

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

In re: )  
 ) Case No. 08-12606 (BLS)  
 )  
VERASUN ENERGY CORPORATION, et al., ) *Chapter 11*  
 )  
Debtors.<sup>1</sup> ) Joint Administration Pending  
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 )

**PROPOSED FIRST DAY AGENDA OF MATTERS SCHEDULED FOR HEARING ON  
NOVEMBER 3, 2008 AT 10:00 A.M. AND NOVEMBER 4, 2008 AT 11:00 A.M.**

Set forth below are the matters 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 Market Street, 6<sup>th</sup> Floor, Wilmington, Delaware, Courtroom #1, on **November 3, 2008** beginning at **10:00 a.m.** Eastern and continuing on **November 4, 2008** beginning at **11:00 a.m.** Eastern.

**MATTERS TO BE HEARD ON NOVEMBER 3, 2008 AT 10:00 A.M.**

**I. DAY 1 INTRODUCTION**

1. Introductory Presentation
2. Declaration of Danny Herron in Support of First Day Orders

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<sup>1</sup> 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 (20-5765890); VeraSun Fort Dodge, LLC (EIN: 42-1630527); VeraSun Granite City, LLC (EIN: 20-5909621); VeraSun Hankinson, LLC (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 (75-3204878); VeraSun Reynolds, LLC (EIN: 20-5914827); VeraSun Tilton, LLC (EIN: 26-1539139); VeraSun Welcome, LLC (EIN: 20-4115888); VeraSun Woodbury, LLC (20-0647425).

## II. DAY 1 MATTERS

### A. Administrative and Procedural Matters

3. Motion of Debtors for Order Under Bankruptcy Rule 1015 and Local Rule 1015-1 Authorizing Joint Administration of the Debtors' Chapter 11 Cases

### B. Business Operations of the Debtors

4. Motion of Debtors for Order Pursuant to Bankruptcy Code Sections 105(A) and 363 and Bankruptcy Rule 6003 Authorizing (I) Continued Use of Existing Cash Management System, (II) Continued Use of Existing Bank Accounts, (III) Authorizing Continued Use of Existing Business Forms, and (IV) Authorizing Intercompany Transactions
5. Motion of the Debtors for Order Under Bankruptcy Code Sections 105(A), 363, and 507(A) and Fed. R. Bankr. P. 6003, Authorizing Debtors, Inter Alia, to Pay Prepetition Wages, Compensation, and Employee Benefits (*emergency order - - limited relief only*)
6. Motion of the Debtors for Order Pursuant to Bankruptcy Code Sections 105(A) 363(B), 503(B), 506, 1107 and 1108 and Fed. R. Bankr. P. 6003 Authorizing Payment of Certain Prepetition Shipping, Delivery, and Warehousing Charges (*emergency order - - limited relief only*)
7. Motion for an Order Pursuant To 11 U.S.C. §§ 105 and 503(B) (I) Confirming Grant of Administrative Expense Status to Obligations Arising from Prepetition Delivery of Goods Received Within 20 Days of the Commencement Date of These Chapter 11 Cases, (II) Confirming Grant of Administrative Expense Status to Obligations Arising from Postpetition Delivery of Goods, and (III) Authorizing, but Not Directing, the Debtors to Pay Such Obligations in the Ordinary Course of Business (*emergency order - - limited relief only*)
8. **[To be filed on or prior to November 3, 2008]** Motion Pursuant to Bankruptcy Code Sections 105, 361, 362,363, and 364 and Bankruptcy Rules 2002, 4001, and 9014 for Interim and Final Orders (I) Authorizing Debtors to Obtain Post-Petition Financing (II) Authorizing Debtors to Utilize Cash Collateral, (III) Granting Adequate Protection to Pre-Petition Secured Lenders and (IV) Scheduling Final Hearing

**MATTERS TO BE HEARD ON NOVEMBER 4, 2008 AT 11:00 A.M.**

**III. DAY 2 INTRODUCTION**

9. Introductory Presentation
10. Declaration of Danny Herron in Support of First Day Orders

**IV. DAY 2 MATTERS**

**C. Administrative and Procedural Matters**

11. Application of Debtors for Order Under 28 U.S.C. § 156(C), Bankruptcy Rule 2002(F), and Local Rule 2002-1(F) Approving Agreement with Kurtzman Carson Consultants, LLC and Appointing Kurtzman Carson Consultants, LLC as Claims, Noticing, Soliciting, and Balloting Agent

**D. Business Operations of the Debtors**

12. Motion of the Debtors for Interim and Final Waivers of Investment and Deposit Requirements Pursuant to Bankruptcy Code Sections 105 and 345 and Local Rule 2015-2(B)
13. Motion of the Debtors for Order Under Bankruptcy Code Sections 105(A), 363, and 507(A) and Fed. R. Bankr. P. 6003, Authorizing Debtors, Inter Alia, to Pay Prepetition Wages, Compensation, and Employee Benefits (*with respect to all remaining relief sought, but not previously granted*)
14. Motion for Order Under 11 U.S.C. §§ 105(A) and 366 (I) Prohibiting Utility Companies from Altering or Discontinuing Service on Account of Prepetition Invoices, (II) Approving Deposit as Adequate Assurance of Payment, and (III) Establishing Procedures for Resolving Requests by Utility Companies for Additional Assurance of Payment
15. Motion of the Debtors for Order Pursuant to Bankruptcy Code Sections 105(A), 506(A), 507(A)(8), 541 and 1129 and Fed. R. Bankr. P. 6003 Authorizing the Debtors to Pay Prepetition Sales, Use, Trust Fund and Other Taxes and Related Obligations
16. Motion for Order Under 11 U.S.C. §§ 105, 362 and 541 and Fed. R. Bankr. P. 3002 Establishing Notification and Hearing Procedures for Trading in Claims and Equity Securities

17. Motion of the Debtors for Order Pursuant to Bankruptcy Code Sections 105(A) 363(B), 503(B), 506, 1107 and 1108 and Fed. R. Bankr. P. 6003 Authorizing Payment of Certain Prepetition Shipping, Delivery, and Warehousing Charges (*with respect to all remaining relief sought, but not previously granted*)
18. Motion for an Order Pursuant To 11 U.S.C. §§ 105 and 503(B) (I) Confirming Grant of Administrative Expense Status to Obligations Arising from Prepetition Delivery of Goods Received Within 20 Days of the Commencement Date of These Chapter 11 Cases, (II) Confirming Grant of Administrative Expense Status to Obligations Arising from Postpetition Delivery of Goods, and (III) Authorizing, but Not Directing, the Debtors to Pay Such Obligations in the Ordinary Course of Business (*with respect to all remaining relief sought, but not previously granted*)

Dated: Wilmington, Delaware  
November 1, 2008

/s/ Mark S. Chehi  
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