

**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

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 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 18, 2010



KEVIN GROSS
UNITED STATES BANKRUPTCY JUDGE

EXHIBIT A
Amended Claims

Exhibit A
Amended Claims

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

EXHIBIT B

Duplicate Claims

Exhibit B
Duplicate Claims

Name/Address of Claimant	----- Objectionable Claims -----			----- Surviving Claims -----		
	Claim	Date Filed	Total Amount Claimed	Claim	Date Filed	Total Amount Claimed
Norfolk Southern Railway Company Attn: William H. Johnson, Esq. Three Commercial Place Norfolk, VA 23510-2191	480	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

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.