

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

In re:

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

Post-Confirmation Debtors.<sup>1</sup>

Chapter 11

Case No. 09-11214 (KG)

(Jointly Administered)

Docket Ref. No. 910

**ORDER SUSTAINING, IN PART, DEBTORS' FIFTH OMNIBUS (SUBSTANTIVE)  
OBJECTION TO CLAIMS PURSUANT TO SECTION 502(b) OF THE BANKRUPTCY  
CODE, BANKRUPTCY RULES 3003 AND 3007, AND LOCAL RULE 3007-1**

Upon consideration of the fifth omnibus (substantive) objection (the "Objection") of the above-captioned debtors and debtors in possession (the "Debtors"), by which the Debtors respectfully request the entry of an order pursuant to section 502(b) of title 11 of the United States Code (the "Bankruptcy Code"), Rules 3003 and 3007, of the Federal Rules of Bankruptcy Procedure (the "Bankruptcy Rules"), and Rule 3007-1 of the Local Rules of Bankruptcy Practice and Procedure of the United States Bankruptcy Court for the District of Delaware (the "Local Rules") disallowing in full or in part, reclassifying, reassigning and/or otherwise modifying the Disputed Claims<sup>2</sup> identified in Exhibits A through J hereto; and it appearing that the Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334; and due and adequate notice of the Objection having been given under the circumstances; and sufficient cause appearing thereof; it is hereby

ORDERED that the Objection is sustained, as set forth herein; and it is further

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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.

<sup>2</sup> All capitalized terms not otherwise defined herein shall have the meaning ascribed to such terms in the Objection.

ORDERED that the hearing on the Objection shall be adjourned as to the following claims: (i) Claims Numbered 437, 438 and 440 filed by Akron Services, Inc.; (ii) Claims Numbered 433, 434 and 436 filed by James K. Urazoff; (iii) Claims Numbered 344 and 345 filed by GE Capital, GE Railcar Services Division; (iv) Claim Numbered 371 filed by First Union Rail Corporation; and (v) Claim Numbered 467 filed by Railcar Investment LLC; and it is further

ORDERED that, pursuant to Bankruptcy Code section 502(b) and Bankruptcy Rules 3003 and 3007, the Disputed Claims identified on the attached Exhibits A, G, H and I are hereby disallowed in their entirety; and it is further

ORDERED that, pursuant to Bankruptcy Code section 502(b) and Bankruptcy Rules 3003 and 3007, the Disputed Claims identified on the attached Exhibits C and F are hereby modified by decreasing the amounts of such claims to the dollar values listed under the column titled "Modified Amount" in Exhibits C and F; and it is further

ORDERED that, pursuant to Bankruptcy Code section 502(b) and Bankruptcy Rules 3003 and 3007, the Disputed Claims identified on the attached Exhibit D are hereby reclassified to the priority levels indicated in the column titled "Reclassified: Total Amount Claimed" in Exhibit D; and it is further

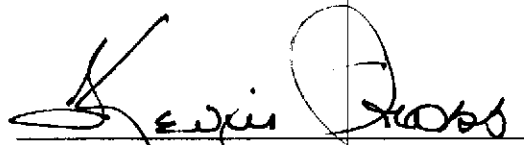
ORDERED that, pursuant to Bankruptcy Code section 502(b) and Bankruptcy Rules 3003 and 3007, the Disputed Claims identified on the attached Exhibit E are hereby (i) modified by reducing the amounts to the dollar values listed under the column titled "Modified Amount" in Exhibit E, and (ii) reassigned to the case for the Debtor identified in the column titled "Reassigned Case" in Exhibit E; and it is further

ORDERED that the Debtors reserve the right to amend, modify or supplement this Objection, and to file additional objections to claims filed in these chapter 11 cases; and it is further

ORDERED that the Debtors reserve the right to object to any of the Disputed Claims on any grounds in future omnibus objections to claims; and it is further

ORDERED that this Court shall retain jurisdiction over all affected parties with respect to any matters, claims, or rights arising from or related to the implementation and interpretation of this Order.

Dated: Wilmington, Delaware  
May 3, 2010

  
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KEVIN GROSS  
UNITED STATES BANKRUPTCY JUDGE

# EXHIBIT A

**Exhibit A**

No Liability Claims

----- Objectable Claims -----

Name/Address of Claimant	Claim	Date Filed	Total Amount Claimed	Comments
New York State Department of Tax Bankruptcy Section PO Box 5300 Albany, NY 12205-0300	481	1/4/2010	\$598,76 - (S) \$0.00 - (A) \$0.00 - (P) \$0.00 - (U) \$598,76 - (T)	This claim is for 2003 tax liability of Aventine's predecessor entity, and the Debtors do not believe that they have any liability for this amounts.
Pekin Hospital Attn: Carrie Warner 600 South 13th Street Pekin, IL 61554	287	9/1/2009	\$0.00 - (S) \$0.00 - (A) \$0.00 - (P) \$9,356,40.00 - (U) \$9,356,40.00 - (T)	This claim is an unpaid invoice due the hospital for a hospital visit of an Aventine employee, which the Debtors believe is the obligation of the employee. Aventine does not believe that it has any liability to claimant for this amount.
Pfaff & Gill Attn: Bruce Pfaff One E Wacker Drive, Suite 3310 Chicago, IL 60601	209	8/3/2009	\$0.00 - (S) \$0.00 - (A) \$0.00 - (P) \$1,000,000.00 - (U) \$1,000,000.00 - (T)	This claim has been filed by counsel (Pfaff & Gill Ltd.) to a prepetition creditor (Matthew Burton), in connection with litigation commenced against Aventine Renewable Energy, Inc. prior to the Petition Date (the "Burton Litigation"). The Debtors do not believe that it was the intention of the purported plaintiff and his counsel to file separate, identical claims against the estate. However, to the extent that it was the intention to file separate claims against the estate, the Debtors believe that, to the extent they have any liability with respect to the Burton Litigation (which they deny that they do), Burton's counsel does not have a separate claim independent of the claim asserted by Burton (which is claim numbered 208).
ICM Inc. c/o Kristen Gordon 310 N First Street PO Box 397 Colwich, KS 67030	448	9/8/2009	\$0.00 - (S) \$0.00 - (A) \$0.00 - (P) \$95,420.83 - (U) \$95,420.83 - (T)	This claim is on account of equipment purchased and installed at one of the Debtors' facilities, and the underlying contract has been assumed. Any remaining amounts owing to Plaintiff are contingent and unliquidated amounts that are not payable unless and until the claimant completes the project and satisfies the specification established by the project. Such specifications have not been met to date. To the extent they are met, the Debtors intend to pay the related obligations in the ordinary course of business.
Kinder-Morgan Liquid Terminals LLP c/o Patti Prewitt 412 E Washington Ave Navasota, TX 77868-3032	349	9/4/2009	\$18,228.57 - (S) \$0.00 - (A) \$0.00 - (P) \$18,228.57 - (U) \$38,457.14 - (T)	In connection with a post-petition trade agreement entered into under the Debtors' "First Day Order" related to the claims of certain shippers and warehousemen (see Docket No. 34), the claimant has waived all of its claims for prepetition liabilities. Accordingly, the Debtors have no further liability on account of this claim.

# **EXHIBIT B**

**(Intentionally Omitted)**

# EXHIBIT C

**Exhibit C**  
**Modified Amount Claims**

----- Objectable Claims -----

Name/Address of Claimant	Claim	Date Filed	Total Amount Claimed	Modified Amount	Comments
Canadian National Railway Company 935 de la Gauchetière Street West Floor 4 Montreal, Quebec H3B 2M9 Canada	331	9/4/2009	\$0.00 - (S) \$0.00 - (A) \$0.00 - (P) \$106,220.51 - (U) \$106,220.51 - (T)	\$0.00 - (S) \$0.00 - (A) \$0.00 - (P) \$92,922.39 - (U) \$92,922.39 - (T)	For invoice numbers 751602117 and 751640773, Aventine was charged usage fees for Sunday, January 11, 2009, in an amount of \$1,135.00, on which date Aventine did not use the cars in question. For invoice numbers 037250611, 037247723 and 03743171, the amounts in question (\$10,663.12) are owed to Claimant by an Aventine customer (International Feed). For Invoice 90221686 in the amount of \$1,500, the Creditor has provided insufficient documentation for Aventine to determine what the underlying obligation relates to, and Aventine has no recorded liability for this invoice on its books and records.
GATX Corporation 222 West Adams Street Chicago, IL 60606-5314 Attn: Cathy Spathis, Investment Risk Analyst	470	10/26/2009	\$0.00 - (S) \$0.00 - (A) \$0.00 - (P) \$150,299.59 - (U) \$150,299.59 - (T)	\$0.00 - (S) \$0.00 - (A) \$0.00 - (P) \$124,819.72 - (U) \$124,819.72 - (T)	Claimant and Debtors have agreed to \$134,791.22 in satisfaction of the underlying claims. The Debtors believe such amount has been satisfied in part through the payment of a cure amount of \$9,971.50 for assuming riders 4, 5, 6 and 7 pursuant to the Plan and should be reduced accordingly.
GE Capital GE Railcar Services Division Attn: Deidre Atkins-Jackson 161 N Clark St, 7th Floor Chicago, IL 60601-3389	345				
Roth Grain PO Box 487 Morton, IL 61550-1550	474	11/9/2009	\$0.00 - (S) \$0.00 - (A) \$0.00 - (P) \$4,540.00 - (U) \$4,540.00 - (T)	\$0.00 - (S) \$0.00 - (A) \$0.00 - (P) \$3,730.00 - (U) \$3,730.00 - (T)	Claim is for rejection damages for corn purchases. Debtor's records indicate a cash price of \$3.245 for October delivery, and the reduced amount reflects anticipated damages in acquiring replacement product.
Roth Grain PO Box 487 Morton, IL 61550-1550	475	11/9/2009	\$0.00 - (S) \$0.00 - (A) \$0.00 - (P) \$18,650.00 - (U) \$18,650.00 - (T)	\$0.00 - (S) \$0.00 - (A) \$0.00 - (P) \$17,775.00 - (U) \$17,775.00 - (T)	Claim is for rejection damages for corn purchases. Debtor's records indicate a cash price of \$3.175 for December delivery, and the reduced amount reflects anticipated damages in acquiring replacement product.

**THIS MATTER IS ADJOURNED**

# EXHIBIT D

## Exhibit D

### Reclassified Claims

#### ----- Objectionable Claims -----

Name/Address of Claimant	Claim	Date Filed	Total Amount Claimed	Reclassified Total Amount Claimed	Notes
Arnold Nemrow 5 Landsdown Avenue Greenville, SC 29601	261	8/25/2009	\$0.00 - (S) \$0.00 - (A) \$10,950.00 - (P) \$11,223.00 - (U) \$22,173.00 - (T)	\$0.00 - (S) \$0.00 - (A) \$0.00 - (P) \$22,173.00 - (U) \$22,173.00 - (T)	Claimant is a board member who performs services for Debtor. He is not an employee and not subject to priority under 507(a)(4).

# EXHIBIT E

**Exhibit E**  
**Modified Amount Wrong Debtor Claims**

Name/Address of Claimant	Date Filed	Total Amount Claimed	Original Case Name	Modified Amount	Reassigned Case	Comments
Kinder Morgan Liquids Terminals LLC Law Office of Patricia Williams Prewitt 412 E. Washington Avenue Navasota, TX 77868	6/22/2009	\$0.00 - (S) \$0.00 - (A) \$0.00 - (P) \$624,250.00 - (U) \$624,250.00 - (T)	Aventine Renewable Energy Holdings, Inc. 09-11214	\$0.00 - (S) \$0.00 - (A) \$0.00 - (P) \$611,008.33 - (U) \$611,008.33 - (T)	Aventine Renewable Energy, Inc. 09-11216	In connection with a post-petition trade agreement entered into under the Debtors' "First Day Order" related to the claims of certain shippers and warehousemen [see Docket No. 34], the claimant has waived all of its claims for liabilities accruing prepetition. The Debtors have reduced the claim by \$13,241.67 for such amounts accruing pre-petition, leaving a rejection damages claim in the amount of \$611,008.33. The Debtors do not object to the remaining balance of the claim related to rejection damages.

# EXHIBIT F

**Exhibit F**  
**Insufficient Documentation**

----- Objectionable Claims -----

Name/Address of Claimant	Claim	Date Filed	Total Amount		Comments
			Claimed	Modified Amount	
Shell Trading Canada 450 1st SW, Suite 3500 Calgary T2P 5H1 Canada Attn: Gina Kim	255	8/25/2009	\$0.00 - (S)	\$0.00 - (S)	Based on the information supporting the claim, Debtor is unable to determine if any CAN\$ amount is owed to creditor. Debtor's attempt to gain information from creditor has failed. Debtor agrees to the US\$ amount but does not believe it is liable for the CAN\$ amount.
			\$0.00 - (A)	\$0.00 - (A)	
			\$0.00 - (P)	\$0.00 - (P)	
			US\$3,531.70 - (U)	US\$3,531.70 - (U)	
			CAN\$19,885.00 - (U)	US\$3,531.70 - (T)	

# EXHIBIT G

**Exhibit G**  
**Cured Contract Claims**

Name/Address of Claimant	Claim	Date Filed	Total Amount Claimed	Comments
AT&T Corp c/o James Grudus, Esq. One AT&T Way, Room 3A218 Bedminster, NJ 07921	7	4/28/2009	\$0.00 - (S) \$0.00 - (A) \$0.00 - (P) \$11,672.50 - (U) \$11,672.50 - (T)	The Debtors have no liability for this claim due to the payment of the Cure Amount set forth in the Cure Notice (as may have been modified by the Confirmation Order) for this creditor in the amount of \$11,672.50.
Bell Enterprises PO Box 107 Deer Creek, IL 61733	Amended Schedule		\$0.00 - (S) \$0.00 - (A) \$0.00 - (P) \$98.78 - (U) \$98.78 - (T)	The Debtors have no liability for this claim due to the payment of the Cure Amount set forth in the Cure Notice (as may have been modified by the Confirmation Order) for this creditor in the amount of \$98.78.
Blankenberger Brothers, Inc. 11700 Water Tank Road Cynthiana, IN 47612	Schedule		\$0.00 - (S) \$0.00 - (A) \$0.00 - (P) \$6,524.50 - (U) \$6,524.50 - (T)	The Debtors have no liability for this claim due to the payment of the Cure Amount set forth in the Cure Notice (as may have been modified by the Confirmation Order) for this creditor in the amount of \$6,524.50.
Bosselman Oil, Inc. PO Box 1567 Grand Island, NE 68802	Schedule		\$0.00 - (S) \$0.00 - (A) \$0.00 - (P) \$1,501.29 - (U) \$1,501.29 - (T)	The Debtors have no liability for this claim due to the payment of the Cure Amount set forth in the Cure Notice (as may have been modified by the Confirmation Order) for this creditor in the amount of \$1,501.29.
Bradley University Ctr for Testing 1211 W. Bradley Peoria, IL 61602-1602	167	7/28/2009	\$0.00 - (S) \$0.00 - (A) \$0.00 - (P) \$1,925.00 - (U) \$1,925.00 - (T)	The Debtors have no liability for this claim due to the payment of the Cure Amount set forth in the Cure Notice (as may have been modified by the Confirmation Order) for this creditor in the amount of \$1,925.00.
Buckeye Terminals LLC PO Box 368 Emmaus, PA 18049	Schedule		\$0.00 - (S) \$0.00 - (A) \$0.00 - (P) \$7,274.73 - (U) \$7,274.73 - (T)	The Debtors have no liability for this claim due to the payment of the Cure Amount set forth in the Cure Notice (as may have been modified by the Confirmation Order) for this creditor in the amount of \$7,274.73.
Chemtreat, Inc. 15045 Collections Center Dr Chicago, IL 60663	Schedule		\$0.00 - (S) \$0.00 - (A) \$0.00 - (P) \$8,685.10 - (U) \$8,685.10 - (T)	The Debtors have no liability for this claim due to the payment of the Cure Amount set forth in the Cure Notice (as may have been modified by the Confirmation Order) for this creditor in the amount of \$8,685.10.
CoalSales, LLC 701 Market Street, Suite 700 St. Louis, MO 63101	Schedule		\$0.00 - (S) \$0.00 - (A) \$0.00 - (P) \$8,586.32 - (U) \$8,586.32 - (T)	The Debtors have no liability for this claim due to the payment of the Cure Amount set forth in the Cure Notice (as may have been modified by the Confirmation Order) for this creditor in the amount of \$8,586.32.
Delta Industries 2201 Curtiss Street Downers Grove, IL 60515	110	7/21/2009	\$0.00 - (S) \$0.00 - (A) \$0.00 - (P) \$14,787.07 - (U) \$14,787.07 - (T)	The Debtors have no liability for this claim due to the payment of the Cure Amount set forth in the Cure Notice (as may have been modified by the Confirmation Order) for this creditor in the amount of \$14,787.07.

**Name/Address of Claimant      Claim      Date Filed      Total Amount Claimed      Comments**

Gallatin River Communications dba CenturyTel c/o Rex D. Rainach 3622 Government Street Baton Rouge, LA 70806-5720	146	7/21/2009	\$0.00 - (S) \$0.00 - (A) \$0.00 - (P) \$5,185.76 - (U) \$5,185.76 - (T)	The Debtors have no liability for this claim due to the payment of the Cure Amount set forth in the Cure Notice (as may have been modified by the Confirmation Order) for this creditor in the amount of \$11,151.18.
Globe News Wire Lockbox 40200 PO Box 8500 Philadelphia, PA 19178	Amended Schedule		\$0.00 - (S) \$0.00 - (A) \$0.00 - (P) \$4,525.58 - (U) \$4,525.58 - (T)	The Debtors have no liability for this claim due to the payment of the Cure Amount set forth in the Cure Notice (as may have been modified by the Confirmation Order) for this creditor in the amount of \$4,525.58.
Google, Inc. Dept 34256 PO Box 39000 San Francisco, CA 94137	Schedule		\$0.00 - (S) \$0.00 - (A) \$0.00 - (P) \$137.20 - (U) \$137.20 - (T)	The Debtors have no liability for this claim due to the payment of the Cure Amount set forth in the Cure Notice (as may have been modified by the Confirmation Order) for this creditor in the amount of \$137.20.
Heart, Technologies, Inc. 3105 N Main Street East Peoria, IL 61611	Schedule		\$0.00 - (S) \$0.00 - (A) \$0.00 - (P) \$460.00 - (U) \$460.00 - (T)	The Debtors have no liability for this claim due to the payment of the Cure Amount set forth in the Cure Notice (as may have been modified by the Confirmation Order) for this creditor in the amount of \$460.00.
Hometown Leasing PO Box 1507 Grand Island, NE 68802-8802	234	8/14/2009	\$0.00 - (S) \$0.00 - (A) \$0.00 - (P) \$1,945.77 - (U) \$1,945.77 - (T)	The Debtors have no liability for this claim due to the payment of the Cure Amount set forth in the Cure Notice (as may have been modified by the Confirmation Order) for this creditor in the amount of \$1,498.32.
Hughes Machinery Inc. PO Box 219241 Kansas City, MO 64121-9241	125	7/21/2009	\$0.00 - (S) \$0.00 - (A) \$0.00 - (P) \$1,087.21 - (U) \$1,087.21 - (T)	The Debtors have no liability for this claim due to the payment of the Cure Amount set forth in the Cure Notice (as may have been modified by the Confirmation Order) for this creditor in the amount of \$1,087.21.
Human Resource ProFile, Inc. 8506 Beechmont Ave. Cincinnati, OH 45255-4708	Schedule		\$0.00 - (S) \$0.00 - (A) \$0.00 - (P) \$101.50 - (U) \$101.50 - (T)	The Debtors have no liability for this claim due to the payment of the Cure Amount set forth in the Cure Notice (as may have been modified by the Confirmation Order) for this creditor in the amount of \$101.50.
Humana-Benefit Plans of Illinois PO Box 3076 Milwaukee, WI 53201	Amended Schedule		\$0.00 - (S) \$0.00 - (A) \$0.00 - (P) \$647.00 - (U) \$647.00 - (T)	The Debtors have no liability for this claim due to the payment of the Cure Amount set forth in the Cure Notice (as may have been modified by the Confirmation Order) for this creditor in the amount of \$527.00.
Ivy Tech Community College 3501 N First Avenue Evansville, IN 47710-7710	81	7/17/2009	\$0.00 - (S) \$0.00 - (A) \$0.00 - (P) \$6,400.00 - (U) \$6,400.00 - (T)	The Debtors have no liability for this claim due to the payment of the Cure Amount set forth in the Cure Notice (as may have been modified by the Confirmation Order) for this creditor in the amount of \$6,400.00.

**Name/Address of Claimant      Claim      Date Filed      Total Amount Claimed      Comments**

Key Laboratory Services, Inc. 2363 Federal Drive Decatur, IL 62526	216	8/11/2009	\$0.00 - (S) \$0.00 - (A) \$0.00 - (P) \$4,133.08 - (U) \$4,133.08 - (T)	The Debtors have no liability for this claim due to the payment of the Cure Amount set forth in the Cure Notice (as may have been modified by the Confirmation Order) for this creditor in the amount of \$4,133.08.
Liberty Mutual Insurance Company c/o Liberty Mutual Energy 175 Berkeley Street, 7L Boston, MA 02117-2117	245	8/21/2009	\$0.00 - (S) \$0.00 - (A) \$0.00 - (P) \$0.00 - (U) \$0.00 - (T)	This claim has been resolved pursuant to the terms of the Confirmation Order. The Debtors have no further liability for this claim.
Marsh USA, Inc. Attn: Craig Padover 121 River Street, 11th Floor Hoboken, NJ 07030	430	9/8/2009	\$0.00 - (S) \$0.00 - (A) \$0.00 - (P) \$39,031.00 - (U) \$39,031.00 - (T)	The Debtors have no liability for this claim due to the payment of the Cure Amount set forth in the Cure Notice (as may have been modified by the Confirmation Order) for this creditor in the amount of \$39,031.00.
Meisler Trailer Rentals, Inc. PO Box 3357 Evansville, IN 47732	Schedule		\$0.00 - (S) \$0.00 - (A) \$0.00 - (P) \$65.17 - (U) \$65.17 - (T)	The Debtors have no liability for this claim due to the payment of the Cure Amount set forth in the Cure Notice (as may have been modified by the Confirmation Order) for this creditor in the amount of \$65.17.
Mobile Mini, Inc. PO Box 79149 Phoenix, AZ 85062-9149	Amended Schedule		\$0.00 - (S) \$0.00 - (A) \$0.00 - (P) \$31.71 - (U) \$31.71 - (T)	The Debtors have no liability for this claim due to the payment of the Cure Amount set forth in the Cure Notice (as may have been modified by the Confirmation Order) for this creditor in the amount of \$31.71.
ModSpace Corporation 12603 Collection Center Drive Chicago, IL 60693	Schedule		\$0.00 - (S) \$0.00 - (A) \$0.00 - (P) \$111.03 - (U) \$111.03 - (T)	The Debtors have no liability for this claim due to the payment of the Cure Amount set forth in the Cure Notice (as may have been modified by the Confirmation Order) for this creditor in the amount of \$111.03.
Norfolk Southern Railway Company Attn: William H. Johnson, Esq. Three Commercial Place Norfolk, VA 23510-2191	274	8/18/2009	\$0.00 - (S) \$0.00 - (A) \$0.00 - (P) \$209,722.07 - (U) \$209,722.07 - (T)	The Debtors have no liability for these claims due to the payment of the Cure Amount set forth in the Cure Notice (as may have been modified by the Confirmation Order) for this creditor in the amount of \$209,722.07.
	485	3/9/2010	\$0.00 - (S) \$0.00 - (A) \$0.00 - (P) \$246,066.07 - (U) \$246,066.07 - (T)	
Pitney Bowes Purchase Power PO Box 856042 Louisville, KY 40285-6460	Schedule		\$0.00 - (S) \$0.00 - (A) \$0.00 - (P) \$156.99 - (U) \$156.99 - (T)	The Debtors have no liability for this claim due to the payment of the Cure Amount set forth in the Cure Notice (as may have been modified by the Confirmation Order) for this creditor in the amount of \$156.99.

Name/Address of Claimant	Claim	Date Filed	Total Amount Claimed	Comments
Purity Plus 5700 Utica Ridge Road Davenport, IA 52807-2943	Amended Schedule		\$0.00 - (S) \$0.00 - (A) \$0.00 - (P) \$359.70 - (U) \$359.70 - (T)	The Debtors have no liability for this claim due to the payment of the Cure Amount set forth in the Cure Notice (as may have been modified by the Confirmation Order) for this creditor in the amount of \$359.70.
RK Dixon 5700 Utica Ridge Road Davenport, IA 52807	Amended Schedule		\$0.00 - (S) \$0.00 - (A) \$0.00 - (P) \$417.43 - (U) \$417.43 - (T)	The Debtors have no liability for this claim due to the payment of the Cure Amount set forth in the Cure Notice (as may have been modified by the Confirmation Order) for this creditor in the amount of \$417.43.
Rackspace 9725 Datapoint Drive, Ste 100 San Antonio, TX 78229 Attn: Michelle D'Amme	473	11/4/2009	\$0.00 - (S) \$0.00 - (A) \$0.00 - (P) \$126.00 - (U) \$126.00 - (T)	The Debtors have no liability for this claim due to the payment of the Cure Amount set forth in the Cure Notice (as may have been modified by the Confirmation Order) for this creditor in the amount of \$126.00.
Sandberg Trucking Co. 4032 IL Hwy 89 McNabb, IL 61335	262	8/25/2009	\$0.00 - (S) \$0.00 - (A) \$0.00 - (P) \$5,558.75 - (U) \$5,558.75 - (T)	The Debtors have no liability for this claim due to the payment of the Cure Amount set forth in the Cure Notice (as may have been modified by the Confirmation Order) for this creditor in the amount of \$5,558.75.
Securitas Security Services USA, Inc. 12672 Collections Center Drive Chicago, IL 60693	Schedule		\$0.00 - (S) \$0.00 - (A) \$0.00 - (P) \$10,740.21 - (U) \$10,740.21 - (T)	The Debtors have no liability for this claim due to the payment of the Cure Amount set forth in the Cure Notice (as may have been modified by the Confirmation Order) for this creditor in the amount of \$10,740.21.
Seminole Energy Services, Inc. PO Box 76 Trumbull, NE 68980	Amended Schedule		\$0.00 - (S) \$0.00 - (A) \$0.00 - (P) \$725.76 - (U) \$725.76 - (T)	The Debtors have no liability for this claim due to the payment of the Cure Amount set forth in the Cure Notice (as may have been modified by the Confirmation Order) for this creditor in the amount of \$725.76.
Source Gas Distribution LLC 370 Van Gordon, Suite 4000 Lakewood, CO 80228	Amended Schedule		\$0.00 - (S) \$0.00 - (A) \$0.00 - (P) \$20,841.09 - (U) \$20,841.09 - (T)	The Debtors have no liability for this claim due to the payment of the Cure Amount set forth in the Cure Notice (as may have been modified by the Confirmation Order) for this creditor in the amount of \$20,841.09.
Southern Indiana Gas & Electric Company dba Vectren Energy Delivery of Indiana Attn: Nick Cirignano Ziemer Stayman 20 NW 1st Street, 9th Floor Evansville, IN 47708	347	9/4/2009	\$5,213,533.00 - (S) \$0.00 - (A) \$0.00 - (P) \$5,773,947.00 - (U) \$13,987,480.00 - (T)	The Debtors have assumed their agreement with the claimant and have entered into a stipulation with respect to the cure of any default thereunder (See Docket No. 894). The Debtors have no further liability on account of this claim.
Southern Public Power District PO Box 1687 Grand Island, NE 68802	Schedule		\$0.00 - (S) \$0.00 - (A) \$0.00 - (P) \$9,570.00 - (U) \$9,570.00 - (T)	The Debtors have no liability for this claim due to the payment of the Cure Amount set forth in the Cure Notice (as may have been modified by the Confirmation Order) for this creditor in the amount of \$9,570.00.

Name/Address of Claimant	Claim	Date Filed	Total Amount Claimed	Comments
Sveitner Inc. 2206 E 14 Road Hampton, NE 68843	240	8/18/2009	\$0.00 - (S) \$0.00 - (A) \$0.00 - (P) \$2,131.33 - (U) \$2,131.33 - (T)	The Debtors have no liability for this claim due to the payment of the Cure Amount set forth in the Cure Notice (as may have been modified by the Confirmation Order) for this creditor in the amount of \$2,131.33.
The Trane Company PO Box 845053 Dallas, TX 75284-5053	Schedule		\$0.00 - (S) \$0.00 - (A) \$0.00 - (P) \$433.50 - (U) \$433.50 - (T)	The Debtors have no liability for this claim due to the payment of the Cure Amount set forth in the Cure Notice (as may have been modified by the Confirmation Order) for this creditor in the amount of \$433.50.
Turner Grain Services Inc. PO Box 411 Pekin, IL 61555	Schedule		\$0.00 - (S) \$0.00 - (A) \$0.00 - (P) \$3,612.75 - (U) \$3,612.75 - (T)	The Debtors have no liability for this claim due to the payment of the Cure Amount set forth in the Cure Notice (as may have been modified by the Confirmation Order) for this creditor in the amount of \$3,612.75.
Vonachen Services Inc. 2401 West Park 74 Drive Peoria, IL 61615-1615	106	7/21/2009	\$0.00 - (S) \$0.00 - (A) \$0.00 - (P) \$379.51 - (U) \$379.51 - (T)	The Debtors have no liability for this claim due to the payment of the Cure Amount set forth in the Cure Notice (as may have been modified by the Confirmation Order) for this creditor in the amount of \$379.51.
Zurich American Insurance Company Attn Mary Perlick 1400 American Ln, Fl 9 Schaumburg, IL 60196-5452	460	9/30/2009	\$0.00 - (S) \$0.00 - (A) \$0.00 - (P) \$629,414.00 - (U) \$629,414.00 - (T)	This claim has been resolved pursuant to the terms of the Confirmation Order. The Debtors have no further liability for this claim.
Zurich American Insurance Company Attn Mary Perlick 1400 American Ln, Fl 9 Schaumburg, IL 60196-5452	461	9/30/2009	\$0.00 - (S) \$0.00 - (A) \$0.00 - (P) \$629,414.00 - (U) \$629,414.00 - (T)	This claim has been resolved pursuant to the terms of the Confirmation Order. The Debtors have no further liability for this claim.
Zurich American Insurance Company Attn Mary Perlick 1400 American Ln, Fl 9 Schaumburg, IL 60196-5452	462	9/30/2009	\$0.00 - (S) \$0.00 - (A) \$0.00 - (P) \$629,414.00 - (U) \$629,414.00 - (T)	This claim has been resolved pursuant to the terms of the Confirmation Order. The Debtors have no further liability for this claim.

# EXHIBIT H

**Exhibit H**  
Assumed Contract Claims

Name/Address of Claimant	Claim	Date Filed	Total Amount Claimed	Comments
AIG Casualty Company et al Chartis US Michelle A. Levitt Authorized Rep 175 Water Street, Fl 18 New York, NY 10038-4976	362	9/8/2009	\$0.00 - (S) \$0.00 - (A) \$0.00 - (P) \$0.00 - (U) \$0.00 - (T)	This claim is protective for amounts that may become due under the Debtors insurance policies with AIG Casualty Company and its affiliates (collectively, "AIG"). The Debtors have assumed their agreements with AIG, to the extent executory, at a cure amount of \$0.00. The Debtors have no liability for this claim.
AIG Casualty Company et al Chartis US Michelle A. Levitt Authorized Rep 175 Water Street, Fl 18 New York, NY 10038-4976	363	9/8/2009	\$0.00 - (S) \$0.00 - (A) \$0.00 - (P) \$0.00 - (U) \$0.00 - (T)	This claim is protective for amounts that may become due under the Debtors insurance policies with AIG Casualty Company and its affiliates (collectively, "AIG"). The Debtors have assumed their agreements with AIG, to the extent executory, at a cure amount of \$0.00. The Debtors have no liability for this claim.
AIG Casualty Company et al Chartis US Michelle A. Levitt Authorized Rep 175 Water Street, Fl 18 New York, NY 10038-4976	364	9/8/2009	\$0.00 - (S) \$0.00 - (A) \$0.00 - (P) \$0.00 - (U) \$0.00 - (T)	This claim is protective for amounts that may become due under the Debtors insurance policies with AIG Casualty Company and its affiliates (collectively, "AIG"). The Debtors have assumed their agreements with AIG, to the extent executory, at a cure amount of \$0.00. The Debtors have no liability for this claim.
AIG Casualty Company et al Chartis US Michelle A. Levitt Authorized Rep 175 Water Street, Fl 18 New York, NY 10038-4976	365	9/8/2009	\$0.00 - (S) \$0.00 - (A) \$0.00 - (P) \$0.00 - (U) \$0.00 - (T)	This claim is protective for amounts that may become due under the Debtors insurance policies with AIG Casualty Company and its affiliates (collectively, "AIG"). The Debtors have assumed their agreements with AIG, to the extent executory, at a cure amount of \$0.00. The Debtors have no liability for this claim.
AIG Casualty Company et al Chartis US Michelle A. Levitt Authorized Rep 175 Water Street, Fl 18 New York, NY 10038-4976	366	9/8/2009	\$0.00 - (S) \$0.00 - (A) \$0.00 - (P) \$0.00 - (U) \$0.00 - (T)	This claim is protective for amounts that may become due under the Debtors insurance policies with AIG Casualty Company and its affiliates (collectively, "AIG"). The Debtors have assumed their agreements with AIG, to the extent executory, at a cure amount of \$0.00. The Debtors have no liability for this claim.
AIG Casualty Company et al Chartis US Michelle A. Levitt Authorized Rep 175 Water Street, Fl 18 New York, NY 10038-4976	367	9/8/2009	\$0.00 - (S) \$0.00 - (A) \$0.00 - (P) \$0.00 - (U) \$0.00 - (T)	This claim is protective for amounts that may become due under the Debtors insurance policies with AIG Casualty Company and its affiliates (collectively, "AIG"). The Debtors have assumed their agreements with AIG, to the extent executory, at a cure amount of \$0.00. The Debtors have no liability for this claim.

Name/Address of Claimant	Claim	Date Filed	Total Amount Claimed	Comments
GATX Corporation 222 West Adams Street Chicago, IL 60606-5314 Attn: Cathy Spathis, Investment Risk Analyst	248	8/24/2009	\$0.00 - (S) \$0.00 - (A) \$0.00 - (P) \$648,821.59 - (U) \$648,821.59 - (T)	This claim arises on account of the Debtors master lease with GATX Corporation which has been assumed pursuant to the Plan. The Debtors have no liability for this claim.
United Steelworkers Attn: David R. Jury, Assoc General Counsel 5 Gateway Center, Room 807 Pittsburgh, PA 15222	429	9/8/2009	\$0.00 - (S) \$0.00 - (A) \$41,248.96 - (P) \$0.00 - (U) \$41,248.96 - (T)	This claim is a protective claim for grievance amounts due or assertedly due under a collective bargaining agreement ("CBA"). The Debtors have assumed the CBA, and all undisputed obligations of the Debtors under the CBA will be honored in the ordinary course.

# EXHIBIT I

**Exhibit I**  
**Guaranty and Indemnification Claims**

Name/Address of Claimant	Claim	Date Filed	Total Amount Claimed	Comments
Kiewit Energy Company c/o McGrath North Mullin & Kratz PC First National Tower, Suite 3700 1601 Dodge Street Omaha, NE 68102	350	9/8/2009	\$0.00 - (S) \$0.00 - (A) \$0.00 - (P) \$15,251,808.00 - (U) \$15,251,808.00 - (T)	This claim is Aventine Renewable Energy Holdings, Inc. for amounts owed by Aventine Renewable Energy - Aurora West, LLC under an engineering and procurement contract. Pursuant to the treatment afforded to the Kiewit Aurora West Secured Claim under the Plan, the Debtors have no liability to Kiewit on account of this claim.
Kiewit Energy Company c/o McGrath North Mullin & Kratz PC First National Tower, Suite 3700 1601 Dodge Street Omaha, NE 68102	352	9/8/2009	\$0.00 - (S) \$0.00 - (A) \$0.00 - (P) \$7,930,706.00 - (U) \$7,930,706.00 - (T)	This claim is Aventine Renewable Energy Holdings, Inc. for amounts owed by Aventine Renewable Energy - Mt. Vernon, LLC under an engineering and procurement contract. Pursuant to the treatment afforded to the Kiewit Mt. Vernon Secured Claim under the Plan, the Debtors have no liability to Kiewit on account of this claim.

**EXHIBIT J**  
**(Intentionally Omitted)**