

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

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In re:) Case No. 08-12606 (BLS)
)
VERASUN ENERGY CORPORATION, et al.,) Chapter 11
)
Debtors.¹) Jointly Administered
)
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**AGENDA MATTERS SCHEDULED FOR HEARING ON
OCTOBER 13, 2009 AT 2:00 P.M. (EASTERN)**

Set forth below are the matters previously scheduled to be heard before the Honorable Brendan L. Shannon, United States Bankruptcy Judge, in the United States Bankruptcy Court for the District of Delaware, 824 North Market Street, Courtroom #1, Wilmington, Delaware, on October 13, 2009 beginning at 2:00 p.m. (Eastern).

CONTINUED MATTERS

1. Motion of the Debtors for Interim and Final Waiver of Investment and Deposit Requirements Pursuant to Bankruptcy Code Sections 105 and 345 and Local Rule 2015-2(b) (Docket No. 6) (Filed 10/31/08)

Related
Documents:

- a. Interim Order Pursuant to Bankruptcy Code Sections 105 and 345 and Local Rule 2015-2(b) Waiving Investment and Deposit Requirements (Docket No. 57) (Entered 11/4/2008)

¹ The Debtors consist of: VeraSun Energy Corporation (EIN: 20-3430241); ASA Albion, LLC (EIN: 55-0907221); ASA Bloomingburg, LLC (EIN: 55-0907224); ASA Linden, LLC (EIN: 55-0907228); ASA OpCo Holdings, LLC (EIN: 68-0609122); US Bio Marion, LLC (EIN: 20-34377343); US BioEnergy Corporation (EIN: 20-1811472); VeraSun Albert City, LLC (EIN: 20-2264707); VeraSun Aurora Corporation (EIN: 40-0462174); VeraSun BioDiesel, LLC (EIN: 20-3790860); VeraSun Central City, LLC (EIN: 55-0816855); VeraSun Charles City, LLC (EIN: 20-3735184); VeraSun Dyersville, LLC (EIN: 20-5765890); VeraSun Fort Dodge, LLC (EIN: 42-1630527); VeraSun Granite City, LLC (EIN: 20-5909621); VeraSun Hankinson, LLC (EIN: 90-0287129); VeraSun Hartley, LLC (EIN: 20-5381200); VeraSun Janesville, LLC (EIN: 20-4420290); VeraSun Litchfield, LLC (EIN: 20-8621370); VeraSun Marketing, LLC (EIN: 20-3693800); VeraSun Ord, LLC (EIN: 75-3204878); VeraSun Reynolds, LLC (EIN: 20-5914827); VeraSun Tilton, LLC (EIN: 26-1539139); VeraSun Welcome, LLC (EIN: 20-4115888); and VeraSun Woodbury, LLC (EIN: 20-0647425).

- b. Notice of (I) Filing of Motion and Entry of Interim Order and (II) Final Hearing with Respect to Motion of the Debtors for Interim and Final Waiver of Investment and Deposit Requirements Pursuant to Bankruptcy Code Sections 105 and 345 and Local Rule 2015-2(b) (Docket No. 118) (Filed 11/11/08)

Deadline: November 21, 2008 at 4:00 p.m.

Responses

Filed/Received: None.

Status: This matter has been adjourned to the November 2, 2009 hearing.

- 2. Debtors' Application for Order Under Bankruptcy Code Sections 327 and 328 Authorizing Employment and Retention of Deloitte Financial Advisory Services LLP to Provide Emergence-Related Accounting and Valuation Services Nunc Pro Tunc to December 19, 2008 (Docket No. 542) (Filed 1/16/09)

Response

Deadline: January 29, 2009 at 4:00 p.m.

Responses

Filed/Received: None.

Status: This matter has been adjourned to the November 2, 2009 hearing.

- 3. Notice of Cure Amount with Respect to Executory Contracts or Unexpired Leases to be Assumed and Assigned (Docket No. 734) (Filed 2/27/09)

Related

Documents:

- a. Supplemental Notice of Cure Amount with Respect to Executory Contracts or Unexpired Leases to be Assumed and Assigned (Docket No. 861) (Entered 3/13/09)
- b. Amended Notice of Cure Amount with Respect to Executory Contracts or Unexpired Leases to be Assumed and Assigned (Docket No. 862) (Entered 3/14/09)
- c. Second Supplemental Notice of Cure Amount with Respect to Executory Contracts or Unexpired Leases to be Assumed and Assigned (Docket No. 882) (Filed 3/18/09)

- d. Third Supplemental Notice of Cure Amount with Respect to Executory Contracts or Unexpired Leases to be Assumed and Assigned (Docket No. 930) (Filed 3/27/09)
- e. Fourth Supplemental Notice of Cure Amount with Respect to Executory Contracts or Unexpired Leases to be Assumed and Assigned (Docket No. 933) (Filed 3/28/09)
- f. Fifth Supplemental Notice of Cure Amount with Respect to Executory Contracts or Unexpired Leases to be Assumed and Assigned (Docket No. 940) (Filed 3/30/09)
- g. Sixth Supplemental Notice of Cure Amount with Respect to Executory Contracts or Unexpired Leases to be Assumed and Assigned (Docket No. 974) (Filed 4/2/09)
- h. Seventh Supplemental Notice of Cure Amount with Respect to Executory Contracts or Unexpired Leases to be Assumed and Assigned (Docket No. 990) (Filed 4/3/09)
- i. Eighth Supplemental Notice of Cure Amount with Respect to Executory Contracts or Unexpired Leases to be Assumed and Assigned (Docket No. 1007) (Filed 4/6/09)
- j. Ninth Supplemental Notice of Cure Amount with Respect to Executory Contracts or Unexpired Leases to be Assumed and Assigned (Docket No. 1014) (Filed 4/7/09)
- k. Tenth Supplemental Notice of Cure Amount with Respect to Executory Contracts or Unexpired Leases to be Assumed and Assigned (Docket No. 1024) (Filed 4/8/09)
- l. Eleventh Supplemental Notice of Cure Amount with Respect to Executory Contracts or Unexpired Leases to be Assumed and Assigned (Docket No. 1048) (Filed 4/13/09)
- m. Notice of Partial Withdrawal of Objection by Fagen, Inc. (Docket No. 1653) (Filed 8/4/09)

Response

Deadline: March 9, 2009 at 4:00 p.m.

Responses

Filed/Received:

- a. Objection of Fagen, Inc. to Proposed Cure Amounts (Docket No. 794) (Filed 3/9/09)

Status: This matter has been resolved. The parties intend to submit a proposed form of order at the hearing.

- b. Objection of Cargill, Incorporated to Debtors' Notice of Cure Amounts with Respect to Executory Contracts or Unexpired Leases to be Assumed or Assigned, and Reservation of Rights (Docket No. 811) (Filed 3/9/09)

Status: By agreement of the Debtors and Cargill, this objection has been adjourned to the November 2, 2009 hearing.

- c. Supplemental Objection of Fagen, Inc. to Proposed Cure Amounts (Docket No. 877) (Filed 3/17/09)

Status: This matter has been resolved. The parties intend to submit a proposed form of order at the hearing.

- d. Objection of Fagen, Inc. to Third Supplemental Notice of Cure Amounts (Docket No. 967) (Filed 4/2/09)

Status: This matter has been resolved. The parties intend to submit a proposed form of order at the hearing.

Global Status: These matters have either been resolved or adjourned to the November 2, 2009 omnibus hearing.

- 4. Motion of Crescent Electric Supply Company for Allowance and Immediate Payment of Administrative Expense Claim (Docket No. 1297) (Filed 5/21/09)

Response

Deadline: July 1, 2009 at 4:00 p.m.

Responses

Filed/Received:

- a. Debtors' Consolidated Objection to the Motions for Allowance and Immediate Payment of Administrative Expense Claims Pursuant to 11 U.S.C. § 503(b)(9) (Docket No. 1535) (Filed 6/19/09)

Status: This matter has been adjourned to the November 2, 2009 hearing.

- 5. Request by Phibrochem, a Division of Phibro Animal Health Corporation, for Allowance and Immediate Payment of Administrative Expense Claim Pursuant to 11 U.S.C. § 503(b)(9) (Docket No. 1320) (Filed 5/22/09)

Response

Deadline: June 12, 2009 at 4:00 p.m.

Responses

Filed/Received:

- a. Debtors' Consolidated Objection to the Motions for Allowance and Immediate Payment of Administrative Expense Claims Pursuant to 11 U.S.C. § 503(b)(9) (Docket No. 1535) (Filed 6/19/09)

Status: This matter has been adjourned to the November 2, 2009 hearing.

6. Request by Phibrochem, a Division of Phibro Animal Health Corporation, for Allowance and Immediate Payment of Administrative Expense Claim Pursuant to 11 U.S.C. § 503(b)(9) (Docket No. 1321) (Filed 5/22/09)

Response

Deadline: June 12, 2009 at 4:00 p.m.

Responses

Filed/Received:

- a. Debtors' Consolidated Objection to the Motions for Allowance and Immediate Payment of Administrative Expense Claims Pursuant to 11 U.S.C. § 503(b)(9) (Docket No. 1535) (Filed 6/19/09)

Status: This matter has been adjourned to the November 2, 2009 hearing.

7. Request by Phibrochem, a Division of Phibro Animal Health Corporation, for Allowance and Immediate Payment of Administrative Expense Claim Pursuant to 11 U.S.C. § 503(b)(9) (Docket No. 1322) (Filed 5/22/09)

Response

Deadline: June 12, 2009 at 4:00 p.m.

Responses

Filed/Received:

- a. Debtors' Consolidated Objection to the Motions for Allowance and Immediate Payment of Administrative Expense Claims Pursuant to 11 U.S.C. § 503(b)(9) (Docket No. 1535) (Filed 6/19/09)

Status: This matter has been adjourned to the November 2, 2009 hearing.

8. Request by Phibrochem, a Division of Phibro Animal Health Corporation, for Allowance and Immediate Payment of Administrative Expense Claim Pursuant to 11 U.S.C. § 503(b)(9) (Docket No. 1323) (Filed 5/22/09)

Response

Deadline: June 12, 2009 at 4:00 p.m.

Responses

Filed/Received:

- a. Debtors' Consolidated Objection to the Motions for Allowance and Immediate Payment of Administrative Expense Claims Pursuant to 11 U.S.C. § 503(b)(9) (Docket No. 1535) (Filed 6/19/09)

Status: This matter has been adjourned to the November 2, 2009 hearing.

9. Motion of Midland Scientific, Inc. for Allowance and Immediate Payment of Administrative Expense Claim (Docket No. 1326) (Filed 5/22/09)

Response

Deadline: July 1, 2009 at 4:00 p.m.

Responses

Filed/Received:

- a. Debtors' Consolidated Objection to the Motions for Allowance and Immediate Payment of Administrative Expense Claims Pursuant to 11 U.S.C. § 503(b)(9) (Docket No. 1535) (Filed 6/19/09)

Status: This matter has been adjourned to the November 2, 2009 hearing.

10. Danisco US Inc.'s Motion for Allowance and Immediate Payment of Administrative Expense Claim Pursuant to 11 U.S.C. § 503(b)(9) (Docket No. 1319) (Filed 5/22/09)

Response

Deadline: July 1, 2009 at 4:00 p.m.

Responses

Filed/Received:

- a. Debtors' Consolidated Objection to the Motions for Allowance and Immediate Payment of Administrative Expense Claims Pursuant to 11 U.S.C. § 503(b)(9) (Docket No. 1535) (Filed 6/19/09)

Status: This matter has been adjourned to the November 2, 2009 hearing.

11. Debtors' Non-Substantive First Omnibus Objection Pursuant to 11 U.S.C. § 502(b) and Fed. R. Bankr. P. 3007 to Certain (I) Amended and Replaced Claims, (II) Duplicate Claims, and (III) Equity Claims (Docket No. 1591) (Filed 7/7/09)

Related

Documents:

- a. Order Disallowing and Expunging (I) Amended and Replaced Claims, (II) Duplicate Claims, and (III) Equity Claims Identified in the Debtors' Non-Substantive First Omnibus Claims Objection (Docket No. 1681) (Entered 8/10/09)

Response

Deadline: August 3, 2009 at 4:00 p.m.

Responses

Filed/Received:

- b. Letter Response to Debtors' Non-Substantive First Omnibus Objection Pursuant to 11 U.S.C. § 502(b) and Fed. R. Bankr. P. 3007 to Certain (I) Amended and Replaced Claims, (II) Duplicate Claims, and (III) Equity Claims filed by Michael J. Horvath (Docket No. 1617) (Filed 7/21/09)

Status: The Debtors have withdrawn their objection.

- c. Letter Response to Debtors' Non-Substantive First Omnibus Objection Pursuant to 11 U.S.C. § 502(b) and Fed. R. Bankr. P. 3007 to Certain (I) Amended and Replaced Claims, (II) Duplicate Claims, and (III) Equity Claims filed by Dierdre D. Monson (Docket No. 1621) (Filed 7/23/09)

Status: This matter has been adjourned to a hearing date and time to be determined.

- d. Response to Debtor(s) First Omnibus Objection to Equity Claims filed by Vincent E. Rhynes (Docket No. 1629) (Filed 7/24/09)

Status: This matter has been adjourned to a hearing date and time to be determined.

- e. Response to Debtors' Non-Substantive First Omnibus Objection to Claims filed by the United States (Docket No. 1648) (Filed 7/31/09)

Status: This matter has been resolved.

- f. Gregory Schlicht's Response to Debtors' Non-Substantive First Omnibus Objection Pursuant to 11 U.S.C. § 502(b) and Fed. R. Bankr. P. 3007 to Certain (I) Amended and Replaced Claims, (II) Duplicate Claims, and (III) Equity Claims (Docket No. 1650) (Filed 8/3/09)

Status: This matter has been adjourned to a hearing date and time to be determined.

- g. Letter Response to Debtors' Non-Substantive First Omnibus Objection Pursuant to 11 U.S.C. § 502(b) and Fed. R. Bankr. P. 3007 to Certain (I) Amended and Replaced Claims, (II) Duplicate Claims, and (III) Equity

Claims filed by Roger & Nichodene Allington (Docket No. 1655) (Filed 8/4/09)

Status: This matter has been adjourned to a hearing date and time to be determined.

h. Letter Response to Debtors' Non-Substantive First Omnibus Objection Pursuant to 11 U.S.C. § 502(b) and Fed. R. Bankr. P. 3007 to Certain (I) Amended and Replaced Claims, (II) Duplicate Claims, and (III) Equity Claims filed by Jayne & Dustin Wager (Docket No. 1722) (Filed 8/20/09)

Status: This matter has been adjourned to a hearing date and time to be determined.

Global Status: These matters have either been withdrawn by the Debtors, resolved or adjourned to a hearing date and time to be determined.

12. Motion of Microsoft Corporation for (1) Allowance and Payment of Administrative Expense and (2) to Compel Debtor to Assume or Reject Executory Contracts (Docket No. 1614) (Filed 7/16/09)

Response

Deadline: August 3, 2009 at 4:00 p.m.

Responses

Filed/Received: None.

Status: This matter has been adjourned to the November 2, 2009 hearing.

13. Debtors' Non-Substantive Second Omnibus Objection Pursuant to 11 U.S.C. § 502(b), Fed. R. Bankr. P. 3007, and Local Rule 3007-1 to Certain (A) Wrong Debtor Claims, (B) Assumed and Assigned Claims, (C) Untimely Claims, and (D) Equity Claims (Docket No. 1643) (Filed 7/31/09)

Related

Documents:

a. Order Disallowing And Expunging (A) Wrong Debtor Claims, (B) Assumed And Assigned Claims, (C) Untimely Claims, And (D) Equity Claims Identified In The Debtors' Non-Substantive Second Omnibus Claims Objection. (Docket No. 1793) (Entered 9/10/09)

Response

Deadline: August 27, 2009 at 4:00 p.m.

Responses

Filed/Received:

- b. Letter re: Response to the Second Omnibus Claims Objection Filed by Mitchell Instrument Company Inc (Docket No. 1684) (Filed 8/10/09)

Status: This matter has been adjourned to a hearing date and time to be determined.

- c. DHHS Response to Debtors' Non-Substantive Second Omnibus Objection to DHHS' Claim (claim no. 3084) (Docket No. 1735) (Filed 8/24/09)

Status: This matter has been withdrawn.

- d. Objection to Debtors' Non-Substantive Second Omnibus Objection Pursuant to 11 U.S.C. § 502(b), Fed. R. Bankr. P. 3007, and Local Rule 3007-1 to Certain (A) Wrong Debtor Claims, (B) Assumed and Assigned Claims, (C) Untimely Claims, and (D) Equity Claims filed by Crescent Electric Supply Company (Docket No. 1740) (Filed 8/26/09)

Status: This matter has been adjourned to a hearing date and time to be determined.

- e. Response of Great River Energy to Debtors' Non-Substantive Second Omnibus Objection Pursuant to 11 U.S.C. § 502(b), Fed. R. Bankr. P. 3007, and Local Rule 3007-1 to Certain (A) Wrong Debtor Claims, (B) Assumed and Assigned Claims, (C) Untimely Claims, and (D) Equity Claims (Docket No. 1643) The ("Second Omnibus Claims Objection") (Docket No. 1747) (Filed 8/27/09)

Status: This matter has been adjourned to a hearing date and time to be determined.

- f. Claimant Bloomberg & Podpeskar's Response to Debtors' Non-Substantive Second Omnibus Objection Pursuant to 11 U.S.C. § 502(b), Fed. R. Bankr. P. 3007, and Local Rule 3007-1 to Certain (A) Wrong Debtor Claims, (B) Assumed and Assigned Claims, (C) Untimely Claims, and (D) Equity Claims (Docket No. 1749) (Filed 8/27/09)

Status: This matter has been adjourned to a hearing date and time to be determined.

- g. Response of Anadarko Energy Services to Debtors' Non-Substantive Second Omnibus Objection Pursuant to 11 U.S.C. § 502(b), Fed. R. Bankr. P. 3007, and Local Rule 3007-1 to Certain (A) Wrong Debtor Claims, (B) Assumed and Assigned Claims, (C) Untimely Claims, and (D) Equity Claims [Docket No. 1643] (Docket No. 1752) (Filed 8/27/09)

Status: This matter has been adjourned to a hearing date and time to be determined.

h. Letter Response to Debtors' Non-Substantive Second Omnibus Objection Pursuant to 11 U.S.C. § 502(b), Fed. R. Bankr. P. 3007, and Local Rule 3007-1 to Certain (A) Wrong Debtor Claims, (B) Assumed and Assigned Claims, (C) Untimely Claims, and (D) Equity Claims filed by Alex Brown (Docket No. 1756) (Filed 8/28/09)

Status: This matter has been adjourned to a hearing date and time to be determined.

i. Letter Objection to Debtors' Non-Substantive Second Omnibus Objection Pursuant to 11 U.S.C. § 502(b), Fed. R. Bankr. P. 3007, and Local Rule 3007-1 to Certain (A) Wrong Debtor Claims, (B) Assumed and Assigned Claims, (C) Untimely Claims, and (D) Equity Claims filed by Tim Trooien (Docket No. 1757) (Filed 8/28/09)

Status: This matter has been adjourned to a hearing date and time to be determined.

j. DHHS' Brief in Support of DHHS Response to Debtors' Non-Substantive Second Omnibus Objection to DHHS' Claim (Docket No. 1767) (Filed 9/2/09)

Status: This matter has been withdrawn.

k. Letter Objection to Debtors' Non-Substantive Second Omnibus Objection Pursuant to 11 U.S.C. § 502(b), Fed. R. Bankr. P. 3007, and Local Rule 3007-1 to Certain (A) Wrong Debtor Claims, (B) Assumed and Assigned Claims, (C) Untimely Claims, and (D) Equity Claims filed by Jolene Halsne (Docket No. 1802) (Filed 9/11/09)

Status: An order has been entered regarding this claimant. See docket entry number 1793.

Global Status: All matters for which responses have been either withdrawn or adjourned to a hearing date and time to be determined.

14. Debtors' Non-Substantive Third Omnibus Objection Pursuant to 11 U.S.C. § 502(b), Fed. R. Bankr. P. 3007, and Local Rule 3007-1 to Certain Misclassified Claims (Docket No. 1644) (Filed 7/31/09)

Related Documents:

- a. Order Reclassifying Claims Identified In The Debtors' Non-Substantive Third Omnibus Claims Objection. (Docket No.1795) (Entered 9/10/09)

Response

Deadline: August 27, 2009 at 4:00 p.m.

Responses

Filed/Received:

- b. Response From Claimant Adolfo Alcaraz Silva, Claim Number 483 to Debtors' Non-Substantive Third Omnibus Objection Pursuant to 11 U.S.C. § 502(b), Fed. R. Bankr. P. 3007, and Local Rule 3007-1 to Certain Misclassified Claims (Docket No. 1738) (Filed 8/26/09)

Status: All matters for which responses have been filed are being continued to a hearing date and time to be determined.

15. Motion of the City of Litchfield, Illinois for Relief From the Automatic Stay (Docket No. 1689) (Filed 8/13/09)

Response

Deadline: August 27, 2009 at 4:00 p.m.

Responses

Filed/Received: None.

Status: This matter has been adjourned to the November 2, 2009 hearing.

RESOLVED MATTERS

16. Motion of Fagen, Inc. for Entry of an Order Directing the Debtors to Pay Fagen's Secured Claims in Full (Docket No. 1554) (Filed 6/26/09)

Related

Document:

- a. Re-Notice of Motion (Docket No. 1594) (Filed 7/8/09)

Response

Deadline: July 30, 2009 at 4:00 p.m., extended until August 20, 2009 at 4:00 p.m. for the Debtors.

Responses

Filed/Received:

- a. Debtors' Response to Fagen Inc.'s Motion for Entry of an Order Directing the Debtors to Pay Fagen's Secured Claims in Full (Docket No. 1651) (Filed 8/3/09)

Status: This matter has been resolved. The parties intend to submit a proposed form of order under certification of counsel.

UNCONTESTED MATTERS GOING FORWARD

17. Debtors' Non-Substantive Fourth Omnibus Objection Pursuant to 11 U.S.C. § 502(b), Fed. R. Bankr. P. 3007, and Local Rule 3007-1 to Certain (A) Duplicate Claims, (B) Assumed and Assigned Claims, and (C) Amended and Replaced Claims (Docket No. 1799) (Filed 9/10/09)

Related
Documents:

- a. Proposed Form of Order

Response
Deadline: October 6, 2009 at 4:00 p.m.

Responses
Filed/Received: None

Status: This matter is going forward.

18. Motion for Order Pursuant to Fed. R. Bankr. P. 9019 Authorizing the Debtors to Enter into a Settlement with SourceGas Distribution, LLC and Valero Renewable Fuels Company, LLC (Docket No. 1864) (Filed 9/25/09)

Related
Documents:

- a. Proposed Form of Order

Response
Deadline: October 8, 2009 at 4:00 p.m.

Responses
Filed/Received: None

Status: This matter is going forward.

STATUS CONFERENCE MATTERS

19. Union Tank Car Company's Request for Payment of Administrative Expense and Motion to Compel VeraSun Marketing LLC to Return Railcars in an Environmentally Safe Condition (Docket No. 377) (Filed 12/19/08)

Related
Documents:

- a. Amended Notice of Motion (Docket No. 386) (Filed 12/22/08)
- b. Affidavit of John Szablewski in Support of Union Tank Car Company's Request for Payment of Administrative Expense and Motion to Compel VeraSun Marketing LLC to Return Railcars in an Environmentally Safe Condition (Docket No. 593) (Filed 2/2/09)
- c. Affidavit of John C. Kolb in Support of Union Tank Car Company's Request for Payment of Administrative Expense and Motion to Compel VeraSun Marketing LLC to Return Railcars in an Environmentally Safe Condition (Docket No. 594) (Filed 2/2/09)
- d. Affidavit of William Constantino in Support of Union Tank Car Company's Request for Payment of Administrative Expense and Motion to Compel VeraSun Marketing LLC to Return Railcars in an Environmentally Safe Condition (Docket No. 595) (Filed 2/2/09)
- e. Supplemental Declaration of James Bonsall in Support of Debtors' Response to Union Tank Car Company's Request for Payment of Administrative Expense and Motion to Compel VeraSun Marketing LLC to Return Railcars in an Environmentally Safe Condition (Docket No. 694) (Filed 2/19/09)

Response

Deadline: January 2, 2009 at 4:00 p.m.

Responses

Filed/Received:

- a. Debtors' Response to Union Tank Car Company's Request for Payment of Administrative Expense and Motion to Compel VeraSun Marketing LLC to Return Railcars in an Environmentally Safe Condition (Docket No. 421) (Filed 12/30/08)
 - (i) Declaration of James Bonsall in Support of Debtors' Response to Union Tank Car Company's Request for Payment of Administrative Expense and Motion to Compel VeraSun Marketing LLC to Return Railcars in an Environmentally Safe Condition (Docket No. 687) (Filed 2/18/09)
- b. Dougherty Funding LLC's Objection to Union Tank Car Company's Request for Payment of Administrative Expense and Motion to Compel VeraSun Marketing LLC to Return Railcars in an Environmentally Safe Condition (Docket No. 422) (Filed 12/30/08)
- c. Joinder of the Official Committee of Unsecured Creditors of VeraSun Energy Corporation, et. al. to the Debtors' Response to Union Tank Car Company's Request for Payment of Administrative Expense and Motion

to Compel VeraSun Marketing LLC to Return Railcars in an Environmentally Safe Condition (Docket No. 436) (Filed 1/5/09)

- d. Union Tank Car Company's Reply to Debtors' Response to Union Tank Car Company's Request for Payment of Administrative Expense and Motion to Compel VeraSun Marketing LLC to Return Railcars in an Environmentally Safe Condition (Docket No. 437) (Filed 1/5/09)
- e. Response of General Electric Railcar Services Corporation to Union Tank Car Company's Request for Payment of Administrative Expense and Motion to Compel VeraSun Marketing LLC to Return Railcars in an Environmentally Safe Condition (Docket No. 438) (Filed 1/5/09)

Status: A pre-trial teleconference is scheduled for October 13, 2009 at 2:00 p.m. and an evidentiary hearing is scheduled for November 3, 2009 at 10:30 a.m.

- 20. Union Tank Car Company's Second Request for Payment of an Administrative Expense Claim (Docket No. 1325) (Filed 5/22/09)

Response

Deadline: June 10, 2009 at 4:00 p.m.

Responses

Filed/Received:

- a. Debtors' Response to Union Tank Car Company's Second Request for Payment of an Administrative Expense Claim (Docket No. 1547) (Filed 6/24/09)
- b. Union Tank Car Company's Reply in Support of Its Second Request for Payment of an Administrative Expense Claim (Docket No. 1579) (Filed: 7/2/09)

Status: A pre-trial teleconference is scheduled for October 13, 2009 at 2:00 p.m. and an evidentiary hearing is scheduled for November 3, 2009 at 10:30 a.m.

CONTESTED MATTERS GOING FORWARD

- 21. Debtors' Non-Substantive Fifth Omnibus Objection Pursuant to 11 U.S.C. § 502(b), Fed. R. Bankr. P. 3007, and Local Rule 3007-1 to Certain Misclassified Claims (Substantive Rights May be Affected) (Docket No. 1800) (Filed 9/10/09)

Related

Documents:

a. Proposed Form of Order

Response

Deadline: October 6, 2009 at 4:00 p.m.

Responses

Filed/Received:

- a. Response From Claimant Adolfo Alcaraz Silva, Claim Numbers 485 and 486 to Debtors' Non-Substantive Fifth Omnibus Objection Pursuant to 11 U.S.C. § 502(b), Fed. R. Bankr. P. 3007, and Local Rule 3007-1 to Certain Misclassified Claims (Substantive Rights May be Affected) (Docket No. TBD) (Received 10/7/09)

Status: This matter is going forward with respect to claims for which no responses have been received. This matter has been adjourned to a date to be determined with respect to all filed responses.

22. Motion by Brushvale Grain, Inc. for Payment of Postpetition, Prerejection Amounts Due and Owing Pursuant to 11 U.S.C. § 365(d)(3) (Docket No. 1367) (Filed 6/1/09)

Related

Documents:

- a. Amended Motion by Brushvale Grain, Inc. for Payment of Postpetition, Prerejection Amounts Due and Owing Pursuant to 11 U.S.C. § 365(d)(3) and for Administrative Expense Claim Pursuant to 11 U.S.C. § 503(b)(1)(a) (Docket No. 1779) (Filed 9/8/09)

Response

Deadline: June 22, 2009 at 4:00 p.m., extended until September 2, 2009 at 4:00 p.m. for the Debtors.

Responses

Filed/Received:

- a. Omnibus Objection to Motions by Brushvale Grain, Inc. and J&K Grain, LLC for Payment of Postpetition, Prerejection Amounts Due and Owing Pursuant to 11 U.S.C. Section 365(d)(3) (Docket No. 1769) (Entered 9/2/09)
- b. Debtors' Omnibus Response to Amended Motions by Brushvale Grains, Inc. and J&K Grain, LLC for Payment of Postpetition, Prerejection Amounts Due and Owing Pursuant to 11 U.S.C. § 365(d)(3) and for Administrative Expense Claim Pursuant to 11 U.S.C. § 503(b)(1)(A) (Docket No. 1888) (Filed 10/2/09)

- c. Omnibus Reply of Movants Brushvale Grain, Inc. and J&K Grain, LLC to Debtors' Omnibus Response to Amended Motions by Brushvale Grain, Inc. and J&K Grain, LLC for Payment of Postpetition, Prerejection Amounts Due and Owing Pursuant to 11 U.S.C. § 365(d)(3) and for Administrative expense Claim Pursuant to 11 U.S.C. § 503(b)(1)(a) (Docket No. 1897) (Filed 10/7/09)

Status: This matter is going forward.

- 23. Motion by J&K Grain, LLC for Payment of Postpetition, Prerejection Amounts Due and Owing Pursuant to 11 U.S.C. § 365(d)(3) (Docket No. 1368) (Filed 6/1/09)

Related Documents:

- a. Amended Motion by J&K Grain, LLC for Payment of Postpetition, Prerejection Amounts Due and Owing Pursuant to 11 U.S.C. § 365(d)(3) and for Administrative Expense Claim Pursuant to 11 U.S.C. § 503(b)(1)(a) (Docket No. 1778) (Filed 9/8/09)

Response

Deadline: June 22, 2009 at 4:00 p.m., extended until September 2, 2009 at 4:00 p.m. for the Debtors.

Responses

Filed/Received:

- a. Omnibus Objection to Motions by Brushvale Grain, Inc. and J&K Grain, LLC for Payment of Postpetition, Prerejection Amounts Due and Owing Pursuant to 11 U.S.C. Section 365(d)(3) (Docket No. 1769) (Entered 9/2/09)
- b. Debtors' Omnibus Response to Amended Motions by Burshvale Grains, Inc. and J&K Grain, LLC for Payment of Postpetition, Prerejection Amounts Due and Owing Pursuant to 11 U.S.C. § 365(d)(3) and for Administrative Expense Claim Pursuant to 11 U.S.C. § 503(b)(1)(A) (Docket No. 1888) (Filed 10/2/09)

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- c. Omnibus Reply of Movants Brushvale Grain, Inc. and J&K Grain, LLC to Debtors' Omnibus Response to Amended Motions by Brushvale Grain, Inc. and J&K Grain, LLC for Payment of Post-petition, Prerejection Amounts Due and Owing Pursuant to 11 U.S.C. § 365(d)(3) and for Administrative expense Claim Pursuant to 11 U.S.C. § 503(b)(1)(a) (Docket No. 1897) (Filed 10/7/09)

Status: This matter is going forward.

Dated: Wilmington, Delaware
October 8, 2009

/s/ Davis Lee Wright

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