(b)(9).

A hearing will be held on the Berry Motion on July 28, 2009 at 9:45 a.m. (ET), with a corresponding objection deadline of July 23, 2009 at 4:00 p.m. (ET).

D. Motion of Calumet Penreco, LLC Pursuant to 11 U.S.C. §§ 503 and 507 for Allowance and Payment of an Administrative Expense Claim (the “Calumet Penreco Motion”).

By the Calumet Penreco Motion, Calumet Penreco, LLC (“Calumet Penreco”) seeks entry of an order allowing it an administrative expense claim in the amount of \$20,763.44 for mineral oil received by Chemtura Corporation (“Chemtura”) within twenty days of the petition date.

Calumet Penreco alleges that during the twenty days prior to the petition date, Calumet Penreco sold and delivered mineral oil in the ordinary course of business to Chemtura in the amount of at least \$20,763.44. Calumet Penreco contends that because the mineral oil was delivered to Chemtura within twenty days of the petition date, Calumet Penreco is entitled to an administrative expense claim pursuant to Bankruptcy Code section 503(b)(9). Accordingly, Calumet Penreco seeks allowance and payment of its administrative expense claim in accordance with the Bankruptcy Code.

A hearing will be held on the Calumet Penreco Motion on July 28, 2009 at 9:45 a.m. (ET), with a corresponding objection deadline of July 23, 2009 at 4:00 p.m. (ET).

E. Motion of Calumet Lubricants Co., LP Pursuant to 11 U.S.C. §§ 503 and 507 for Allowance and Payment of an Administrative Expense Claim (the “Calumet Lubricants Motion”).

By the Calumet Lubricants Motion, Calumet Lubricants Co., LP (“Calumet Lubricants”) seeks entry of an order allowing it an administrative expense claim in the amount of \$34,408.00 for process oils and solvents received by Chemtura Corporation (“Chemtura”) within twenty days of the petition date.

Calumet Lubricants alleges that during the twenty days prior to the petition date, Calumet Lubricants sold and delivered process oils and solvents in the ordinary course of business to Chemtura in an amount of at least \$34,408.00. Calumet Lubricants contends that because the

process oils and solvents were delivered to Chemtura within twenty days of the petition date, Calumet Lubricants is entitled to an administrative expense claim pursuant to Bankruptcy Code section 503(b)(9). Accordingly, Calumet Penreco seeks allowance and payment of its administrative expense claim in accordance with the Bankruptcy Code.

A hearing will be held on the Calumet Lubricants Motion on July 28, 2009 at 9:45 a.m. (ET), with a corresponding objection deadline of July 23, 2009 at 4:00 p.m. (ET).