#### UNITED STATES SECURITIES AND EXCHANGE COMMISSION Washington, D.C. 20549

### FORM 8-K

### CURRENT REPORT

### Pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934

Date of Report (Date of earliest event reported):

December 20, 2010

**MUELLER INDUSTRIES, INC.** 

(Commission File

Number)

(Exact name of registrant as specified in its charter)
\_\_\_\_\_\_\_

Delaware

(State or other jurisdiction of incorporation)

8285 Tournament Drive Suite 150 <u>Memphis, Tennessee</u>

(Address of principal executive

38125

offices)

(Zip Code)

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:

- □ 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))

<u>25-0790410</u> (IRS Employer Identification No.)

sip couc)

(901) 753-3200

### Item 8.01 Other Events

On December 20, 2010, the Registrant issued a press release announcing the settlement of its lawsuit against Peter Berkman and Jeffrey Berkman. A copy of the press release is attached to this Form 8-K as Exhibit 99.1.

### Item 9.01 Financial Statements and Exhibits.

(d) Exhibits

99.1 Press release, dated December 20, 2010.

# SIGNATURES

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.

# MUELLER INDUSTRIES, INC.

By: <u>/s/ Gary C. Wilkerson</u> Name: Gary C. Wilkerson Title: Vice President, General Counsel and Secretary

Date: December 20, 2010

Exhibit No.Description99.1Press release, dated December 20, 2010.

#### MUELLER INDUSTRIES, INC. TO RECEIVE \$10.5 MILLION IN SETTLEMENT OF ITS LAWSUIT AGAINST PETER BERKMAN AND JEFFREY BERKMAN

MEMPHIS, Tenn., Dec. 20, 2010 /PRNewswire via COMTEX/ -- Mueller Industries, Inc. (NYSE: MLI). Peter Berkman and Jeffrey Berkman have agreed to pay Mueller Industries, Inc. \$7.5 million in cash, an additional \$3 million within 5 years, and other monetary consideration whose value is yet to be determined.

The lawsuit asserted various claims against the Berkmans, including breach of fiduciary duty and breach of contract. In the action, Peter Berkman personally asserted the Fifth Amendment privilege against self-incrimination, contending that his testimony and production of documents in discovery may expose him to criminal prosecution.

The counterclaims asserted by the Berkmans in the lawsuit are to be dismissed with prejudice, and Mueller paid**NOTHING** to the Berkmans and Homewerks (70% owned by Peter Berkman).

Mueller Industries, Inc. is a leading manufacturer of copper tube and fittings; brass and copper alloy rod, bar and shapes; aluminum and brass forgings; aluminum and copper impact extrusions; plastic fittings and valves; refrigeration valves and fittings; and fabricated tubular products. Mueller's operations are located throughout the United States and in Canada, Mexico, Great Britain, and China. Mueller's business is importantly linked to (1) the construction of new homes; (2) the improvement and reconditioning of existing homes and structures; and (3) the commercial construction market which includes office buildings, factories, hotels, hospitals, etc.

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Statements in this release that are not strictly historical may be "forward-looking" statements, which involve risks and uncertainties. These include economic and currency conditions, continued availability of raw materials and energy, market demand, pricing, competitive and technological factors, and the availability of financing, among others, as set forth in the Company's SEC filings. The words "outlook," "estimate," "project," "intend," "expect," "believe," "target," and similar expressions are intended to identify forward-looking statements. The reader should not place undue reliance on forward-looking statements, which speak only as of the date of this report. The Company has no obligation to publicly update or revise any forward-looking statements to reflect events after the date of this report.

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