

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

October 4, 2007
(Date of earliest event reported)

BALL CORPORATION

(Exact name of Registrant as specified in its charter)

<u>Indiana</u>	<u>1-7349</u>	<u>35-0160610</u>
(State of Incorporation)	(Commission File No.)	(IRS Employer 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 October 10, 2007

Item 8.01. Other Events.

On October 4, 2007, Ball Metal Beverage Container Corp. ("BMBCC") and Miller Brewing Company ("Miller") settled their dispute with respect to BMBCC's alleged breach of contract discussed in the Company's Quarterly Report on Form 10-Q dated August 1, 2007. The key settlement terms are set out in the enclosed press release dated October 9, 2007 and attached hereto as Exhibit 99. The settlement terms will include payment by BMBCC to Miller of approximately \$70 million in the first quarter of 2008 and minor adjustments to the provisions of BMBCC's supply arrangements with Miller. The overall settlement will result in a third quarter charge to Ball of approximately \$86 million (approximately \$52 million after tax). BMBCC will continue to supply all of Miller's beverage can and end requirements through 2015.

Item 9.01. Financial Statements and Exhibits.

(d) Exhibits.

The following is furnished as an exhibit to this report:

Exhibit 99 Ball Corporation Press Release dated October 9, 2007.

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: October 10, 2007

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EXHIBIT INDEX

<u>Description</u>	<u>Exhibit</u>
Press Release dated October 9, 2007.	99



News Release

For Immediate Release	http://www.ball.com
Investor Contact: Ann T. Scott	303-460-3537, ascott@ball.com
Media Contact: Scott McCarty	303-460-2103, smccarty@ball.com

Ball Announces Settlement

BROOMFIELD, Colo., October 9, 2007—Ball Corporation [NYSE:BLL] announced today that Ball Metal Beverage Container Corp. (BMBCC) and Miller Brewing Company (Miller) had settled their dispute regarding an alleged breach of contract by BMBCC.

Under the settlement, BMBCC will continue to supply all of Miller's beverage can and end requirements through 2015. Miller is one of BMBCC's largest customers.

BMBCC will make a one-time payment to Miller in January 2008 of approximately \$70 million to resolve various business issues between the parties, who have also agreed to make certain adjustments to the provisions of BMBCC's supply arrangements with Miller. Further details of the settlement are confidential. The overall settlement will result in a third quarter charge to Ball of approximately \$86 million (approximately \$52 million after tax).

"We are pleased to have this dispute behind us and that the good faith mediation process resulted in this settlement," said R. David Hoover, chairman, president and CEO of Ball Corporation. "We value Miller Brewing Company's business and are proud to have been a past recipient of numerous supplier awards from Miller. We look forward to performing to the same high level that merited these awards during the remaining eight-plus years of our contract."

Ball Corporation is a supplier of high-quality metal and plastic packaging products for beverage, food and household customers, and of aerospace and other technologies and services, primarily for the U.S. government. Ball Corporation and its subsidiaries employ more than 15,500 people worldwide and reported 2006 sales of \$6.6 billion.

- more -

Ball Corporation

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Third Quarter Conference Call Details

Ball Corporation will announce its third quarter 2007 earnings on Thursday, Oct. 25, 2007, before trading begins on the New York Stock Exchange. At 8:30 a.m. Mountain Time on that day (10:30 a.m. Eastern), Ball will hold its regular quarterly conference call on the company's results and performance. The North American toll-free number for the call is 800-926-7535. International callers should dial 415-226-5354. Please use the following URL for a Web cast of the live call:

<http://phx.corporate-ir.net/phoenix.zhtml?p=irol-eventDetails&c=115234&eventID=1656329>

For those unable to listen to the live call, a taped replay will be available after the live call's conclusion until 12:30 a.m. Eastern Time on Nov. 1, 2007. To access the replay, call 800-383-0935 (North American callers) or 402-977-9140 (international callers) and use reservation number 21350553. A written transcript of the call will be posted within 48 hours of the call's conclusion to Ball's Web site at www.ball.com in the investors section under "presentations."

Forward-Looking Statements

This release contains "forward-looking" statements concerning future events and financial performance. Words such as "expects," "anticipates," "estimates" and similar expressions are intended to identify forward-looking statements. Such statements are subject to risks and uncertainties which could cause actual results to differ materially from those expressed or implied. The company undertakes no obligation to publicly update or revise any forward-looking statements, whether as a result of new information, future events or otherwise. Key risks and uncertainties are summarized in filings with the Securities and Exchange Commission, including Exhibit 99.2 in our Form 10-K, which are available at our Web site and at www.sec.gov. Factors that might affect our packaging segments include fluctuation in consumer and customer demand and preferences; availability and cost of raw materials, including recent significant increases in resin, steel, aluminum and energy costs, and the ability to pass such increases on to customers; competitive packaging availability, pricing and substitution; changes in climate and weather; crop yields; industry productive capacity and competitive activity; failure to achieve anticipated productivity improvements or production cost reductions, including those associated with our beverage can end project; the German mandatory deposit or other restrictive packaging laws; changes in major customer or supplier contracts or loss of a major customer or supplier; and changes in foreign exchange rates, tax rates and activities of foreign subsidiaries. Factors that might affect our aerospace segment include: funding, authorization, availability and returns of government and commercial contracts; and delays, extensions and technical uncertainties affecting segment contracts. Factors that might affect the company as a whole include those listed plus: accounting changes; successful or unsuccessful acquisitions, joint ventures or divestitures; integration of recently acquired businesses; regulatory action or laws including tax, environmental and workplace safety; governmental investigations; technological developments and innovations; goodwill impairment; antitrust, patent and other litigation; strikes; labor cost changes; rates of return projected and earned on assets of the company's defined benefit retirement plans; pension changes; reduced cash flow; interest rates affecting our debt; and changes to unaudited results due to statutory audits or other effects.

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