

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

In re:

**AVENTINE RENEWABLE ENERGY  
HOLDINGS, INC.**, a Delaware Corporation, *et al.*,

Debtors.<sup>1</sup>

Chapter 11

Case No. 09-11214 (KG)

(Jointly Administered)

**NOTICE OF AGENDA OF MATTERS SCHEDULED  
FOR HEARING ON FEBRUARY 24, 2010 AT 3:00 P.M. (ET)**

**ADJOURNED/RESOLVED MATTERS**

1. Motion of Delta-T Corporation to Compel Debtors' Assumption or Rejection of License Agreements [D.I. 335, 7/27/09]

Objection Deadline: August 13, 2009 at 4:00 p.m., extended for the Debtors to November 11, 2009 at 4:00 p.m.

Objections Filed:

- a) Debtors' Preliminary Objection and Reservation of Rights with Respect to Motion of Delta-T Corporation to Compel Debtors' Assumption or Rejection of License Agreements [D.I. 544, 11/11/09]

Status: This matter will be dealt with in connection with Confirmation of the Plan.

2. Debtors' First Omnibus (Substantive) Objection to Claims Pursuant to Section 502(b) of the Bankruptcy Code, Bankruptcy Rules 3003 and 3007, and Local Rule 3007-1 [D.I. 605, 12/14/09]

Response Deadline: January 6, 2010 at 4:00 p.m.

Related Document:

- a) Order Sustaining Debtors' First Omnibus (Substantive) Objection to Claims [D.I. 676, 1/12/10]

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<sup>1</sup> The Debtors in these chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number, are: Aventine Renewable Energy Holdings, Inc. (9368), Aventine Renewable Energy, LLC (0195), Aventine Renewable Energy, Inc. (8352), Aventine Renewable Energy – Aurora West, LLC (9285), Aventine Renewable Energy – Mt Vernon, LLC (8144), Aventine Power, LLC (9343), and Nebraska Energy, L.L.C. (1872). The corporate headquarters address for all of the Debtors is 120 North Parkway Drive, Pekin, Illinois 61554.

Responses Filed:

- b) Georgia Department of Revenue's Response [D.I. 646, 1/6/10]

Status: This matter will be adjourned by agreement to March 18, 2010 at 11:00 a.m.

**UNCONTESTED MATTERS WITH CERTIFICATE OF NO OBJECTION**

- 3. Motion for Aventine Renewable Energy – Mt Vernon, LLC for Entry of an Order Pursuant to Section 365 of the Bankruptcy Code, Authorizing the Assumption of that Certain Lease Agreement with the Ports of Indiana [D.I. 740, 2/5/10]

Objection Deadline: February 17, 2010 at 4:00 p.m.

Related Document:

- a) Certificate of No Objection [D.I. 794, 2/19/10]

Objections Filed: None

Status: A Certificate of No Objection has been filed. No hearing is required.

- 4. Motion of Morris James LLP to Withdraw as Counsel to Delta-T Corporation [D.I. 748, 2/12/10]

Objection Deadline: February 17, 2010 at 4:00 p.m.

Related Documents:

- a) Order Shortening Notice [D.I. 754, 2/12/10]
- b) Certification of No Objection [D.I. 796, 2/19/10]

Objections Filed: None

Status: A Certificate of No Objection has been filed. No hearing is required.

## **UNCONTESTED MATTER GOING FORWARD**

5. Debtors' Motion for Entry of an Order Pursuant to Sections 105(a) and 502 of the Bankruptcy Code and Bankruptcy Rule 9019 Approving the Stipulation by and Among the Debtors, the Prepetition Agent, and Prepetition Lenders Allowing the Claims of, and Granting Limited Releases to, the Prepetition Agent and Prepetition Lenders [D.I. 783, 2/18/10]

Objection Deadline: February 23, 2010 at 12:00 p.m.

Related Document:

- a) Order Shortening the Time for Notice [D.I. 795, 2/19/10]

Objections Filed: None as of the filing of this Agenda

Status: This matter will be going forward.

## **CONTESTED MATTER GOING FORWARD**

6. Confirmation Hearing for First Amended Joint Plan of Reorganization Under Chapter 11 of the Bankruptcy Code Dated as of January 13, 2010 [D.I. 678, 1/13/10]

Objection Deadline: February 17, 2010 at 4:00 p.m.

Related Documents:

- a) Disclosure Statement for Debtors' First Amended Joint Plan of Reorganization Under Chapter 11 of the Bankruptcy Code Dated, as of January 1, 2010 [D.I. 679, 1/13/10]
- b) Order (I) Approving the Disclosure Statement; (II) Establishing Procedures for Solicitation and Tabulation of Votes to Accept or Reject the Plan, Including (A) Approving Form and Manner of Solicitation Procedures, (B) Approving the Form and Notice of The Confirmation Hearing, (C) Establishing Records Date and Approving Forms of Ballots, (E) Establishing Deadline for Receiving Ballots, and (F) Approving Procedures for Vote Tabulation; (III) Establishing Deadline and Procedures for Filing Objections to (A) Confirmation of the Plan, and (B) The Debtors' Proposed Cure Amounts and Unexpired Leases and Executory Contracts Assumed Pursuant to the Plan; (IV) Approving the Secured Notes Offering Procedures; and (V) Granting Related Relief [D.I. 684, 1/14/10]
- c) Notice of (I) Approval of Disclosure Statement, (II) Deadline for Voting on the Plan, (III) Hearing to Consider Confirmation of the Plan, and (IV) Deadline for Filing Objections to Confirmation of the Plan [D.I. 702, 1/26/10]

- d) Notice of (I) Possible Assumption of Executory Contracts and Unexpired Leases (II) Fixing of Cure Amounts and (III) Deadline to Object Thereto [D.I. 703, 1/26/10]
- e) Notice of Filing of Supplement to Debtors' First Amended Joint Plan of Reorganization Under Chapter 11 of the Bankruptcy Code [D.I. 743, 2/5/10]
- f) Notice of Filing of Amendment to the Plan Supplement with Respect to the Debtors' First Amended Joint Plan of Reorganization Under Chapter 11 of the Bankruptcy Code [D.I. 800, 2/19/10]
- g) Notice of Filing of Second Amendment to the Plan Supplement with Respect to the Debtors' First Amended Joint Plan of Reorganization Under Chapter 11 of the Bankruptcy Code [D.I. 802, 2/22/10]
- h) Debtors' Memorandum of Law in Support of and in Response to Objections to Confirmation of Debtors' First Amended Joint Plan of Reorganization [D.I. 803, 2/22/10]
- i) Ballot Certification [To Be Filed]

Confirmation Objections Filed:

- j) Objection of Michael Welsh [D.I. 738, 2/3/10]
- k) Limited Objection of Glacial Lakes Energy, LLC, Aberdeen Energy, LLC and Redfield Energy, LLC [D.I. 774, 2/17/10]
- l) Objection of Andrew Shirley [D.I. 776, 2/17/10]
- m) Objection of Fred Graetzer [D.I. 787, 2/19/10]
- n) Objection of Alan Betensley [D.I. 788, 2/19/10]
- o) Supplemental Objection of Michael Welsh [D.I. 789, 2/19/10]
- p) Letter from Sean McGuigan and Kimberly McGuigan [D.I. TBD]

Cure Objections Filed:

- q) Response and Objection of Aurora Cooperative Elevator Company [D.I. 747, 2/12/10]
- r) Limited Objection of Southern Indiana Gas and Electric Company [D.I. 748, 2/12/10]
- s) Objection of Zurich American Insurance Company and/or its Affiliates as Their Interests May Appear [D.I. 759, 2/15/10]

Status: In addition to the objections listed above, the Debtors received a few informal objections from parties that are being resolved by the inclusion of language in the confirmation order. This matter is going forward.

Dated: Wilmington, Delaware  
February 22, 2010

YOUNG CONAWAY STARGATT & TAYLOR, LLP

/s/ Matthew B. Lunn

Joel A. Waite (No. 2925)

Matthew B. Lunn (No. 4119)

Ryan M. Bartley (No. 4985)

The Brandywine Building

1000 West Street, 17th Floor

Wilmington, DE 19801

Telephone: (302) 571-6600

Facsimile: (302) 571-1253

*Counsel to the Debtors and Debtors in Possession*