

**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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**AMENDED AGENDA MATTERS SCHEDULED FOR HEARING ON
MARCH 31, 2009 AT 2:30 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 Market Street, Courtroom #1, Wilmington, Delaware, on March 31, 2009 beginning at 2:30 p.m. (Eastern).

**GIVEN THE STATUS OF THE MATTERS SET FORTH BELOW,
THE HEARING PREVIOUSLY SCHEDULED FOR MARCH 31, 2009 AT 2:30
P.M. HAS BEEN CANCELED WITH THE
PERMISSION OF THE COURT.**

CONTESTED MATTERS

1. Motion Pursuant to 11 U.S.C. §§ 105(a), 363, 365 and Fed. R. Bankr. P. 2002, 6004, 6006 for (I) Entry of an Order (A) Establishing Bidding and Auction Procedures Related to the Sale of Some or All of the Debtors' Assets; (B) Approving Bid Protections for Sale of VSE Assets; (C) Establishing Procedures for the Debtors to Enter into Additional Stalking Horse Agreements with Bid Protections in

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 (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); and VeraSun Woodbury, LLC (20-0647425).

Connection with Sale of Assets; (D) Scheduling an Auction and Sale Hearing for the Sale of the Debtors' Assets; (E) Permitting Credit Bidding Pursuant to Bankruptcy Code Section 363(K); (F) Establishing Certain Notice Procedures for Determining Cure Amounts; (G) Approving Form and Manner of Notice of all Procedures, Protections, Schedules and Agreements; and (H) Granting Certain Related Relief; and (II) Entry of an Order (A) Approving the Sale of Debtors' Assets Free and Clear of all Liens, Claims, Encumbrances and Interests; and (B) Authorizing the Assumption and Assignment of Certain Executory Contracts and Unexpired Leases (Docket No. 622) (Filed 2/6/09)

Related Documents:

- a. Order (A) Establishing Bidding and Auction Procedures Related to the Sale of Some or All of the Debtors' Assets; (B) Approving Bid Protections for Sale of VSE Assets; (C) Establishing Procedures for the Debtors to Enter into Additional Stalking Horse Agreements with Bid Protections in Connection with Sale of Assets; (D) Scheduling an Auction and Sale Hearing for the Sale of the Debtors' Assets; (E) Permitting Credit Bidding (F) Establishing Certain Notice Procedures for Determining Cure Amounts; (G) Approving Form and Manner of Notice of All Procedures, Protections, Schedules and Agreements; and (H) Granting Certain Related Relief (Docket No. 699) (Entered 2/20/09)
- b. Notice of Filing of Order (A) Approving the Sale of Debtors' Assets Free and Clear of all Liens, Claims, Encumbrances and Interests; (B) Authorizing the Assumption and Assignment of Certain Executory Contracts and Unexpired Leases; and (C) Granting Certain Related Relief (Docket No. 778) (Filed 3/6/09)
- c. Notice of Successful Bidder and of Assumption and Assignment of Executory Contract or Unexpired Lease (Docket No. 883) (Filed 3/18/09)

Response
Deadline: February 13, 2009 at 4:00 p.m.

Responses
Filed/Received: N/A

Status: This matter is **not** going forward. **The Debtors will submit a proposed form of order under certification of counsel accepting Dougherty's credit bid for US Bio-**

Energy Marion as described at the March 18, 2009 sale hearing.

2. 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)

Response Deadline:

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

Responses Filed/Received:

- a. Limited Response and Reservation of Rights of the CIT Group/Equipment Financing, Inc. to the Notice of Cure Amount (Docket No. 741) (Filed 3/2/09)

Status: This response has been resolved.

- b. Objection of White County, Indiana to Notice to Cure Amount (Docket No. 754) (Filed 3/4/09)

Status: By agreement of the Debtors and the Successful Bidder(s) this objection has been adjourned to the May 7, 2009 hearing.

- c. Cure Amount Objection of Iowa Lakes Electric Cooperative (Docket No. 757) (Filed 3/4/09)

Status: This Objection has been resolved.

- d. Cure Amount Objection of Dakota Valley Electric Cooperative, Inc. (Docket No. 758) (Filed 3/4/09)

Status: This Objection has been resolved.

- e. Objection of Rognes Bros. Excavating, Inc. to Debtors' Notice of Cure Amount with Respect to Executory Contracts or Unexpired Leases to be Assumed and Assigned (Docket No. 771) (Filed 3/6/09)

Status: By agreement of the Debtors and the Successful Bidder(s) this objection has been adjourned to the May 7, 2009 hearing.

- f. Objections of Beemer Companies to Debtors' Notice of Cure Amount with Respect to Executory Contracts or Unexpired Leases to be Assumed and Assigned (Docket No. 772) (Filed 3/6/09)

Status: By agreement of the Debtors and the Successful Bidder(s) this objection has been adjourned to the May 7, 2009 hearing.

- g. Objections of Kahler Electric to Debtors' Notice of Cure Amount with Respect to Executory Contracts or Unexpired Leases to be Assumed and Assigned (Docket No. 773) (Filed 3/6/09)

Status: By agreement of the Debtors and the Successful Bidder(s) this objection has been adjourned to the May 7, 2009 hearing.

- h. Objections of Tri-County Electric Company to Debtors' Notice of Cure Amount with Respect to Executory Contracts or Unexpired Leases to be Assumed and Assigned (Docket No. 775) (Filed 3/6/09)

Status: This Objection has been resolved.

- i. Objections of BNSF Railways Company to Debtors' Notice of Cure Amount with Respect to Executory Contracts or Unexpired Leases to be Assumed and Assigned (Docket No. 776) (Filed 3/6/09)

Status: This Objection has been resolved.

- j. Objection and Response of ICM, Inc. to Notice of Cure Amounts for Executory Contracts (Docket No. 777) (Filed 3/6/09)

Status: By agreement of the Debtors and the Successful Bidder(s) this objection has been adjourned to the May 7, 2009 hearing.

- k. Objections of Haas TCM Processing LLC to Debtors' Notice of Cure Amount with Respect to Executory Contracts or Unexpired Leases to be Assumed and Assigned (Docket No. 779) (Filed 3/6/09)

Status: This Objection has been resolved.

- l. Limited Objection of Axis Capital, Inc. to Debtors' Notice of Cure Amount with Respect to Executory Contracts or Unexpired Leases to be Assumed and Assigned and to Debtors' Sale Motion (Docket No. 780) (Filed 3/6/09)

Status: This Objection has been resolved.

- m. Limited Objection of J.D. Streett & Company, Inc. to Proposed Cure Amount Provided in Debtors' Notice of Cure Amounts with Respect to Executory Contracts or Unexpired Leases to be Assumed and Assigned and to Debtors' Sale Motion (Docket No. 781) (Filed 3/6/09)

Status: This Objection has been resolved.

- n. Response and Objection of Northern Border Pipeline Company to Debtors' Notice of Cure Amounts with Respect to Executory Contracts or Unexpired Leases to be Assumed and Assigned and to Debtors' Sale Motion (Docket No. 783) (Filed 3/9/09)

Status: This Objection has been resolved.

- o. Interstate Power and Light Company's Objection to Notice of Cure Amount with Respect to Executory Contracts or Unexpired Leases to be Assumed and Assigned (Docket No. 784) (Filed 3/9/09)

Status: This Objection has been resolved.

- p. Objection of GE Railcar Services Corporation to Notice of Cure Amount with Respect to Executory Contracts or Unexpired Leases to be Assumed and Assigned (Docket No. 785) (Filed 3/9/09)

Status: This Objection has been resolved.

- q. Cure Amount Objection of Federated Rural Electric Association (Docket No. 786) (Filed 3/9/09)

Status: By agreement of the Debtors and the Successful Bidder(s) this objection has been adjourned to the May 7, 2009 hearing.

- r. Objection of WINBCO Tank Company to Debtors' Notice of Cure Amount with Respect to Executory Contracts or Unexpired Leases to be Assumed and Assigned (Docket No. 788) (Filed 3/9/09)

Status: By agreement of the Debtors and the Successful Bidder(s) this objection has been adjourned to the May 7, 2009 hearing.

- s. Objection of Shipxpress, Inc. to Notice of Cure Amount with Respect to Executory Contracts or Unexpired Leases to be Assumed and Assigned (Docket No. 789) (Filed 3/9/09)

Status: This Objection has been resolved.

- t. Response of Wells Fargo Bank, N.A., as Indenture Trustee, to Debtors' Motion to Sell Substantially All of the Debtors' Assets (Docket No. 790) (Filed 3/9/09)

Status: This Objection has been resolved.

- u. Objection of Barr Engineering Company to Debtors' Notice of Cure Amount with Respect to Executory Contracts or Unexpired Leases to be Assumed and Assigned (Docket No. 791) (Filed 3/9/09)

Status: By agreement of the Debtors and the Successful Bidder(s) this objection has been adjourned to the May 7, 2009 hearing.

- v. Objection of Hamilton Farm Bureau Cooperative, Inc. to Debtors' Notice of Cure Amount with Respect to Executory Contracts or Unexpired Leases to be Assumed and Assigned (Docket No. 792) (Filed 3/9/09)

Status: By agreement of the Debtors and the Successful Bidder(s) this objection has been adjourned to the May 7, 2009 hearing.

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

Status: This matter has been resolved in part and adjourned in part. By agreement of the Debtors, Dougherty and/or Valero this objection has been adjourned in part to the May 7, 2009 hearing.

- x. Objection of Todd & Sargent to Notice of Cure Amount with Respect to Executory Contracts or Unexpired Leases to be Assumed and Assigned (Docket No. 795) (Filed 3/9/09)

Status: This Objection has been resolved.

- y. Objection of City of Litchfield, Illinois to Debtors' Notice of Cure Amount with Respect to Executory Contracts or Unexpired Leases to be Assumed and Assigned (Docket No. 796) (Filed 3/9/09)

Status: This Objection has been resolved.

- z. Kinder Morgan Interstate Gas Transmission, LLC's Objection to Notice of Cure Amounts (Docket No. 797) (Filed 3/9/09)

Status: By agreement of the Debtors and Valero this objection has been adjourned in part to the May 7, 2009 hearing. By agreement of the Debtors and AgStar this objection has been adjourned in part to the April 2, 2009 omnibus hearing.

- aa. Objection of Anadarko Entergy Services to Notice of Cure Amount (Docket No. 799) (Filed 3/9/09)

Status: This Objection has been resolved.

- bb. CSX Transportation, Inc.'s Objection to Cure Amount (Docket No. 800) (Filed 3/9/09)

Status: By agreement of the Debtors and the Successful Bidder(s) this objection has been adjourned to the May 7, 2009 hearing.

- cc. Cure Objection of HDR Engineering, Inc. (Docket No. 801) (Filed 3/9/09)

Status: By agreement of the Debtors and the Successful Bidder(s) this objection has been adjourned to the May 7, 2009 hearing.

- dd. Dougherty Funding LLC's Consolidated Response to: (a) Debtors' Notice of Cure Amounts with respect to Executory Contracts or Unexpired Leases to be Assumed and Assigned and (b) Debtors' Motion Pursuant to 11 U.S.C. Sections 105(a), 363, 365 and Fed. R. Bankr. p. 2002, 6004, 6006 to Approve the Sale of Assets Free and Clear of Interests and for Other Related Relief (Docket No. 804) (Filed 3/9/09)

Status: By agreement of the Debtors and the Successful Bidder(s) this objection has been adjourned to the May 7, 2009 hearing.

- ee. Objection of Northern Natural Gas Company to Debtors' (I) Cure Notice, (II) Showing of Adequate Assurance of Future Performance and (III) Sale, Assumption and/or Assignment of Some or All of Debtors' Assets (Docket No. 805) (Filed 3/9/09)

Status: By agreement of the Debtors and the Successful Bidder(s) this objection has been adjourned to the May 7, 2009 hearing.

- ff. Limited Objection of North West Rural Electric Cooperative to Debtors' Notice of Cure Amount with Respect to Executory Contracts or Unexpired Leases to be Assumed and Assigned and to Debtors' Sale Motion (Docket No. 806) (Filed 3/9/09)

Status: This Objection has been resolved.

- gg. Joint Objection to Notice of Cure Amounts and Reservation of Rights and Claims by Dakota, Minnesota & Eastern and Iowa, Chicago & Eastern Railroad Corporations (Docket No. 807) (Filed 3/9/09)

Status: By agreement of the Debtors and the Successful Bidder(s) this objection has been adjourned to the May 7, 2009 hearing.

- hh. Limited Objection of Northwestern Corporation to Notice of Cure Amount With Respect to Executory Contracts or Unexpired Leases to be Assumed and Assigned (Docket No. 808) (Filed 3/9/09)

Status: By agreement of the Debtors and the Successful Bidder(s) this objection has been adjourned to the May 7, 2009 hearing.

- ii. 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 the Successful Bidder(s) this objection has been adjourned to the May 7, 2009 hearing.

- jj. Objection of Lessaffre Yeast Corporation to Debtors' Notice of Cure Amount with Respect to Executory Contracts or Unexpired Leases to be Assumed and Assigned (Docket No. 812) (Filed 3/9/09)

Status: This Objection has been resolved.

- kk. Contingent Cure Amount Objection by Microsoft (Docket No. 813) (Filed 3/9/09)

Status: This Objection has been resolved.

- ll. Objection by Kroger Limited Partnership I to Notice of Cure Amount with Respect to Executory Contract, and to any Purported Assumption or Assignment of the Contract Identified Therein (Docket No. 819) (Filed 3/9/09)

Status: This Objection has been resolved.

- mm. Objection to the Notice of Cure Amount with Respect to Executory Contracts or Unexpired Leases to be Assumed and Assigned filed by L. G. Everist, Inc. (Docket No. 820) (Filed 3/9/09)

Status: This Objection has been resolved.

nn. Objection To The Cure Amount For VeraSun Energy Corporation Filed by Marvin Guse (Docket No. 821) (Filed 3/10/09)

Status: By agreement of the Debtors and the Successful Bidder(s) this objection has been adjourned to the May 7, 2009 hearing.

oo. Limited Objection of Fidelity and Deposit Company of Maryland to Sale Notice (Docket No. 822) (Filed 3/10/09)

Status: This matter was incorrectly characterized as a cure objection and was previously addressed as part of the March 18, 2009 sale hearing.

pp. Cure Amount Objection of Sioux Valley-Southwestern Electric Cooperative, Inc. (Docket No. 823) (Filed 3/10/09)

Status: By agreement of the Debtors and the Successful Bidder(s) this objection has been adjourned to the May 7, 2009 hearing.

qq. Cure Amount Objection of Southeastern Electric Cooperative, Inc. (Docket No. 832) (Filed 3/11/09)

Status: By agreement of the Debtors and the Successful Bidder(s) this objection has been adjourned to the May 7, 2009 hearing.

rr. Objection to Notice of Cure Amount with Respect to Contracts with Safe Handling, Inc. (Docket No. 835) (Filed 3/11/09)

Status: By agreement of the Debtors and the Successful Bidder(s) this objection has been adjourned to the May 7, 2009 hearing.

ss. Cure Amount Objection of Minnesota Centre, L.L.C. (Docket No. 839) (Filed 3/11/09)

Status: By agreement of the Debtors and the Successful Bidder(s) this objection has been adjourned to the May 7, 2009 hearing.

tt. Objection to Cure Amount Filed by Carl Guse (Docket No. 843) (Filed 3/10/09)

Status: By agreement of the Debtors and the Successful Bidder(s) this objection has been adjourned to the May 7, 2009 hearing.

uu. Objection to The Cure Amount Filed by Civil Design Inc. (Docket No. 844) (Filed 3/10/09)

Status: By agreement of the Debtors and the Successful Bidder(s) this objection has been adjourned to the May 7, 2009 hearing.

vv. Objection of W.W. Grainger, Inc. to Debtors' Notice of Cure Amount with Respect to Executory Contracts or Unexpired Leases to be Assumed and Assigned (Docket No. 845) (Filed 3/12/09)

Status: By agreement of the Debtors and the Successful Bidder(s) this objection has been adjourned to the May 7, 2009 hearing.

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

Status: By agreement of the Debtors and the Successful Bidder(s) this objection has been adjourned to the May 7, 2009 hearing.

xx. Notice of Objection to Proposed Cure Amount by City of Fort Dodge, Iowa (Docket No. 886) (Filed 3/18/09)

Status: By agreement of the Debtors and the Successful Bidder(s) this objection has been adjourned to the May 7, 2009 hearing.

yy. Objection of Aux Sable Liquid Products LP to Supplemental Notice of Cure Amount with Respect to Executory Contracts or Unexpired Leases to be Assumed and Assigned (Docket No. 894) (Filed 3/20/09)

Status: Scheduled in error. This matter will be going forward at the April 2, 2009 omnibus hearing.

zz. Limited Objection of Nebraska Department of Revenue to Proposed Cure Amount(s) (Docket No. 898) (Filed 3/23/09)

Status: This Objection has been resolved.

aaa. Objection of Iowa Department of Economic Development to Assumption and Assignment of Certain Executory Contracts (Docket No. 899) (Filed 3/23/09)

Status: By agreement of the Debtors and the Successful Bidder(s) this objection has been adjourned to the May 7, 2009 hearing.

bbb. Objection to Cure Amounts filed by Richard and Allen Flohrs (Docket No. TBD)

Status: By agreement of the Debtors and the Successful Bidder(s) this objection has been adjourned to the May 7, 2009 hearing.

ccc. Letter Objection of Kroger Limited Partnership to Notice of Cure Amount (Docket No. TBD)

Status: This Objection has been resolved.

ddd. Objection to Cure Amount of City of Charles City, Iowa (Docket No. 928) (Filed 3/16/09)

Status: This Objection has been resolved.

eee. Objection of Consumers Energy. to Notice of Cure Amount (Docket No. TBD)

Status: By agreement of the Debtors and the Successful Bidder(s) this objection has been adjourned to the May 7, 2009 hearing.

fff. Objection of CenterPoint Energy Minnesota Gas to the Notice and Amended Notice of Cure Amount with Respect to Executory Contracts or Unexpired Leases to be Assumed and Assigned (Docket No. 919) (Filed 3/27/09)

Status: By agreement of the Debtors and the Successful Bidder(s) this objection has been adjourned to the May 7, 2009 hearing.

Global Status: **These matters have been either resolved or adjourned to a future hearing date.**

Dated: Wilmington, Delaware
March **30**, 2009

/s/ Davis Lee Wright
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