

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): October 23, 2007  
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MUELLER INDUSTRIES, INC.  
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(Exact name of registrant as specified in its charter)

Delaware ----- (State or other jurisdiction of incorporation)	1-6770 ----- (Commission File Number)	25-0790410 ----- (IRS Employer Identification No.)
8285 Tournament Drive Suite 150 Memphis, Tennessee ----- (Address of principal executive offices)		38125 ----- Zip Code

Registrant's telephone number, including area code: (901) 753-3200  
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Registrant's Former Name or Address, if changed since last report: N/A  
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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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Item 2.02. Results of Operations and Financial Condition.

On October 23, 2007 the Registrant issued a press release announcing earnings for the quarter ended September 29, 2007. A copy of the press release announcing the third quarter 2007 earnings is attached as Exhibit 99.1.

Item 9.01. Financial Statements and Exhibits.

(d) Exhibits

99.1 Press release, dated October 23, 2007 reporting third quarter 2007 earnings.

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SIGNATURES

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

MUELLER INDUSTRIES, INC.

By: /s/ Kent A. McKee  
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Name: Kent A. McKee  
Title: Executive Vice President  
and Chief Financial Officer

Date: October 23, 2007

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Exhibit Index

Exhibit No.	Description
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99.1	Press release, dated October 23, 2007.

MEMPHIS, Tenn., Oct. 23 /PRNewswire-FirstCall/ --

#### Quarterly and Year-to-Date Earnings

Harvey L. Karp, Chairman of Mueller Industries, Inc. (NYSE: MLI), today announced the Company's results for the third quarter of 2007. Net income for the third quarter was \$31.3 million, or 84 cents per diluted share, which compares with net income of \$51.6 million, or \$1.38 per diluted share, for the third quarter of fiscal 2006. Net sales for the three months ended September 29, 2007 were \$693.7 million, compared with net sales of \$636.0 million for the third quarter of 2006. The third quarter of 2007 includes a one-time gain of approximately \$8.9 million (pre-tax) pertaining to a copper antitrust litigation settlement.

Year-to-date, the Company earned \$86.6 million, or \$2.33 per diluted share, on net sales of \$2.08 billion. This compares with net income from continuing operations of \$143.7 million, or \$3.86 per diluted share, on net sales of \$1.97 billion for the same period of 2006.

#### Financial and Operating Highlights

Regarding the third quarter of 2007, Mr. Karp said:

- "The COMEX average price of copper was \$3.48 per pound in the third quarter of 2007, which compares with \$3.54 per pound in the third quarter of 2006.
- "Mueller ended the quarter with \$273.2 million in cash.
- "Our current ratio remains excellent at 3.0 to 1 and our working capital is \$594.3 million.
- "Our Plumbing & Refrigeration segment posted operating earnings of \$52.3 million on net sales of \$397.9 million which compares with operating earnings of \$56.9 million on net sales of \$426.3 million in the third quarter of 2006. These decreases were primarily attributable to lower selling prices and spreads in copper tube, partially offset by proceeds from the copper antitrust litigation settlement.
- "Our OEM segment posted operating earnings of \$5.6 million during the third quarter of 2007 on net sales of \$302.1 million, which compared with operating earnings of \$9.9 million on net sales of \$218.4 million for the same period in 2006. The OEM segment posted lower operating earnings primarily due to lower margins in brass rod.
- "Capital expenditures during the first nine months of 2007 totaled \$22.8 million."

#### Business Outlook

Mr. Karp said, "We believe the decline in the housing market is nearing a bottom, and that indicators of a recovery phase will be evident by mid-2008, then gradually pick up momentum. Meanwhile, the commercial-industrial sector of the construction industry has been in an upward trend, having grown by fifteen percent over the year before. Mueller's margins in this sector of our business have historically been good.

"We have noted that many of our customers have reduced their in-house inventories of our products, in part due to the volatile copper market. However, this means that any improvement in our markets will result in immediate business for Mueller."

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.

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.

MUELLER INDUSTRIES, INC.  
CONDENSED CONSOLIDATED STATEMENTS OF INCOME  
(In thousands, except per share data)

<TABLE>  
<CAPTION>

	For the Quarter Ended		For the Nine Months Ended	
	Sept. 29 2007	Sept. 30 2006	Sept. 29 2007	Sept. 30 2006
	(Unaudited)		(Unaudited)	
<S>	<C>	<C>	<C>	<C>
Net sales	\$ 693,682	\$ 635,998	\$ 2,076,111	\$ 1,966,700
Cost of goods sold	603,219	528,946	1,801,543	1,623,053
Gross profit	90,463	107,052	274,568	343,647
Depreciation and amortization	11,582	10,462	33,854	31,033
Selling, general, and administrative expense	36,246	34,787	110,144	109,435
Copper antitrust litigation settlement	(8,865)	--	(8,865)	--
Operating income	51,500	61,803	139,435	203,179
Interest expense	(5,384)	(5,085)	(16,567)	(15,161)
Other income, net	4,060	1,452	10,938	3,398
Income before income taxes	50,176	58,170	133,806	191,416
Income tax expense	(18,852)	(6,591)	(47,171)	(47,722)
Net income	\$ 31,324	\$ 51,579	\$ 86,635	\$ 143,694
Weighted average shares for basic earnings per share	37,075	36,976	37,054	36,853
Effect of dilutive stock options	234	379	185	396
Adjusted weighted average shares for diluted earnings per share	37,309	37,355	37,239	37,249
Basic earnings per share	\$ 0.84	\$ 1.39	\$ 2.34	\$ 3.90
Diluted earnings per share	\$ 0.84	\$ 1.38	\$ 2.33	\$ 3.86
Summary Segment Data:				
Net sales:				
Plumbing & Refrigeration Segment	\$ 397,855	\$ 426,261	\$ 1,223,337	\$ 1,364,360
OEM Segment	302,122	218,372	868,053	628,472
Elimination of intersegment sales	(6,295)	(8,635)	(15,279)	(26,132)
Net sales	\$ 693,682	\$ 635,998	\$ 2,076,111	\$ 1,966,700
Operating income:				
Plumbing & Refrigeration Segment	\$ 52,260	\$ 56,863	\$ 130,860	\$ 179,384
OEM Segment	5,609	9,862	29,102	42,326
Unallocated expenses	(6,369)	(4,922)	(20,527)	(18,531)
Operating income	\$ 51,500	\$ 61,803	\$ 139,435	\$ 203,179

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MUELLER INDUSTRIES, INC.  
CONDENSED CONSOLIDATED BALANCE SHEETS  
(In thousands)

	September 29, 2007	December 30, 2006
	(Unaudited)	
ASSETS		
Cash and cash equivalents	\$ 273,211	\$ 200,471
Accounts receivable, net	351,707	281,679

Inventories	231,228	258,647
Other current assets	35,669	35,397
	-----	-----
Total current assets	891,815	776,194
Property, plant, and equipment, net	320,082	315,064
Other assets	189,975	177,649
	-----	-----
	\$1,401,872	\$1,268,907
	=====	=====
LIABILITIES AND STOCKHOLDERS' EQUITY		
Current portion of long-term debt	\$ 33,669	\$ 35,998
Accounts payable	134,569	96,095
Other current liabilities	129,294	123,426
	-----	-----
Total current liabilities	297,532	255,519
Long-term debt	307,988	308,154
Pension and postretirement liabilities	45,220	36,599
Environmental reserves	9,159	8,907
Deferred income taxes	42,030	46,408
Other noncurrent liabilities	1,995	2,206
	-----	-----
Total liabilities	703,924	657,793
Minority interest in subsidiaries	22,419	22,300
Stockholders' equity	675,529	588,814
	-----	-----
	\$1,401,872	\$1,268,907
	=====	=====

MUELLER INDUSTRIES, INC.  
CONDENSED CONSOLIDATED STATEMENTS OF CASH FLOWS  
(In thousands)

	For the Nine Months Ended	
	September 29, 2007	September 30, 2006
	-----	-----
	(Unaudited)	
Operating activities:		
Net income	\$ 86,635	\$ 143,694
Reconciliation of net income to net cash provided by operating activities:		
Depreciation and amortization	34,107	31,225
(Gain) loss on disposal of properties	(3,114)	1,913
Deferred income taxes	(3,026)	(11,193)
Share-based compensation expense	1,975	2,041
Minority interest in subsidiaries, net of dividend paid	(644)	2,526
Income tax benefit from exercise of stock options	(130)	(1,217)
Gain on sale of equity investment	--	(1,876)
Equity in earnings of unconsolidated subsidiary	--	(964)
Gain on early retirement of debt	--	(97)
Changes in assets and liabilities, net of businesses acquired:		
Receivables	(36,370)	(59,227)
Inventories	57,656	(96,979)
Other assets	(6,103)	(5,340)
Current liabilities	13,669	20,755
Other liabilities	3,754	2,770
Other, net	(1,003)	(2,987)
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Net cash provided by operating activities	147,406	25,044
	-----	-----
Investing activities:		
Capital expenditures	(22,776)	(32,975)
Acquisition of businesses, net of cash received	(31,970)	3,632
Proceeds from sales of properties and equity investment	3,033	23,227
	-----	-----
Net cash used in investing activities	(51,713)	(6,116)
	-----	-----
Financing activities:		
Issuance of debt by joint venture	4,506	24,918
Repayments of long-term debt	(18,273)	(1,922)

Dividends paid	(11,117)	(11,073)
Issuance of shares under incentive stock option plans from treasury	1,093	7,116
Proceeds from issuance of debt	--	1,902
Income tax benefit from exercise of stock options	130	1,217
Acquisition of treasury stock	(54)	(570)
	-----	-----
Net cash (used in) provided by financing activities	(23,715)	21,588
	-----	-----
Effect of exchange rate changes on cash	762	262
	-----	-----
Increase in cash and cash equivalents	72,740	40,778
Cash and cash equivalents at the beginning of the period	200,471	129,685
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Cash and cash equivalents at the end of the period	\$ 273,211	\$ 170,463
	=====	=====