

**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
DECEMBER 7, 2009 AT 10:00 A.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 December 7, 2009 beginning at 10:00 a.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 January 14, 2010 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 January 14, 2010 hearing.

- 3. 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:

- a. 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.

- 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 Dierdre D. Monson (Docket No. 1621) (Filed 7/23/09)
- c. Response to Debtor(s) First Omnibus Objection to Equity Claims filed by Vincent E. Rhynes (Docket No. 1629) (Filed 7/24/09)
- d. 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)
- e. 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)
- f. 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: These matters have either been withdrawn by the Debtors or adjourned to a hearing date and time to be determined.

- 4. 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:

- a. Letter re: Response to the Second Omnibus Claims Objection Filed by Mitchell Instrument Company Inc (Docket No. 1684) (Filed 8/10/09)
- b. 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)
- c. 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)
- d. 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)
- e. 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)
- f. 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)
- g. 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: All matters for which responses have been received have been adjourned to a hearing date and time to be determined.

- 5. 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:

- a. 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)
- b. Response Debtors' Non-Substantive Third Omnibus Objection to Certain Misclassified Claims (Substantive Rights May Be Affected) filed by Adolfo Alcaraz Silva (Docket No. 1903) (Filed 10/8/09)

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

6. 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 January 14, 2010 hearing.

7. 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. Order Reclassifying Claims Identified In The Debtors' Non-Substantive Fifth Omnibus Claims Objection (Docket No. 1916) (Entered 10/13/09)

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

Responses

Filed/Received:

- a. Response of Air Compliance Testing, Inc. (Claim No. 2827) 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 (Docket No. 1901) (Filed 10/8/09)
- b. 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. 1902) (Received 10/8/09)

Status: This matter has been adjourned to a date to be determined with respect to all filed responses.

RESOLVED MATTERS

8. 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 resolved. The parties intend to submit a proposed form of order under certification of counsel.

9. 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 parties have reached settlement in principle and intend to submit a stipulated order at the hearing.

10. 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 resolved. The parties intend to submit a proposed form of order under certification of counsel.

11. 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: The Court held a hearing on October 13, 2009 resolving this matter. The Parties intend to submit a proposed form of order under certification of counsel.

- 12. 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)
- 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: The Court held a hearing on October 13, 2009 resolving this matter. The Parties intend to submit a proposed form of order under certification of counsel.

CONTESTED MATTERS GOING FORWARD

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

Response

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

Responses

Filed/Received:

- a. 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: This matter is going forward.

14. 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 is going forward.

15. 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 is going forward.

- 16. 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 is going forward.

- 17. 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 is going forward.

- 18. Motion for Order Pursuant to 11 U.S.C. §§ 105(a) and 502(c) (A) Estimating and Setting Maximum Cap on Certain Contingent or Unliquidated Claims and (B) Approving Expedited Claims Estimation Procedures (Docket No. 1973) (Filed 10/30/09)

Related

Document:

- a. Order (A) Estimating and Setting Maximum Cap on Certain Contingent or Unliquidated Claims and (B) Approving Expedited Claims Estimation Procedures (Docket No. 2028) (Entered 11/19/09)
- b. Notice of Debtors' Election to Accept Claimant's Asserted Maximum Capped Amount for Proof of Claim Number 1990 (Docket No. 2048) (Filed 11/25/09)
- c. Notice of Debtors' Election to Accept Claimant's Asserted Maximum Capped Amount for Proofs of Claim Numbers 3285, 3286, 3287, 3288, 3289, 3290, 3291, 3292, 3293, 3294, 3295, 3296, 3297, 3302, 3314, 3315, 3316, 3317, 3318, 3319, 3320, 3321, 3322, 3323, 3326, 3329 (Docket No. 2049) (Filed 11/25/09)
- d. Notice of Estimation Hearing with Respect to Debtors' Motion Estimating Proof of Claim No. 3280 (Docket No. 2057) (Filed 11/25/09)
- e. Notice of Estimation Hearing with Respect to Debtors' Motion Estimating Proofs of Claim Nos. 2606, 2607, 2617, 2619, 2620, 2621, 2622, 2623, 2744, 2747, 2749, 2750, 2758, 2760, 2763, 2764, 2767, 2770, 2771, 2774, 2775, 2778, 2779, 3011, 3076 (Docket No. 2058) (Filed 11/25/09)
- f. Supplemental Brief in Support of Order Pursuant to 11 U.S.C. §§ 105(a) and 502(c) Estimating and Setting Maximum Cap on Certain Proof of Claim Filed by Sheetz (Docket No. 2069) (Filed 12/1/09)

Response

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

Responses

Filed/Received:

- a. Creditor Sheetz, Inc.'s Objection and Counter-Proposal to Motion for Order (A) Estimating and Setting Maximum Cap on Unliquidated Claims and (B) Approving Expedited Claims Estimation Procedures (Docket No. 2001) (Entered 11/12/09)

Status: This matter is going forward.

- b. Liberty Mutual Insurance Company's Response to Debtors' Motion for Order (A) Estimating and Setting Maximum Cap on Unliquidated Claims and (B) Approving Expedited Claims Estimation Procedures (Docket No. 2003) (Entered 11/12/09)

Status: This parties have reached settlement in principle and intend to submit a stipulated order at the hearing. This matter is not going forward.

- c. DMG, Inc., d/b/a Malloy Electric & Bearing Supply's Limited Objection to Motion for Order Pursuant to 11 U.S.C. §§ 105(a) and 5012 (c) (A) Estimating and Setting Maximum Cap on Unliquidated Claims and (B) Approving Expedited Claims Estimation Procedures (Docket No. 2005) (Entered 11/12/09)

Status: The Debtors have accepted the claimant's asserted maximum capped amount. No hearing is required.

- d. Objection and Counter-Proposal of Zurich American Insurance Company, Its Subsidiaries and Affiliates, to the Debtors' Motion for Order Pursuant to 11 U.S.C. §§ 105(a) and 5012 (c) (A) Estimating and Setting Maximum Cap on Unliquidated Claims and (B) Approving Expedited Claims Estimation Procedures (Docket No. 2007) (Entered 11/13/09)

Status: The Debtors have accepted the claimant's asserted maximum capped amount. No hearing is required.

Global Status: This matter is going forward with respect to claimants Sheetz, Inc. and Liberty Mutual Insurance Company.

- 19. Debtors' Non-Substantive Sixth 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) Amended and Replaced Claims, (D) Equity Claims, and (E) Claims Filed in the Wrong Case (Docket No. 1981) (Filed 11/4/09)

Response

Deadline: November 30, 2009 at 4:00 p.m.

Response

Filed/Received:

- a. Response of USDR (CLM #653 & 1938) to Debtor's Sixth Omnibus Objection (Docket # 1981); Declaration of Nathan E. Jones; Declaration of Service (Docket No. 2040) (Entered 11/23/09)
- b. Response of Larry Hilder (Claim No. 579) to Debtor's Sixth Omnibus Objection (Docket No. 2072) (Entered 12/2/09)
- c. Informal Response of Rapp Chevrolet (dated 11/10/09)
- d. Response to Debtors' Omnibus Objection to Claims (Non-Substantive Sixth Omnibus Objection) to Certain (A) Wrong Debtor Claims, (B) Assumed and Assigned Claims, (C) Amended and Replace Claims, (D) Equity Claims, and (E) Claims Filed in the Wrong Case Filed by Lisa J. Hilder (Docket No. 2072) (Filed 12/1/09)

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.

20. Debtors' Non-Substantive Seventh 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. 1982) (Filed 11/4/09)

Response

Deadline: November 30, 2009 at 4:00 p.m.

Responses

Filed/Received:

- a. Letter Objection to Debtor's Objection to Claims (Non-Substantive Seventh Omnibus Objection) to Certain Misclassified Claims (Substantive Rights May Be Affected) filed by Larry Wilson (Docket No. 2015) (Filed 11/17/09)
- b. Letter Objection to Debtors' Objection to Claims (Non-Substantive Seventh Omnibus Objection) to Certain Misclassified Claims (Substantive Rights May Be Affected) Filed by Jill Marie Hungerford (Docket No. 2016) (Filed 11/17/09)
- c. Letter Objection to Debtors' Objection to Claims (Non-Substantive Seventh Omnibus Objection) to Certain Misclassified Claims (Substantive Rights May Be Affected) Filed by Michael L. Lockrem (Docket No. 2017) (Filed 11/17/09)
- d. Response of USDR (CLM #653 & 1938) to Debtor's Seventh Omnibus Objection (Docket # 1982); Declaration of Nathan E. Jones; Declaration of Service (Docket No. 2041) (Filed 11/23/09)
- e. Letter Objection to Debtors' Omnibus Objection to Claims (Non-Substantive Seventh Omnibus Objection) to Certain Misclassified Claims (Substantive Rights May Be Affected) Filed by David G. Manthey (Docket No. 2045) (Filed 11/25/09)
- f. Response of Mokma Excavating, Inc. (Claim No. 70) to Debtors' Non-Substantive Seventh 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. 2062) (Filed 11/30/09)
- g. Letter Objection to Debtors' Omnibus Objection to Claims (Non-Substantive Seventh Omnibus Objection) to Certain Misclassified Claims (Substantive Rights May Be Affected) Filed by Jeffrey R. Friesth (Docket No. 2066) (Filed 12/1/09)

- h. Letter Objection to Debtors' Omnibus Objection to Claims (Non-Substantive Seventh Omnibus Objection) to Certain Misclassified Claims (Substantive Rights May Be Affected) Filed by Misty J. Alfson (Docket No. 2067) (Filed 12/1/09)
- i. Letter Objection to Debtors' Omnibus Objection to Claims (Non-Substantive Seventh Omnibus Objection) to Certain Misclassified Claims (Substantive Rights May Be Affected) Filed by Robert Abbott (Docket No. 2070) (Filed 11/30/09)
- j. Letter Response to Debtors' Omnibus Objection to Claims (Non-Substantive Seventh Omnibus Objection) to Certain Misclassified Claims (Substantive Rights May Be Affected) Filed by Matt Nosbisch (Docket No. 2071) (Filed 12/1/09)
- k. Letter Objection to Debtors' Omnibus Objection to Claims (Non-Substantive Seventh Omnibus Objection) to Certain Misclassified Claims (Substantive Rights May Be Affected) Filed by Steven Foss (Docket No. 2073) (Filed 12/1/09)
- l. Letter Objection to Debtors' Omnibus Objection to Claims (Non-Substantive Seventh Omnibus Objection) to Certain Misclassified Claims (Substantive Rights May Be Affected) Filed by Michael Schon (Docket No. 2074) (Filed 12/1/09)

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.

- 21. Debtors' Substantive Eighth Omnibus Objection Pursuant to 11 U.S.C. § 502(b), Fed. R. Bankr. P. 3007, and Local Rule 3007-1 to Certain (A) Books and Records Claims, (B) Overstated Claims, and (C) Overstated and Misclassified Claims (Docket No. 1983) (Filed 11/4/09)

Related

Documents:

- a. Notice of Submission of Copies of Proofs of Claims for the Debtors' Substantive Eighth Omnibus Objection Pursuant to 11 U.S.C. § 502(b), Fed. R. Bankr. P. 3007, and Local Rule 3007-1 to Certain (A) Books and Records Claims, (B) Overstated Claims, and (C) Overstated and Misclassified Claims (Docket No. 2031) (Filed 11/20/09)

Response

Deadline: November 30, 2009 at 4:00 p.m.

Responses

Filed/Received:

a. Informal Response of Rapp Chevrolet (TBD) (dated 11/10/2009)

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

b. Informal Response of A&B Process Systems (TBD)

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

c. Informal Response of Midco

Status: This objection has been withdrawn.

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

STATUS CONFERENCE

22. 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: This matter is going forward as a status conference.

23. 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: This matter is going forward as a status conference.

FEE APPLICATIONS²

- 24. Second Interim Fee Application Request of Skadden, Arps, Slate, Meagher & Flom LLP for Allowance and Payment of Compensation for Services Rendered and Reimbursement of Expenses Incurred (February 1, 2009 Through April 30, 2009) (Docket No. 1484) (Filed 6/11/09)

Related
Documents:

- a. Fourth Monthly Application of Skadden, Arps, Slate, Meagher & Flom LLP for Compensation for Services Rendered and Reimbursement of Expenses as Counsel to the Debtors for the Period from February 1, 2009 Through and Including February 28, 2009 (Docket No. 915) (Filed 3/26/08)
- b. Fifth Monthly Application of Skadden, Arps, Slate, Meagher & Flom LLP for Compensation for Services Rendered and Reimbursement of Expenses as Counsel to the Debtors for the Period from March 1, 2009 Through and Including March 31, 2009 (Docket No. 1104) (Filed 4/23/09)
- c. Sixth Monthly Application of Skadden, Arps, Slate, Meagher & Flom LLP for Compensation for Services Rendered and Reimbursement of Expenses as Counsel to the Debtors for the Period from April 1, 2009 Through and Including April 30, 2009 (Docket No. 1279) (Filed 5/20/09)
- d. Fee Auditor's Final Report Regarding Fee Application of Skadden, Arps, Slate, Meagher & Flom LLP for the Second Interim Period (Docket No. 2009) (Filed 11/16/09)

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

² Fee Application binders were previously submitted to the Court on November 30, 2009

Responses

Filed/Received: None.

Status: This matter is going forward.

25. Second Interim Fee Application of McGladrey & Pullen, LLP for Allowance of Compensation for Services Rendered and Reimbursement of Expenses as Auditor of Record to Debtors for the Three Month Period of February 1, 2009 Through and Including April 30, 2009 (Docket No. 1344) (Filed 5/27/09)

Related

Documents:

- a. Fourth Monthly Application of McGladrey & Pullen, LLP for Compensation for Services Rendered and Reimbursement of Expenses as Auditor of Record to the Debtors for the Period from February 1, 2009 Through and Including February 28, 2009 (Docket No. 866) (Filed 3/16/08)
- b. Fifth Monthly Application of McGladrey & Pullen, LLP For Compensation for Services Rendered and Reimbursement of Expenses as Auditor of Record to the Debtors for the Period from March 1, 2009 Through and Including March 31, 2009 (Docket No. 1079) (Filed 4/17/09)
- c. Sixth Monthly Application of McGladrey & Pullen, LLP For Compensation for Services Rendered and Reimbursement of Expenses as Auditor of Record to the Debtors for the Period from April 1, 2009 Through and Including April 30, 2009 (Docket No. 1261) (Filed 5/19/09)
- d. Fee Auditor's Final Report Regarding Fee Application of McGladrey & Pullen, LLP for the Second Interim Period (Docket No. 1789) (Filed 9/10/09)

Response

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

Responses

Filed/Received: None.

Status: This matter is going forward.

26. Second Interim Fee Application of Akin Gump Strauss Hauer & Feld LLP, Co-Counsel for Official Committee of Unsecured Creditors, for Interim Allowance of Compensation and for the Reimbursement of Expenses for Services Rendered During the Period from February 1, 2009 Through April 30, 2009 (Docket No. 1503) (Filed 6/15/09)

Related

Documents:

- a. Fourth Monthly Application of Akin Gump Strauss Hauer & Feld LLP, Co-Counsel for Official Committee of Unsecured Creditors, for Interim Allowance of Compensation and for the Reimbursement of Expenses for Services Rendered During the Period from February 1, 2009 Through February 28, 2009 (Docket No. 943) (Filed 3/30/09)
- b. Fifth Monthly Application of Akin Gump Strauss Hauer & Feld LLP, Co-Counsel for Official Committee of Unsecured Creditors, for Interim Allowance of Compensation and for the Reimbursement of Expenses for Services Rendered During the Period from March 1, 2009 Through March 31, 2009 (Docket No. 1125) (Filed 4/30/09)
- c. Sixth Monthly Application of Akin Gump Strauss Hauer & Feld LLP, Co-Counsel for Official Committee of Unsecured Creditors, for Interim Allowance of Compensation and for the Reimbursement of Expenses for Services Rendered During the Period from April 1, 2009 Through April 30, 2009 (Docket No. 1366) (Filed 6/1/09)
- d. Fee Auditor's Final Report Regarding Fee Application of Akin Gump Strauss Hauer & Feld LLP for the Second Interim Period (Docket No. 2008) (Filed 11/16/09)

Response

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

Responses

Filed/Received: None.

Status: This matter is going forward.

- 27. Second Interim Fee Application Request of Houlihan Lokey Howard & Zukin Capital, Inc. as Investment Bankers and Financial Advisors to the Official Committee of Unsecured Creditors of VeraSun Energy Corporation, et. al. for the Period from February 1, 2009 Through April 30, 2009 (Docket No. 1504) (Filed 6/15/09)

Related

Documents:

- a. Third Monthly Application of Houlihan Lokey Howard & Zukin Capital, Inc. for Allowance of Compensation and for Services Rendered and for Reimbursement of Expenses as Financial Advisor to the Official Committee of Unsecured Creditors of VeraSun Energy Corporation, et. al. for the Period of February 1, 2009 Through February 28, 2009 (Docket No. 929) (Filed 3/27/09)
- b. Fourth Monthly Application of Houlihan Lokey Howard & Zukin Capital, Inc. for Allowance of Compensation and for Services Rendered and for

Reimbursement of Expenses as Financial Advisor to the Official Committee of Unsecured Creditors of VeraSun Energy Corporation, et. al. for the Period of March 1, 2009 Through March 31, 2009 (Docket No. 1116) (Filed 4/28/09)

- c. Fifth Monthly Application of Houlihan Lokey Howard & Zukin Capital, Inc. for Allowance of Compensation and for Services Rendered and for Reimbursement of Expenses as Financial Advisor to the Official Committee of Unsecured Creditors of VeraSun Energy Corporation, et. al. for the Period of April 1, 2009 Through April 30, 2009 (Docket No. 1378) (Filed 6/2/09)
- d. Fee Auditor's Final Report Regarding Fee Application of Houlihan Lokey Howard & Zukin Capital, Inc. for the Second Interim Period (Docket No. 1995) (Filed 11/10/09)

Response

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

Responses

Filed/Received: None.

Status: This matter is going forward.

- 28. Second Interim Fee Application of Greenberg Traurig, LLP for Compensation and Reimbursement of Expenses as Co-Counsel to the Official Committee of Unsecured Creditors for the Period from February 1, 2009 Through April 30, 2009 (Docket No. 1533) (Filed 6/19/09)

Related

Documents:

- a. Third Monthly Application of Greenberg Traurig, LLP for Compensation and Reimbursement of Expenses as Co-Counsel to the Official Committee of Unsecured Creditors for the Period of February 1, 2009 to and Including February 28, 2009 (Docket No. 870) (Filed 3/17/09)
- b. Fourth Monthly Application of Greenberg Traurig, LLP for Compensation and Reimbursement of Expenses as Co-Counsel to the Official Committee of Unsecured Creditors for the Period of March 1, 2009 to and Including March 31, 2009 (Docket No. 1052) (Filed 4/15/09)
- c. Fifth Monthly Application of Greenberg Traurig, LLP for Compensation and Reimbursement of Expenses as Co-Counsel to the Official Committee of Unsecured Creditors for the Period of April 1, 2009 to and Including April 30, 2009 (Docket No. 1352) (Filed 5/28/09)

- d. Fee Auditor's Final Report Regarding Fee Application of Greenberg Traurig, LLP for the Second Interim Period (Docket No. 1995) (Filed 11/10/09)

Response

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

Responses

Filed/Received: None.

Status: This matter is going forward.

- 29. Second Interim Quarterly Fee Application of Deloitte Tax LLP as Tax Service Providers and Tax Consultants and Advisors to the Debtors and Debtors-In-Possession (Docket No. 1770) (Filed 9/2/09)

Related

Documents:

- a. February 1, 2009 Through February 28, 2008 Monthly Statement of Deloitte Tax LLP as Tax Service Providers and Tax Consultants and Advisors to the Debtors And Debtors-In-Possession (Docket No. 893) (Filed 3/20/09)
- b. March 1, 2009 Through March 31, 2008 Monthly Statement of Deloitte Tax LLP as Tax Service Providers And Tax Consultants and Advisors to the Debtors and Debtors-In-Possession (Docket No. 1115) (Filed 4/28/09)
- c. April 1, 2009 Through April 30, 2008 Monthly Statement of Deloitte Tax LLP as Tax Service Providers and Tax Consultants and Advisors to the Debtors and Debtors-In-Possession (Docket No. 1481) (Filed 6/10/09)
- d. Fee Auditor's Final Report Regarding Fee Application of Deloitte Tax, LLP for the Second Interim Period (Docket No. 1794) (Filed 9/10/09)

Response

Deadline: September 22, 2009 at 4:00 p.m.

Responses

Filed/Received: None.

Status: This matter is going forward.

- 30. Second Interim Application of Rothschild Inc. for Compensation and Reimbursement for February Through April 2009 (Docket No. 1942) (Filed 10/22/09)

Related

Documents:

- a. Application of Rothschild Inc. for Compensation and Reimbursement for February 2009 (Docket No. 1475) (Filed 6/9/09)
- b. Application of Rothschild Inc. for Compensation and Reimbursement for March 2009 (Docket No. 1476) (Filed 6/9/09)
- c. Application of Rothschild Inc. for Compensation and Reimbursement for April 2009 (Docket No. 1941) (Filed 10/20/09)
- d. Fee Auditor's Final Report Regarding Fee Application of Rothschild Inc. for the Second Interim Period (Docket No. 2010) (Filed 11/16/09)

Response

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

Responses

Filed/Received: None.

Status: This matter is going forward.

- 31. Second Interim Quarterly Fee Application of Deloitte & Touche LLP as Sarbanes-Oxley Compliance Service Providers and Sarbanes-Oxley Consultants to the Debtors and Debtors-In-Possession (Docket No. 1994) (Filed 11/10/09)

Related

Documents:

- a. February 1, 2009 – February 28, 2009 Monthly Application of Deloitte & Touche LLP as Sarbanes-Oxley Compliance Service Providers and Sarbanes-Oxley Consultants to the Debtors and Debtors-In-Possession (Docket No. 1098) (Filed 4/23/09)
- b. March 1, 2009 – March 31, 2009 Monthly Application of Deloitte & Touche LLP as Sarbanes-Oxley Compliance Service Providers and Sarbanes-Oxley Consultants to the Debtors and Debtors-In-Possession (Docket No. 1474) (Filed 6/9/09)
- c. Fee Auditor's Final Report Regarding Fee Application of Deloitte & Touche LLP. for the Second Interim Period (Docket No. 2004) (Filed 11/12/09)

Response

Deadline: November 30, 2009 at 4:00 p.m.

Responses

Filed/Received: None.

Status: This matter is going forward.

Dated: Wilmington, Delaware
December 3, 2009

/s/ Davis Lee Wright

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