

**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.<sup>1</sup> ) Jointly Administered  
 )  
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**AGENDA MATTERS SCHEDULED FOR HEARING ON  
APRIL 2, 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 Market Street, Courtroom #1, Wilmington, Delaware, on April 2, 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)

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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); and VeraSun Woodbury, LLC (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)

Response

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

Responses

Filed/Received: None.

Status:

This matter has been adjourned to the May 7, 2009 hearing.

- 2. Motion of Kinder Morgan Interstate Gas Transmission, LLC's Motion for Relief from Stay to Require Compliance with Tariff, or in the Alternative, to Allow Termination (Docket No. 333) (Filed 12/11/08)

Response

Deadline: December 31, 2008 at 4:00 p.m.

Responses

Filed/Received:

- a. Debtors' Omnibus Response to Kinder Morgan Interstate Gas Transmission LLC's Motions for Relief from Stay to Require Compliance with Tariff, or in the Alternative, to Allow Termination and Its Motion for Relief from Stay to Allow Setoff, to Require Compliance with Tariff, or in the Alternative, to Allow Termination (Docket No. 423) (Filed 12/30/08)

Status: This matter is going forward.

- 3. Motion of Kinder Morgan Interstate Gas Transmission, LLC's Motion for Relief from Stay to Require Compliance with Tariff, or in the Alternative, to Allow Termination (Docket No. 335) (Filed 12/11/08)

Response

Deadline: December 31, 2008 at 4:00 p.m.

Responses

Filed/Received:

- a. Debtors' Omnibus Response to Kinder Morgan Interstate Gas Transmission LLC's Motions for Relief from Stay to Require Compliance with Tariff, or in the Alternative, to Allow Termination and Its Motion for Relief

from Stay to Allow Setoff, to Require Compliance with Tariff, or in the Alternative, to Allow Termination (Docket No. 423) (Filed 12/30/08)

Status: This matter is going forward.

4. Motion of Kinder Morgan Interstate Gas Transmission, LLC's Motion for Relief from Stay to Allow Setoff, to Require Compliance with Tariff, or in the Alternative, to Allow Termination (Docket No. 337) (Filed 12/11/08)

Response

Deadline: December 31, 2008 at 4:00 p.m.

Responses

Filed/Received:

- a. Debtors' Omnibus Response to Kinder Morgan Interstate Gas Transmission LLC's Motions for Relief from Stay to Require Compliance with Tariff, or in the Alternative, to Allow Termination and Its Motion for Relief from Stay to Allow Setoff, to Require Compliance with Tariff, or in the Alternative, to Allow Termination (Docket No. 423) (Filed 12/30/08)

Status: This matter is going forward.

5. 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 has been adjourned to the May 7, 2009 hearing at 10:00 a.m.

6. 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 May 7, 2009 hearing

7. Motion of Debtors for Order Under Bankruptcy Code Sections 105(a) and 363 and Fed. R. Bankr. P. 2002, 6004 and 6006 Authorizing Debtors to Sell (I) Real Property Located in Adams County, Nebraska and (II) Certain Personal Property Located Thereon Free and Clear of All Liens, Claims, and Encumbrances (Docket No. 658) (Filed 2/13/09)

Response

Deadline: February 26, 2009 at 4:00 p.m.

Responses

Filed/Received: None

Status: This matter has been adjourned to the May 7, 2009 hearing.

#### **UNCONTESTED MATTERS GOING FORWARD**

8. Motion of Platte Valley Investments for Relief from the Automatic Stay under Section 362 of the Bankruptcy Code to Pursue State Court Litigation to the Extent of Insurance Proceeds (Docket No. 847) (Filed 3/12/09)

Related

Documents:

- a. Stipulation for Relief from the Automatic Stay (Docket No. 945) (Filed 3/31/09)

Response

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

Responses

Filed/Received:

Status: This matter is going forward. The parties have filed a stipulation and proposed form of order resolving this matter.

## CONTESTED MATTERS GOING FORWARD

9. Motion of Aux Sable Liquid Products LP to Compel Debtor to Assume or Reject Executory Contract with Aux Sable Liquid Products LP under Section 365(d) (Docket No. 325) (Filed 12/10/08)

Response

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

Responses

Filed/Received:

- a. Debtors' Objection to Motion of Aux Sable Liquid Products LP to Compel Debtor to Assume or Reject Executory Contract with Aux Sable Liquid Products LP under Section 365(d) (Docket No. 420) (Filed 12/30/08)
- b. Joinder of the Committee of Unsecured Creditors of VeraSun Energy Corporation, et. al. to the Debtors' Objection to Motion of Aux Sable Liquid Products LP to Compel Debtor to Assume or Reject Executory Contract with Aux Sable Liquid Products LP under Section 365(d) (Docket No. 435) (Filed 1/5/09)

Status: This matter is going forward.

10. 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: None.

Status: This matter is going forward.

12. First Interim Application Request of Akin Gump Strauss Hauer & Feld LLP, Co-Counsel to the Committee of Unsecured Creditors, for Interim Allowance of Compensation and for the Reimbursement of Expenses for Services Rendered During the Period from November 11, 2008 through January 31, 2009 (Docket No. 853) (Filed 3/12/09)

Related Documents:

- a. First Monthly Application Request of Akin Gump Strauss Hauer & Feld LLP, Co-Counsel to the Committee of Unsecured Creditors, for Interim Allowance of Compensation and for the Reimbursement of Expenses for Services Rendered During the Period from November 11, 2008 through November 30, 2008 (Docket No. 569) (Filed 1/23/09)
- b. Second Monthly Application Request of Akin Gump Strauss Hauer & Feld LLP, Co-Counsel to the Committee of Unsecured Creditors, for Interim Allowance of Compensation and for the Reimbursement of Expenses for Services Rendered During the Period from December 1, 2008 through December 31, 2008 (Docket No. 607) (Filed 2/4/09)
- c. Third Monthly Application Request of Akin Gump Strauss Hauer & Feld LLP, Co-Counsel to the Committee of Unsecured Creditors, for Interim Allowance of Compensation and for the Reimbursement of Expenses for Services Rendered During the Period from January 1, 2009 through January 31, 2009 (Docket No. 748) (Filed 3/3/09)

Response

Deadline: March 27, 2009 at 4:00 p.m.  
(Eastern)

Responses

Filed: None.

Status: This matter is going forward.

13. First Interim 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 November 1, 2008 Through and Including January 31, 2009 (Docket No. 854) (Filed 3/12/09)

Related Documents:

- a. First 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 November 1, 2008 Through and Including November 30, 2008 (Docket No. 572) (Filed 1/26/09)
- b. Second 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 December 1, 2008 Through and Including December 31, 2008 (Docket No. 573) (Filed 1/26/09)
- c. Third 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 January 1, 2009 Through and Including January 31, 2009 (Docket No. 660) (Filed 2/16/09)

Response

Deadline: March 27, 2009 at 4:00 p.m.  
(Eastern)

Responses

Filed: None.

Status: This matter is going forward.

- 14. First 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 November 18, 2008 Through January 31, 2009 (Docket No. 855) (Filed 3/13/09)

Related

Documents:

- a. First Monthly Fee Application of Houlihan Lokey Howard & Zukin Capital, Inc. for Allowance of Compensation for Services Rendered and for Reimbursement of Expenses as Financial Advisors to the Official Committee of Unsecured Creditors of VeraSun Energy Corporation, et. al. for the Period from November 18, 2008 Through December 31, 2008 (Docket No. 598) (Filed 2/2/09)
- b. Second Monthly Fee Application of Houlihan Lokey Howard & Zukin Capital, Inc. for Allowance of Compensation for Services Rendered and for Reimbursement of Expenses as Financial Advisors to the Official Committee of Unsecured Creditors of VeraSun Energy Corporation, et. al. for the Period from January 1, 2009 Through January 31, 2009 (Docket No. 732) (Filed 2/27/09)

Response  
Deadline: March 27, 2009 at 4:00 p.m.  
(Eastern)

Responses  
Filed: None.

Status: This matter is going forward.

15. First Interim Application of Greenberg Traurig, LLP for Compensation and Reimbursement of Expenses as Co-Counsel to the Committee of Unsecured Creditors for the Period from November 14, 2008 to and Including January 31, 2009 (Docket No. 869) (Filed 3/17/09)

Related  
Documents:

- a. First Monthly Application of Greenberg Traurig, LLP for Compensation and Reimbursement of Expenses as Co-Counsel to the Committee of Unsecured Creditors for the Period from November 14, 2008 to and Including December 31, 2008 (Docket No. 621) (Filed 2/6/09)
- b. Second Monthly Application of Greenberg Traurig, LLP for Compensation and Reimbursement of Expenses as Co-Counsel to the Committee of Unsecured Creditors for the Period from January 1, 2009 to and Including January 31, 2009 (Docket No. 679) (Filed 2/18/09)

Response  
Deadline: March 27, 2009 at 4:00 p.m.  
(Eastern)

Responses  
Filed: None.

Status: This matter is going forward.

Dated: Wilmington, Delaware  
March 31, 2009

/s/ Davis Lee Wright  
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