

**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>2</sup>

Chapter 11

Case No. 09-11214 (KG)

(Jointly Administered)

Docket Ref. No. 910 & 986

**ORDER SUSTAINING 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 AS TO CLAIMS  
344 AND 345 AND REASSIGNING CLAIM 513 FILED BY GE CAPITAL**

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 certain Disputed Claims<sup>2</sup> identified therein; and the Court having considered the certification of counsel filed on May 14, 2010 with respect to the Objection and Claims 344, 345 and 513 filed by GE Capital and/or GE Capital Railcar Services (collectively, "GERS"); and it appearing that the Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334; and due and

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<sup>2</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.


adequate notice of the Objection having been given under the circumstances; and sufficient cause appearing thereof; it is hereby

ORDERED that GERS' Claim 344 is allowed as a general unsecured claim in the amount \$204,603.941; and it is further

ORDERED that GERS' Claim 345 is allowed as a general unsecured claim in the amount \$38,796.79; and it is further

ORDERED that GERS' Claim 513 shall be reassigned to the case of Aventine Renewable Energy, Inc., Case No. 09-11216 (KG), without prejudice to any rights of the Debtors or GERS with respect to any future objection to Claim 513, which refights are hereby preserved and reserved.

Dated: May 17, 2010  
Wilmington, Delaware

  
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Kevin Gross  
United States Bankruptcy Judge