

**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)

Ref. No. 942

**CERTIFICATION OF COUNSEL RELATED TO THE DEBTORS' EIGHTH OMNIBUS
(NON-SUBSTANTIVE) OBJECTION TO CLAIMS PURSUANT TO SECTION 502(B)
OF THE BANKRUPTCY CODE, BANKRUPTCY RULES 3003 AND 3007,
AND LOCAL RULE 3007-1**

On April 20, 2010, the above-captioned debtors and debtors in possession (the "Debtors") filed their Eighth 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. 942] (the "Objection"). The deadline for parties to respond to the Objection was May 13, 2010 at 4:00 p.m. (ET) (the "Response Deadline"). Prior to the Response Deadline, the Debtors received a response to the Objection from M B Financial Bank, N.A. and First America Commercial Bancorp, Inc. d/b/a First American Equipment Finance (collectively, the "Seller-Claimants").

By order dated May 13, 2010, the Court approved a stipulation (the "Stipulation") among the Debtors and the Seller-Claimants regarding the purchase and sale of certain equipment and the release of claims. See [Docket No. 985]. Pursuant to the Stipulation, the claims of the Seller-Claimants were withdrawn and expunged from the claims register in these cases, including the claims of the Seller-Claimants that were the subject of the Objection (the

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.

“Seller Claims”). Attached hereto as Exhibit 1, is a proposed order (the “Proposed Order”) sustaining the Objection except as to the Seller Claims. A blackline of the Proposed Order is attached hereto as Exhibit 2.

The undersigned hereby certifies that, as of the date hereof, he has received no other answer, objection or responsive pleading to the Objection. Unless the Court has questions regarding the Proposed Order or the relief requested in the Objection, the Debtors respectfully request that the Court enter the Proposed Order at the Court’s earliest convenience.

Dated: Wilmington, Delaware
May 18, 2010

YOUNG CONAWAY STARGATT & TAYLOR, LLP

/s/ Ryan M. Bartley

Joel A. Waite (No. 2925)
Matthew B. Lunn (No. 4119)
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Counsel to the Reorganized Debtors

EXHIBIT 1
Proposed Order

EXHIBIT 2

Blackline

**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)

Docket Ref. No. 942

**ORDER SUSTAINING DEBTORS' EIGHTH OMNIBUS (NON-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 eighth omnibus (non-substantive) objection (the "Objection") of the above-captioned reorganized debtors (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 each of the Disputed Claims² identified on Exhibits A through C hereto; and it appearing that the Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334; and that 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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² All capitalized terms not otherwise defined herein shall have the meaning ascribed to such terms in the Objection.

ORDERED that the Objection is withdraw as to claims numbered 300 and 303 filed by First American Commercial Bancorp, Inc. d/b/a First American Equipment Finance (“FACB”) and claims numbered 301 and 302 filed by MB Financial Bank, NA (together with FACB, the “Claimant-Sellers”), and claims 301 through 304 shall be treated in accordance with the Stipulation among the Debtors and the Claimant-Sellers approved by order dated May 13, 2010 [Docket No. 985]; 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, B and C are hereby disallowed in their entirety; and it is further

ORDERED that the Debtors reserve the right to amend, modify or supplement this Objection, and to file additional objections to any claims filed in these chapter 11 cases including, without limitation, the claims that are the subject of this Objection; 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 __, 2010

KEVIN GROSS
UNITED STATES BANKRUPTCY JUDGE

EXHIBIT A

Amended Claims

EXHIBIT B

Duplicate Claims

EXHIBIT C

Late Filed Claims

Exhibit A

Amended Claims

Name/Address of Claimant	Objectionable Claims			Surviving Claims		
	Claim	Date Filed	Total Amount Claimed	Claim	Date Filed	Total Amount Claimed
Missouri Department of Revenue PO Box 475 Jefferson City, MO 65105-0475	452	9/21/2009	\$0.00 - (S) \$0.00 - (A) \$5,960.17 - (P) \$0.00 - (U) \$5,960.17 - (T)	487	3/12/2010	\$0.00 - (S) \$0.00 - (A) \$0.00 - (P) \$0.00 - (U) \$0.00 - (T)
	476	11/23/2009	\$0.00 - (S) \$0.00 - (A) \$10,099.64 - (P) \$0.00 - (U) \$10,099.64 - (T)	492	3/22/2010	\$0.00 - (S) \$0.00 - (A) \$12,092.99 - (P) \$0.00 - (U) \$12,092.99 - (T)
	478	11/23/2009	\$0.00 - (S) \$0.00 - (A) \$20,434.16 - (P) \$0.00 - (U) \$20,434.16 - (T)	494	3/22/2010	\$0.00 - (S) \$0.00 - (A) \$63,916.56 - (P) \$0.00 - (U) \$63,916.56 - (T)
Commissioner of Revenue - State of TN Tax Enforcement Division c/o Attorney General PO Box 20207 Nashville, TN 37202-0207	452	9/21/2009	\$0.00 - (S) \$0.00 - (A) \$5,960.17 - (P) \$0.00 - (U) \$5,960.17 - (T)	487	3/12/2010	\$0.00 - (S) \$0.00 - (A) \$0.00 - (P) \$0.00 - (U) \$0.00 - (T)
	476	11/23/2009	\$0.00 - (S) \$0.00 - (A) \$10,099.64 - (P) \$0.00 - (U) \$10,099.64 - (T)	492	3/22/2010	\$0.00 - (S) \$0.00 - (A) \$12,092.99 - (P) \$0.00 - (U) \$12,092.99 - (T)
	478	11/23/2009	\$0.00 - (S) \$0.00 - (A) \$20,434.16 - (P) \$0.00 - (U) \$20,434.16 - (T)	494	3/22/2010	\$0.00 - (S) \$0.00 - (A) \$63,916.56 - (P) \$0.00 - (U) \$63,916.56 - (T)

Exhibit B
Duplicate Claims

Name/Address of Claimant	----- Objectionable Claims -----		----- Surviving Claims -----		
	Claim	Date Filed	Total Amount Claimed	Date Filed	Total Amount Claimed
Norfolk Southern Railway Company Attn: William H. Johnson, Esq. Three Commercial Place Norfolk, VA 23510-2191	490	3/10/2010	\$0.00 - (S) \$0.00 - (A) \$0.00 - (P) \$246,066.07 - (U) \$246,066.07 - (T)	485**	3/9/2010 \$0.00 - (S) \$0.00 - (A) \$0.00 - (P) \$246,066.07 - (U) \$246,066.07 - (T)
Lallemand Ethanol Technology c/o Nutter McClennen & Fish Attn: Peter Nils Baylor & James F. Coffey 155 Seaport Boulevard Boston, MA 02210-2604	266	8/26/2009	\$0.00 - (S) \$0.00 - (A) \$23,524.03 - (P) \$22,827.45 - (U) \$46,351.48 - (T)	501	3/15/2010 \$0.00 - (S) \$0.00 - (A) \$23,524.03 - (P) \$22,827.45 - (U) \$46,351.48 - (T)
Rovisys 1455 Danner Drive Aurora, OH 44202	510	4/14/2010	\$0.00 - (S) \$0.00 - (A) \$0.00 - (P) \$1,718.00 - (U) \$1,718.00 - (T)	105	7/21/2009 \$0.00 - (S) \$0.00 - (A) \$0.00 - (P) \$1,718.00 - (U) \$1,718.00 - (T)

** The Debtors have filed an objection to claim numbered 485 and are seeking to have that claim disallowed in its entirety.

Exhibit C
Late Filed Claims

Name/Address of Claimant	Claim	Date Filed	Total Amount Claimed	Comments
Medallion Cleaning Services PO Box 627 South Pekin, IL 61564-0627	502	2/11/2010	\$0.00 - (S) \$0.00 - (A) \$0.00 - (P) \$1,729.17 - (U) \$1,729.17 - (T)	This claim is for pre-petition amounts owed for which the bar date was September 8, 2009. The Debtors also believe that the amounts included in the claim were also included in creditor's timely filed proof of claim numbered 132.
Medallion Cleaning Services PO Box 627 South Pekin, IL 61564-0627	504	2/11/2010	\$0.00 - (S) \$0.00 - (A) \$0.00 - (P) \$770.83 - (U) \$770.83 - (T)	This claim is for pre-petition amounts owed for which the bar date was September 8, 2009. The Debtors also believe that the amounts included in the claim were also included in creditor's timely filed proof of claim numbered 132.