

BALL CORP
Form 8-K
April 28, 2016
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 27, 2016
(Date of earliest event reported)

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

Indiana 001-07349 35-0160610
(State of (Commission (IRS Employer
Incorporation) File No.) 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))

Ball Corporation
Current Report on Form 8-K
Dated April 28, 2016

Item 2.02. Results of Operations and Financial Condition

On April 28, 2016, Ball Corporation (the "Company") issued a press release announcing its first quarter earnings for 2016, which results are set forth in the press release dated April 28, 2016, and attached hereto as Exhibit 99.1.

Earnings information regarding the first quarter 2016, 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.

On April 28, 2016, the Company issued a press release to correct an error in the financials previously reported. The press release is attached hereto as Exhibit 99.2.

Item 5.07. Submission of Matters to a Vote of Security Holders

On April 27, 2016, the Company held its Annual Meeting of Shareholders ("Annual Meeting"). Following are the results of the matters voted on by shareholders at the Annual Meeting:

1. Election of Directors.

| Director | For | Withheld |
|-------------------|------------|------------|
| Hanno C. Fiedler | 86,199,983 | 32,810,504 |
| Georgia R. Nelson | 86,406,845 | 32,603,642 |

2. Ratification of the appointment of PricewaterhouseCoopers LLP as the independent auditor for the Company for 2016.

| For | Against | Abstain |
|-------------|-----------|---------|
| 125,801,999 | 1,735,928 | 363,228 |

3. Approval, by non-binding advisory vote, of the compensation of the Named Executive Officers as disclosed in the 2016 Proxy Statement.

| For | Against | Abstain | Broker Non-Votes |
|-------------|-----------|---------|---------------------|
| 113,770,059 | 4,265,871 | 974,557 | 8,890,668 |

Item 9.01. Financial Statements and Exhibits

(d) Exhibits.

The following are furnished as exhibits to this report:

Exhibit 99.1 Ball Corporation Press Release dated April 28, 2016
Exhibit 99.2 Ball Corporation Press Release dated April 28, 2016

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/ Scott C. Morrison
Name: Scott C. Morrison
Title: Senior Vice President and Chief Financial Officer

Date: April 28, 2016

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April 28, 2016

EXHIBIT INDEX

| Description | Exhibit |
|---|---------|
| Ball Corporation Press Release dated April 28, 2016 | 99.1 |
| Ball Corporation Press Release dated April 28, 2016 | 99.2 |