

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

In re)	
)	
AVENTINE RENEWABLE ENERGY HOLDINGS, INC., <i>et al.</i> , ¹)	Chapter 11
)	
Debtors and Debtors in Possession.)	Case No. 09 - 11214 (KG)
)	
)	(Jointly Administered)
)	

**NINTH MONTHLY STATEMENT AND FINAL APPLICATION OF
JENNER & BLOCK LLP, AS SPECIAL COUNSEL FOR THE DEBTORS
AND DEBTORS IN POSSESSION, FOR PAYMENT OF INTERIM COMPENSATION
FOR SERVICES RENDERED AND FOR REIMBURSEMENT OF DISBURSEMENTS
INCURRED FOR THE PERIOD FROM FEBRUARY 1, 2010 THROUGH MARCH 15, 2010
AND FOR FINAL APPROVAL OF FINAL PERIOD FROM
APRIL 7, 2009 THROUGH MARCH 15, 2010**

Jenner & Block LLP ("Jenner & Block"), special counsel to the debtors and debtors in possession in the above-referenced, jointly administered cases (collectively, the "Debtors"), hereby submits this ninth monthly statement for payment of interim compensation for services rendered and for reimbursement of disbursements incurred for the period from February 1, 2010 through March 15, 2010 (this "Interim Statement") seeking (i) payment of \$55,481.20, representing 80% of Jenner & Block's fees of \$69,351.50, and (ii) reimbursement of \$743.74, representing 100% of Jenner & Block's disbursements for the period from February 1, 2010 through March 15, 2010 (the "Interim Statement Period"), and final approval of \$412,865.04, (the "Final Application"), representing Jenner & Block's total fees (\$400,406.50) and disbursements (\$12,458.54) for the period from April 7, 2009 through March 15, 2010 (the "Application Period"), as set forth more particularly herein, pursuant to sections 328, 330, and 331 of title 11 of the United

¹ 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 address for the Debtors is 120 North Parkway Drive, Pekin, Illinois 61555-1800.

States Code (11 U.S.C. § 101 *et seq.*, as amended, the “Bankruptcy Code”), Rule 2016 of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”), Rule 2016-2 of the Local Rules of Bankruptcy Practice and Procedure of the United States Bankruptcy Court for the District of Delaware (the “Local Rules”), the United States Trustee Fee Guidelines — Guidelines for Reviewing Applications for Compensation and Reimbursement of Disbursements Filed under 11 U.S.C. § 330 (Appendix A to 28 C.F.R. § 58) (the “UST Guidelines”), the Order Establishing Procedures for Interim Compensation and Reimbursement of Expenses of Professionals dated May 1, 2009 (Docket No. 129, the “Interim Payment Order”), and the Debtors’ First Amended Joint Plan of Reorganization Under Chapter 11 of the Bankruptcy Code (Docket Nos. 678, 743, 800, 802, and 812 the “Plan”). In support of this Interim Statement and Final Application, Jenner & Block hereby states as follows:

Jurisdiction

1. This Court has jurisdiction over this Interim Statement and Final Application pursuant to 28 U.S.C. § 1334. This matter is a core proceeding within the meaning of 28 U.S.C. § 157(b). Venue is proper pursuant to 28 U.S.C. §§ 1408 and 1409.

2. The statutory predicates for the relief requested herein are sections 328, 330, and 331 of the Bankruptcy Code, as supplemented by Bankruptcy Rule 2016, Local Rule 2016-2, the UST Guidelines and the Interim Payment Order.

Background

3. On April 7, 2009 (the “Petition Date”), each of the Debtors filed a voluntary petition for relief under chapter 11 of the Bankruptcy Code. The Debtors are continuing in possession of their property and the operation of their business as debtors in possession. This Court has ordered that these cases be jointly administered, for procedural purposes only.

4. On May 1, 2009, the Court entered the Interim Payment Order. Pursuant to the Interim Payment Order, the Court established a procedure for interim compensation and reimbursement of disbursements for professionals appointed in these cases. In particular, the Court authorized the filing and service to certain notice parties of monthly interim fee statements by professionals appointed in these cases (including professionals employed by the Debtors) and payment by the Debtors of 80% of fees and 100% of expenses, in the absence of an objection made within fifteen (15) days of service of the pertinent application.

5. On May 26, 2009, this Court entered an Order authorizing the Debtors to retain Jenner & Block as the Debtors' special counsel in connection with claims against JP Morgan and related entities, *nunc pro tunc* to the Petition Date (Docket No. 175, the "Retention Order"). The Retention Order authorized Jenner & Block to be compensated on an hourly basis and to be reimbursed for actual and necessary out-of-pocket expenses.

6. On July 2, 2009, Jenner & Block filed its first monthly statement for compensation and reimbursement of expenses encompassing the period of April 7, 2009 through May 31, 2009 (the "First Statement"). Docket No. 255. On July 21, 2009, the Debtors filed a certificate of no objection regarding Jenner & Block's First Statement. Docket No. 326.

7. On August 7, 2009, Jenner & Block filed its second monthly statement for compensation and reimbursement of expenses encompassing the period of June 1, 2009 through June 30, 2009 (the "Second Statement"). Docket No. 367. On August 31, 2009, the Debtors filed a certificate of no objection regarding Jenner & Block's Second Statement. Docket No. 424.

8. On September 4, 2009, Jenner & Block filed its third monthly statement for compensation and reimbursement of expenses encompassing the period July 1, 2009 through

July 31, 2009 (the "Third Statement"). Docket No. 441. On September 29, 2009, the Debtors filed a certificate of no objection regarding Jenner & Block's Third Statement. Docket No. 472.

9. On October 12, 2009, Jenner & Block filed its fourth monthly statement for compensation and reimbursement of expenses encompassing the period August 1, 2009 through August 31, 2009 (the "Fourth Statement"). Docket No. 491. On November 2, 2009, the Debtors filed a certificate of no objection regarding Jenner & Block's Fourth Statement. Docket No. 531.

10. On November 12, 2009, Jenner & Block filed its fifth monthly statement for compensation and reimbursement of expenses encompassing the period September 1, 2009 through September 30, 2009 (the "Fifth Statement"). Docket No. 547. On December 1, 2009, the Debtors filed a certificate of no objection regarding Jenner & Block's Fifth Statement. Docket No. 576.

11. On January 7, 2010, Jenner & Block filed its sixth monthly statement for compensation and reimbursement of expenses encompassing the period October 1, 2009 through November 30, 2009 (the "Sixth Statement"). Docket No. 660. On February 4, 2010, the Debtors filed a certificate of no objection regarding Jenner & Block's Sixth Statement. Docket No. 734.

12. On February 5, 2010, Jenner & Block filed its seventh monthly statement for compensation and reimbursement of expenses encompassing December 1, 2009 through December 31, 2009 (the "Seventh Statement"). Docket No. 739. On March 2, 2010, the Debtors filed a certificate of no objection regarding Jenner & Block's Seventh Statement. Docket No. 827.

13. On March 5, 2010, Jenner & Block filed its eighth monthly statement for compensation and reimbursement of expenses encompassing January 1, 2010 through January 31, 2010 (the "Eighth Statement"). Docket No. 845. On March 31, 2010, the Debtors filed a

certificate of no objection regarding Jenner & Block's Eighth Statement. Docket No. 907.

14. On December 4, 2009, the Debtors filed with the Court a plan of reorganization and an accompanying disclosure statement. Docket Nos. 587 and 588. On January 13, 2010, the Debtors filed with the Court their first amended plan of reorganization and an accompanying disclosure statement. Docket Nos. 678 and 679. On January 13, 2010, the Court approved the Debtors' disclosure statement. Docket No. 684. On February 24, 2010, the Court entered its findings of fact, conclusions of law and an order confirming the Debtors' first amended plan of reorganization (the "Plan"). Docket No. 814. Pursuant to the Plan, all requests for compensation or reimbursement pursuant to §§ 328, 330 or 331 of the Bankruptcy Code for services rendered and expensed incurred prior to February 24, 2010 must be submitted by April 29, 2010.

Payment and Reimbursement Requested

15. Jenner & Block submits this Final Application (a) for payment of compensation for actual, reasonable, and necessary professional services performed by it as counsel for the Debtors during the Interim Statement Period, (b) for reimbursement of actual, reasonable, and necessary disbursements made to pay expenses incurred in representing the Debtors during the Interim Statement Period, (c) for final approval of the actual, reasonable, and necessary professional services performed by it as counsel for the Debtors during the Application Period, and (d) for final approval of reimbursement for actual, reasonable, and necessary disbursement made to pay expenses incurred in representing the Debtors during the Application Period. This is Jenner & Block's ninth and final monthly statement.

16. During the Interim Statement Period, Jenner & Block rendered legal services to the Debtors having a value of \$69,351.50 in fees, calculated at Jenner & Block's usual and customary hourly rates as more specifically set forth herein. In addition, Jenner & Block made

disbursements to pay expenses in the amount of \$743.74 during the Interim Statement Period. Pursuant to the terms of the Interim Payment Order, Jenner & Block is thus entitled to receive 80% of the aggregate amount of fees for the Interim Statement Period and 100% of disbursements on an interim basis for the Interim Statement Period, totaling \$56,224.94 (the "Interim Payment Amount"). Provided that no objection to the Statement is filed within fifteen (15) days hereof, Jenner & Block shall request that the Debtors promptly pay the Interim Payment Amount.

17. Jenner also seeks final approval of all fees and disbursements incurred by Jenner on behalf of the Debtors during the Application Period. Specifically, Jenner requests final approval of \$400,406.50 in fees and \$12,458.54 in disbursement incurred on behalf of the Debtors from the period from April 7, 2009 through March 15, 2010.

Basis for Payment

18. Professional services and disbursements for which compensation and reimbursement are sought were rendered and expended on behalf of the Debtors pursuant to chapter 11 of the Bankruptcy Code. Jenner & Block believes it is appropriate that it be compensated for the time spent and be reimbursed for the disbursements incurred in connection with these matters. All of the fees and disbursements sought to be paid or reimbursed in this Statement were actual, necessary, and reasonable, and benefited the Debtors' estates and creditors.

19. During the Interim Statement Period, Jenner & Block attorneys represented the Debtors in connection with claims against JP Morgan Chase Bank, N.A. and JP Morgan Securities, Inc. (collectively "JP Morgan"), pending in the Circuit Court for the Tenth Judicial Circuit, Tazewell County, Illinois (the "Illinois Litigation"). Specifically, Jenner & Block

attorneys prosecuted an appeal from the Circuit Court's denial of a motion to lift the stay that the Circuit Court had imposed in the Illinois Litigation. Jenner & Block's efforts in this matter included conducting legal research, reviewing JP Morgan's response brief, drafting the Debtors' reply brief, and coordinating with Debtors' counsel regarding efforts and strategy. All of the services performed by Jenner & Block during the Statement Period are reflected in the annexed time records.

20. Attached hereto as Exhibit A is a summary of the value of the services rendered by Jenner & Block during the Interim Statement Period.

21. Attached hereto as Exhibit B are the invoices that have been submitted to the Debtors, which include detailed time entries indicating the daily work performed by each Jenner & Block professional with respect to whom compensation is sought during the Interim Statement Period. Jenner & Block has not previously applied for payment of any fees or reimbursement of any disbursement during the time period covered by the Interim Statement.

22. In rendering the legal services described in Exhibit B, Jenner & Block made disbursements to pay expenses in the amount of \$743.74 during the Interim Statement Period. These disbursements are summarized in Exhibit A and set forth in detail and itemized in Exhibit C.

23. Further, Jenner & Block also requests final approval of all fees and expenses incurred on behalf of the Debtors during the pendency of the above-captioned bankruptcy cases. Jenner & Block, in the First Statement, previously applied for payment of fees for services rendered and reimbursement of disbursements expended during these cases for the period of April 7, 2009 through May 31, 2009. In the Second Statement, Jenner & Block, previously applied for payment of fees for services rendered and reimbursement of disbursements expended

during these cases for the period of June 1, 2009 through June 30, 2009. In the Third Statement, Jenner & Block previously applied for payment of fees for services rendered and reimbursement of disbursements expended during these cases for the period of July 1, 2009 through July 31, 2009. In the Fourth Statement, Jenner & Block previously applied for payment of fees for services rendered and reimbursement of disbursements expended during these cases for the period of August 1, 2009 through August 31, 2009. In the Fifth Statement, Jenner & Block previously applied for payment of fees for services rendered and reimbursement of disbursements expended for the period of September 1, 2009 through September 30, 2009. In the Sixth Statement, Jenner & Block previously applied for payment of fees for services rendered and reimbursement of disbursements expended during these cases for the period of October 1, 2009 through November 30, 2009. In the Seventh Statement, Jenner & Block previously applied for payment of fees for services rendered and reimbursement of disbursements expended during these cases for the period of December 1, 2009 through December 31, 2009. In the Eighth Statement, Jenner & Block previously applied for payment of fees for services rendered and reimbursement of disbursement expended during these cases for the period of January 1, 2010 through January 31, 2010.

24. By this Final Application, Jenner & Block requests approval of the First, Second, Third, Fourth, Fifth, Sixth, Seventh, and Eighth Statements (all of which are incorporated by reference) in the amounts previously approved and final approval of the Interim Statement and the Final Application in the amounts set forth herein. Accordingly, Jenner & Block is seeking final approval of fees in the amount of \$400,406.50 and expenses in the amount of \$12,458.54.

25. In accordance with section 504 of the Bankruptcy Code and Bankruptcy Rule 2016(a), no agreement or understanding exists between Jenner & Block and any other person for

the sharing of compensation received or to be received for services rendered in or in connection with these cases.

26. No agreement or understanding prohibited by 18 U.S.C. § 155 has been or will be made by Jenner & Block.

27. The undersigned has reviewed this Interim Statement and Final Application, and the requirements of Local Rule 2016-2 and certifies that, to the best of his or her knowledge and belief, this Interim Statement and Final Application are true and correct and comply with that Local Rule.

WHEREFORE, Jenner & Block requests immediate payment or reimbursement by the Debtors of the following amounts in connection with its representation of the Debtors for the Interim Statement Period and the Application Period:

1. interim compensation of \$55,481.20 (constituting 80% of \$69,351.50, the aggregate amount of Jenner & Block's fees for the Interim Statement Period);
2. \$743.74 in disbursements during the Interim Statement Period;
3. final approval of \$400,406.50 as compensation for the actual, necessary and reasonable fees of Jenner & Block incurred during the pendency of these above-captioned cases; and
4. final approval of \$12,458.54 as reimbursement for the actual, necessary and reasonable expenses of Jenner & Block incurred during the pendency of these above-captioned cases; and
5. any further relief that the Court may deem proper and just.

Dated: April 27, 2010

Respectfully submitted,

JENNER & BLOCK, LLP

By: /s/ Timothy J. Chorvat
 A Partner

Craig C. Martin (Ill. Bar No. 6201581)
Timothy J. Chorvat (Ill. Bar No. 6193215)
JENNER & BLOCK LLP
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*Special Counsel for Debtors
and Debtors in Possession*

Prior applications:

Date Filed / Docket No.	Period Covered	Requested		Approved	
		Fees (\$)	Expenses(\$)	Fees	Expenses
7/2/09 255	4/7/09-5/31/09	74,756.00	349.71	74,756.00	349.71
8/7/09 367	6/1/09-6/30/09	59,210.00	3,671.75	59,210.00	3,671.75
9/4/09 441	7/1/09-7/31/09	10,022.00	119.78	10,022.00	119.78
10/12/09 491	8/1/09-8/31/09	24,337.00	560.65	24,337.00	560.65
11/12/09 547	9/1/09-9/30/09	2,755.00	27.37	2,755.00	27.37
1/7/10 660	10/1/09-11/30/09	51,122.50	2,241.40	51,122.50	2,241.40
2/5/10 739	12/1/09-12/31/09	38,732.50	2,552.33	38,732.50	2,552.33
3/8/10 845	1/1/10-1/31/10	69,932.00	2,194.81	55,945.60	2,194.81
Totals		330,867.00	11,717.80	316,880.60	11,717.80

Exhibit A

Summary of Services Rendered.

(Attached.)

SUMMARY OF PROFESSIONAL SERVICES

NAME	HOURS	RATE	AMOUNT
CRAIG C. MARTIN	2.00	900.00	1,800.00
C. JOHN KOCH	13.70	775.00	10,617.50
TIMOTHY J CHORVAT	50.30	650.00	33,345.00
IRINA Y. DMITRIEVA	30.10	540.00	16,254.00
LANDON S. RAIFORD	2.90	370.00	1,073.00
MARY F. PATSTON	17.00	270.00	4,806.00
DANIEL O. GARCIA	9.10	160.00	1,456.00
TOTAL	125.10		69,351.50

Exhibit B

Invoices for Services Rendered.

(Attached.)

2/01/10	TJC	.20	Reviewed Third District order re briefing schedule (.1); reviewed email correspondence (.1).	130.00
2/03/10	LSR	1.70	Drafted December fee application.	629.00
2/04/10	TJC	.50	Reviewed Third District order (.1); worked on fee application (.4).	325.00
2/05/10	TJC	.80	Worked on response to audit letter request (.4); reviewed materials and prepared email correspondence re same (.3); telephone conference with R. Hoover re same (.1).	520.00
2/05/10	LSR	.20	Reviewed December fee application.	74.00
2/07/10	TJC	.30	Prepared email correspondence (.1); reviewed files re same (.2).	195.00
2/09/10	TJC	.20	Reviewed email correspondence.	130.00
2/11/10	TJC	.20	Reviewed and prepared email correspondence.	130.00
2/12/10	TJC	2.00	Conferred by email with P. Frye re brief (.2); reviewed JP Morgan brief (.7); prepared email correspondence re same (.1); conferred with C.J. Koch re reply brief (.3); telephone conference with I. Dmitrieva re draft of same (.2); reviewed record and briefs and correspondence (.2); prepared email message (.1); conferred with M. Patston re same and status (.2).	1,300.00
2/12/10	IYD	1.00	Telephone conference with T. Chorvat re reply brief (.2); reviewed and analyzed JP Morgan's response brief (.8).	540.00
2/15/10	MFP	.50	Compiled materials per attorney request.	135.00
2/15/10	IYD	2.00	Conducted legal research re issues raised by JP Morgan's Response Brief (1.2); reviewed and analyzed cases cited by Aventine re jurisdiction (.8).	1,080.00
2/15/10	DOG	.20	Assembled materials for I. Dmitrieva.	32.00
2/16/10	IYD	4.80	Analyzed JP Morgan's Response Brief (2.0); corresponded with M. Patston re record on appeal (.1); reviewed and analyzed Aventine's arguments in the trial court (1.7); conducted legal research re separate actions by putative class members (1.0).	2,592.00
2/16/10	DOG	.50	Assembled briefs in record on appeal for PDF scans as instructed by I. Dmitrieva.	80.00

2/17/10	TJC	.10	Reviewed order from Appellate Court.	65.00
2/17/10	IYD	1.50	Worked on argument re reply brief (1.0); conducted legal research re jurisdiction under R.307(a)(i) (.5).	810.00
2/18/10	IYD	9.30	Worked on reply brief (4.0); conducted legal research re jurisdiction under R.307(a)(i) (1.0); analyzed cases cited in JP Morgan's response brief (2.3); conducted legal research re separate actions by putative class members before class certification (1.2); analyzed treatises and other secondary sources re same (.8).	5,022.00
2/18/10	DOG	.30	Assembled materials from record on appeal to I. Dmitrieva.	48.00
2/19/10	MFP	.50	Compiled authorities per I. Dmitrieva's request.	135.00
2/19/10	IYD	5.50	Worked on reply brief.	2,970.00
2/23/10	DOG	.30	Updated appellate court file and index re same.	48.00
2/25/10	TJC	1.00	Reviewed docket and order (.2); reviewed draft materials re brief (.6); prepared email message to D. Riber re status (.2).	650.00
2/26/10	TJC	3.30	Reviewed materials re draft brief (.5); met with C.J. Koch re same (.3); worked on reply brief (1.8); conferred by email re cases and next steps (.2); telephone conference with D. Riber re status (.5).	2,145.00
2/28/10	TJC	5.50	Worked on reply brief.	3,575.00
3/01/10	TJC	7.90	Worked on reply brief (6.0); reviewed cases re same (1.6); conferred by email with C. Nichols re same (.3).	5,135.00
3/02/10	CJK	4.50	Worked on appellate reply brief (4.2); office conference with T. Chorvat re appellate reply brief (0.3).	3,487.50
3/02/10	TJC	9.80	Worked on reply brief (6.5) conferred by email re same (.3); reviewed prior briefs and case materials (1.0); conferred with C.J. Koch re arguments (.3); further revised draft (1.5) prepared email correspondence re same and status (.2).	6,370.00
3/02/10	MFP	2.50	Drafted letter to clerk (.3); reviewed and revised brief (2.2).	675.00
3/02/10	LSR	.80	Drafted January fee application.	296.00

3/02/10	DOG	.50	Assembled briefs and appendices for M. Patston review (.2); reviewed cases cited in opening brief and provided same to M. Patston (.3).	80.00
3/03/10	CJK	4.30	Worked on appellate reply brief (3.8); office conference with T. Chorvat re appellate reply brief (0.3); reviewed memorandum from I. Dmitrieva re authorities cited by J.P. Morgan (0.2).	3,332.50
3/03/10	CCM	2.00	Reviewed briefs, e-mails, and edits to same.	1,800.00
3/03/10	TJC	8.50	Conferred with C.J. Koch re reply brief positions (.4); worked on brief (6.0); reviewed cases re same (1.4); telephone conference with C. Martin re status (.2); prepared and reviewed further email correspondence re brief (.5).	5,525.00
3/03/10	MFP	6.00	Worked on brief (4.3); conferred with team re same (.3); drafted and revised additions to Points and Authorities (.3); drafted revised notice of filing and certificates (.3); assembled materials for I. Dmitrieva (.5); revised letter to clerk (.3).	1,620.00
3/03/10	IYD	3.50	Analyzed cases cited by JP Morgan Defendants and ways to distinguish them (3.2); corresponded re same and litigation strategy with T. Chorvat and C.J. Koch (.3).	1,890.00
3/03/10	LSR	.20	Revised January fee application.	74.00
3/03/10	DOG	2.00	Assembled cases cited in draft reply brief (.4); provided electronic and hard copies to M. Patston (.1); reviewed citations for accuracy (1.0); assembled documents for I. Dmitrieva (.5)	320.00
3/04/10	CJK	4.90	Worked on appellate reply brief (4.3); office conference with T. Chorvat re appellate reply brief (0.3); corresponded with M. Patston re appellate reply brief (0.3).	3,797.50
3/04/10	TJC	9.00	Reviewed and prepared email correspondence re brief (.4); worked on brief and accompanying materials (7.2); telephone conference with M. Patston re same (.1); conferred through numerous email messages re same and status (.8).	5,850.00
3/04/10	MFP	8.30	Worked on brief (6.2); conferred through numerous telephone calls and e-mail messages with T. Chorvat and D. Garcia re same (.7); worked on issues re points and	2,241.00

			authorities (.5); prepared service copies and copies for clerk (.2); reviewed case materials (.4); revised certificates (.3).	
3/04/10	IYD	2.50	Revised reply brief (2.2); prepared e-mail messages to T. Chorvat and M. Patston (.3).	1,350.00
3/04/10	DOG	5.00	Assembled cases cited in reply brief (.8); checked cites in brief for accuracy (2.3); assembled materials for filing and service (.8); reviewed table of authorities for accuracy (.8); conferred with M. Patston re same (.3).	800.00
3/05/10	TJC	1.50	Reviewed materials re appeal (4); prepared email correspondence to P. Frye (.2); reviewed response (.1); prepared email correspondence re filing (.2); reviewed notice (.2); worked on fee application (.3); conferred with L. Raiford re next steps.	975.00
3/05/10	DOG	.30	Updated court file and index re same.	48.00
3/09/10	TJC	.50	Telephone conferences with D. Weibring re status (.3); reviewed materials from Appellate Court (.1); reviewed and prepared email correspondence re developments (.2).	325.00
		126.90	PROFESSIONAL SERVICES	69,351.50

Exhibit C

Invoice for Expenses Incurred.

(Attached.)

1/06/10	Pacer Charges; IRINA Y. DMITRIEVA; 01/06/2010	24.16
1/06/10	Pacer Charges	8.32
1/14/10	UPS tracking# 1Z6134380192077408 Inv# 00000613438040	3.04
1/14/10	UPS tracking# 1Z6134380192637384 Inv# 00000613438040	17.12
1/29/10	In-City Transportation; UNITED DISPATCH AGENT; 01/29/2010; D. Garcia 1/13/10	17.75
2/05/10	Pacer Charges, TIMOTHY J. CHORVAT, 02/05/2010	25.60
2/25/10	Network Printing	1.89
2/28/10	Lexis Research	31.42
2/28/10	Westlaw Research	434.63
3/01/10	Network Printing	2.97
3/02/10	Network Printing	10.17
3/03/10	Network Printing	37.08
3/03/10	Photocopy-NQue	1.60
3/04/10	Photocopy & Related Expenses	11.76
3/04/10	Network Printing	2.07
3/04/10	Photocopy-NQue	59.80
3/04/10	UPS tracking# 1Z6134380190361167 Inv# 00000613438110	1.74
3/04/10	UPS tracking# 1Z6134380190476178 Inv# 00000613438110	6.38
3/04/10	UPS tracking# 1Z6134380194864152 Inv# 00000613438110	9.39
3/04/10	UPS tracking# 1Z6134380190361167 Inv# 00000613438100	7.65
3/04/10	UPS tracking# 1Z6134380190476178 Inv# 00000613438100	11.21
3/04/10	UPS tracking# 1Z6134380192929283 Inv# 00000613438100	9.09
3/05/10	Photocopy-NQue	1.40
3/09/10	Photocopy & Related Expenses	7.50
	TOTAL DISBURSEMENTS	743.74

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

In re:

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

Debtors.¹

Chapter 11

Case No. 09-11214 (KG)

(Jointly Administered)

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

Hearing Date: July 15, 2010 at 10:00 a.m.

NOTICE OF APPLICATION

TO: The Debtors, the United States Trustee and Counsel for the Official Committee of Unsecured Creditors.

The **Ninth Monthly Statement and Final Application of Jenner & Block LLP as Special Counsel for the Debtors and Debtors in Possession, for Payment of Interim Compensation for Services Rendered and for Reimbursement of Disbursements Incurred for the Period from February 1, 2010 through March 15, 2010 and for Final Approval of Final Period from April 7, 2009 through March 15, 2010** (the "Application") has been filed with the Bankruptcy Court. The Application seeks allowance of interim fees in the amount of \$69,351.50 and interim expenses in the amount of \$743.74 and of final fees in the amount of \$412,865.04 and final expenses in the amount of \$12,458.54.

Objections to the Application, if any, are required to be filed on or before **May 17, 2010 at 4:00 p.m. (ET)** (the "Objection Deadline") with the Clerk of the United States Bankruptcy Court for the District of Delaware, 3rd Floor, 824 Market Street, Wilmington, Delaware 19801.

At the same time, you must also serve a copy of the response so as to be received by the following on or before the Objection Deadline: (i) Jenner & Block, LLP, 330 North Wabash Avenue, Chicago, IL 60611 (Attn: Timothy J. Chorvat, Esq.); (ii) the Debtors, c/o Aventine Renewable Energy Holdings, Inc., 120 North Parkway Drive, P.O. Box 1800, Pekin, IL 61555-1800 (Attn: Mr. George Henning); (iii) counsel to the Debtors, Young Conaway Stargatt & Taylor, LLP, The Brandywine Building, 17th Floor, 1000 West Street, PO Box 391, Wilmington, Delaware 19899 (Attn: Matthew B. Lunn, Esq.); (iv) counsel to the Official Committee of Unsecured Creditors, Greenberg Traurig, LLP, 1007 North Orange Street, The Nemours Building, Wilmington, Delaware 19801 (Attn: Donald J. Detweiler, Esq.); (v) counsel to the administrative agent for the Debtors' prepetition secured lenders, Vinson & Elkins L.L.P., Trammell Crow Center, 2001 Ross Avenue, Suite 3700, Dallas, Texas 75201 (Attn: William Wallander); (vi) counsel to the administrative agent to the Debtors' postpetition secured lenders, Akin Gump Stauss Hauer & Feld LLP, One Bryant

¹ 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.

Park, New York, New York 10036 (Attn: Michael S. Stamer and Shaya Rochester); and (vii) the Office of the United States Trustee, 844 King St., Suite 2313, Wilmington, DE 19801 (Attn: Mark Kenney, Esq.).

PLEASE TAKE FURTHER NOTICE that a hearing to consider approval of the Application will be held July 15, 2010 at 10:00 a.m. before the United States Bankruptcy Court for the District of Delaware, 824 Market Street, Wilmington, Delaware 19801.

PLEASE TAKE FURTHER NOTICE THAT PURSUANT TO THE ADMINISTRATIVE ORDER ESTABLISHING PROCEDURES FOR INTERIM COMPENSATION AND REIMBURSEMENT OF EXPENSES OF PROFESSIONALS [DOCKET NO. 129], IF NO OBJECTIONS ARE FILED AND SERVED IN ACCORDANCE WITH THE ABOVE PROCEDURE, THE DEBTORS WILL BE AUTHORIZED TO PAY 80% OF REQUESTED INTERIM FEES AND 100% OF REQUESTED INTERIM EXPENSES WITHOUT FURTHER ORDER OF THE COURT.

Dated: April 27, 2010
Wilmington, Delaware

YOUNG, CONAWAY, STARGATT & TAYLOR

/s/ Ryan M. Bartley

Joel A. Waite (No. 2025)

Matthew B. Lunn (No. 4119)

Ryan M. Bartley (No. 4985)

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Counsel for Debtors and Debtors in Possession