

## **Shelburne Plastics Secures Asset Purchase Agreement with Consolidated Container Company**

### **Consolidated Container Company Offers to Acquire Shelburne Plastics' Assets Via Section 363 under Chapter 11**

On October 21, 2013, Shelburne Plastics (“Shelburne” or the “Company”) and its operating entities, Plastic Technologies of Vermont, Plastic Technologies of Maryland, and Plastic Technologies of New York (together with the Company, the “Sellers”) entered into an asset purchase agreement (the “Asset Purchase Agreement”) with Consolidated Container Company (“CCC”) as the “stalking horse” bidder, pursuant to which CCC has agreed to acquire substantially all of the Sellers' assets and certain liabilities. The sale will allow the Shelburne plants to emerge under CCC with the strong operational and financial backing of a new owner with substantial expertise in the rigid plastic packaging industry.

The Asset Purchase Agreement is subject to a number of closing conditions, including, among others, (i) the approval by the U.S. Bankruptcy Court for the District of Vermont (“Bankruptcy Court”) in the Chapter 11 Filing commenced by the Company (ii) the accuracy of representations and warranties of the parties and (iii) material compliance with the obligations set forth in the Asset Purchase Agreement.

The asset purchases pursuant to the Asset Purchase Agreement are expected to be conducted under the provisions of Section 363 of the Bankruptcy Code and will be subject to proposed bidding procedures and receipt of a higher and better bid at auction (the “Auction”). Upon entry by the Bankruptcy Court, the bidding procedures order will provide that CCC is the “stalking horse” bidder for the assets identified in the Asset Purchase Agreement.

Shelburne will continue operating its business without interruption during the sale period. All of the company's manufacturing plants will remain open, and all manufacturing teams will continue. The company remains confident in its existing pipeline of orders. Shelburne maintains relationships with some of the top customers in the Northeast.

“The sale and filing are necessary next steps to continue long term supply to Shelburne’s customers,” said Gene Torvend, Chairman and CEO of Shelburne. “We are grateful to our outstanding team of employees, partners and suppliers who have worked with us through this transition. We are pleased to have attracted a strong operational and financial owner for the business, and we hope to complete the sale swiftly to make the process as seamless as possible.” While CCC has agreed to serve as the “stalking horse” bidder for a Section 363 sale process, the

company is asking the Bankruptcy Court for a schedule to complete the sale process in about 30 days. Jeffrey Greene, President and CEO of CCC, said, “Shelburne has a very good reputation in the marketplace for service, quality and doing business the right way. We’re excited to merge Shelburne’s operations and skilled workforce with CCC’s and continue to provide customers with exceptional service and high quality products.”

Customers should see no changes while the company completes a sale. The company expects to have adequate liquidity to operate the business throughout the period. Shelburne does not intend to reduce its workforce as a result of the filing, and employees will continue to work their usual schedules and receive their standard compensation and benefits, pending customary Bankruptcy Court approval. Shelburne is being advised by Obuchowski & Emens-Butler as legal counsel. CCC is being advised by Alston & Bird as legal counsel.

### **About Shelburne Plastics**

Shelburne Plastics is a manufacturer of custom / standard HDPE, PET and Polypropylene containers for the food, water, juice, industrial and chemical markets. The company was founded in 1978 and has 4 strategic locations that allow it to serve customers in the Eastern and Mid Atlantic United States as well as Eastern Canada. The company works with many of the largest consumer brands in the market offering customer packaging designs that fit our business partners marketing, budgeting and scheduling needs. The company strives to provide exceptional customer service and quality products to a wide variety of customers. More detail on the company can be found on their web site [www.shelburneplastics.com](http://www.shelburneplastics.com).

### **About Consolidated Container Company**

CCC is a leading developer and manufacturer of rigid plastic packaging solutions in the U.S. CCC specializes in customized mid- and short-run packaging solutions, serving a diverse customer base in the dairy, household chemicals, food, industrial/specialty chemicals, water, and beverage/juice markets. With 54 manufacturing facilities and 2,200 employees, CCC has an integrated, nationwide network of manufacturing and service locations to deliver reliable and cost-effective packaging solutions to meet the needs of a wide range of customers and markets. CCC provides standard and custom packaging solutions to its customers. From its state-of-the-art Panella Engineering and Development Center to its experienced manufacturing teams across its network, CCC delivers high performance, cost-effective design solutions to meet even the most challenging container applications. For more information, please contact Richard Sehring at [Richard.Sehring@ccellc.com](mailto:Richard.Sehring@ccellc.com).