

BALL CORP  
Form 8-K  
April 23, 2009

SECURITIES AND EXCHANGE COMMISSION  
WASHINGTON, DC 20549

FORM 8-K

Current Report  
Pursuant to Section 13 or 15(D) of the  
Securities Exchange Act of 1934

April 23, 2009  
(Date of earliest event reported)

BALL CORPORATION  
(Exact name of Registrant as specified in its charter)

|                             |                          |                                      |
|-----------------------------|--------------------------|--------------------------------------|
| Indiana                     | 001-07349                | 35-0160610                           |
| (State of<br>Incorporation) | (Commission<br>File No.) | (IRS Employer<br>Identification No.) |

10 Longs Peak Drive, P.O. Box 5000, Broomfield, CO 80021-2510  
(Address of principal executive offices, including ZIP Code)

(303) 469-3131  
(Registrant's telephone number, including area code)

Not Applicable  
(Former name or former address, if changed since last report)

Check the appropriate box below if the Form 8-K filing is intended to simultaneously satisfy the filing obligation of the registrant under any of the following provisions (see General Instruction A.2. below):

Written communications pursuant to Rule 425 under the Securities Act (17 CFR 230.425)  
Soliciting material pursuant to Rule 14a-12 under the Exchange Act (17 CFR 240.14a-12)  
Pre-commencement communications pursuant to Rule 14d-2(b) under the Exchange Act  
(17 CFR 240.14d-2(b))  
Pre-commencement communications pursuant to Rule 13e-4(c) under the Exchange Act  
(17 CFR 240.13e-4(c))

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Ball Corporation  
Current Report on Form 8-K  
Dated April 23, 2009

Item 2.02. Results of Operations and Financial Condition.

On April 23, 2009, Ball Corporation (the “Company”) issued a press release announcing its first quarter earnings for 2009, which results are set forth in the press release dated April 23, 2009, and attached hereto as Exhibit 99.1.

Earnings information regarding the first quarter 2009, as well as information regarding the use of non-GAAP financial measures, are set forth in the attached press release.

The information in this Report shall not be deemed to be “filed” for purposes of Section 18 of the Securities Exchange Act of 1934, as amended, (the “Exchange Act”) or otherwise subject to the liability of that section, and shall not be deemed incorporated by reference in any filing under the Securities Act of 1933, as amended, or the Exchange Act, except as shall be expressly set forth by specific reference in such filing.

Item 9.01. Financial Statements and Exhibits.

(d) Exhibits.

The following is furnished as an exhibit to this report:

Exhibit     Ball Corporation Press Release dated April 23, 2009.  
99.1

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SIGNATURE

Pursuant to the requirements of the Securities Exchange Act of 1934, the registrant has duly caused this report to be signed on its behalf by the undersigned hereunto duly authorized.

BALL CORPORATION  
(Registrant)

By: /s/ Raymond J. Seabrook  
Name: Raymond J. Seabrook  
Title: Executive Vice President  
and  
Chief Financial Officer

Date: April 23, 2009

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EXHIBIT INDEX

| Description   | Exhibit |
|---|---------|
| Ball Corporation Press<br>Release dated April 23,<br>2009 | 99.1    |