

**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.¹

Chapter 11

Case No. 09-11214 (KG)

(Jointly Administered)

Docket Ref. No. 941

**ORDER SUSTAINING DEBTORS' SEVENTH 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 seventh omnibus (substantive) objection (the "Objection")² 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 the Disputed Claims identified in Exhibit A 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; and it is further

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.

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

ORDERED that, pursuant to Bankruptcy Code section 502(b) and Bankruptcy Rules 3003 and 3007, the Disputed Claims identified on the attached Exhibit A 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 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 18, 2010



KEVIN GROSS
UNITED STATES BANKRUPTCY JUDGE

EXHIBIT A

Exhibit A

No Liability Claims

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

Name/Address of Claimant	Claim	Date Filed	Total Amount Claimed	Comments
American Stock Transfer & Trust Co. 59 Maiden Lane New York, NY 10038-4502	488	3/17/2010	\$0.00 - (S) \$0.00 - (A) \$0.00 - (P) \$4,000.00 - (U) \$4,000.00 - (T)	Claim is for February and March 2010 monthly fees. Both were paid in the ordinary course of business. Invoice 1480920100129 was paid on February 9, 2010 by check #70003229. Invoice 1480920100301 was paid on March 16, 2010 by check #70003611. The Debtors have no liability with respect to this claim.
Marsh USA, Inc. Attn: Craig Padover 121 River Street, 11th Floor Hoboken, NJ 07030	489	3/16/2010	\$0.00 - (S) \$0.00 - (A) \$39,031.00 - (P) \$0.00 - (U) \$39,031.00 - (T)	The obligations underlying this claim were satisfied by assumption of the Debtors' contracts with Marsh USA, Inc. Additionally, the amounts included in this claim are duplicative of claim numbered 430. Finally, the obligations underlying this claim arise from services and thus are not goods entitled to priority under 11 U.S.C. 503(b)(9). The Debtors believe this claim should be disallowed.
Promise Transport 298 E First Street El Paso, IL 61738	496	3/26/2010	\$0.00 - (S) \$0.00 - (A) \$8,540.99 - (P) \$0.00 - (U) \$8,540.99 - (T)	The obligations underlying this claim are shipping services provided to the Debtors prior to the Petition Date. The amounts included in this claim were already included in creditor's timely filed proof of claim numbered 180. The creditor is only entitled to one distribution on account of its claim, and the Debtors intend to allow and pay timely filed claim numbered 180. Additionally, the obligations underlying this claim arise from services and are not wages entitled to priority under 11 U.S.C. 507(a)(4).