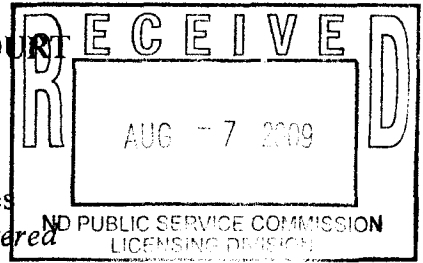


**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**



In re:)
)
 VERASUN ENERGY CORPORATION, *et al.*,¹) Chapter 11 Cases
) *Jointly Administrated*
)
 Debtors.) Case No. 08-12606 (BLS)
)
) Re: Docket Nos. 1060, 1202, 1667
)

**ORDER GRANTING MOTION OF LIBERTY MUTUAL INSURANCE COMPANY
FOR RELIEF FROM STAY UNDER SECTION 362 OF THE BANKRUPTCY CODE
TO CANCEL BONDS**

Upon the Motion of Liberty Mutual Insurance Company (“Liberty”) for Relief from Stay Under Section 362 of the Bankruptcy Code to Cancel Bonds (the “Motion”); it appearing that the Response to the Motion filed by the North Dakota Public Service Commission has been resolved; and it appearing that the Court has jurisdiction over this matter; and after due deliberation and sufficient cause appearing therefor; it is hereby

FOUND AND DETERMINED THAT:

A. On October 31, 2008 (the “Petition Date”) VeraSun Energy Corporation and certain of its affiliates and subsidiaries (collectively, the “Debtors”) each filed a voluntary petition for relief under chapter 11 of title 11 of the United States Code.

B. Prior to the Petition Date, Liberty issued numerous surety bonds on behalf of the Debtors (the “Bonds”). In general, the Bonds name certain state and federal regulatory

¹ The Debtors consist of: VeraSun Energy Corporation (EIN: 20-3430241); ASA OpCo Holdings, LLC (EIN: 68-0609122); US BioEnergy Corporation (EIN: 20-1811472); VeraSun Albert City, LLC (EIN: 20-2264707); VeraSun Albion, LLC (EIN: 55-0907221); VeraSun Aurora Corporation (EIN: 46-0462174); VeraSun BioDiesel, LLC (EIN: 55-0816855); VeraSun Charles City, LLC (EIN: 20-3735184); VeraSun Dyersville, LLC (26-3594945); VeraSun Fort Dodge, LLC (EIN: 42-1630527); VeraSun Granite City, LLC (EIN: 20-5381200); VeraSun Janesville, LLC (EIN: 20-4420290); VeraSun Linden, LLC (EIN: 55-0907228); VeraSun Litchfield, LLC (EIN: 20-8621370); VeraSun Marion, LLC (EIN 20-3477343); 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); VeraSun Woodbury, LLC (EIN: 20-0647425).

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Skadden, Arps, etc.
 Steven Nauman

authorities as obligees, and were issued in order to assure the Debtors' compliance with certain state and federal obligations associated with the Debtors' operations. The Bonds were necessary in order to enable the Debtors to operate their businesses.

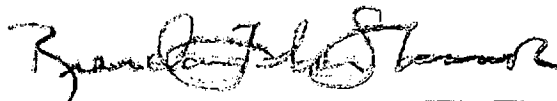
C. The Debtors have sold substantially all of their assets and are no longer engaged in the production of ethanol or distiller's grains. None of the Bonds attendant to or related to the assets sold were transferred to the respective buyers. In light of this fact and because (i) the Bonds assure only performance obligations of the Debtors, and (ii) the assets necessary for the Debtors to operate their business segments have been sold, the Debtors no longer need the Bonds to remain effective.

D. Since Liberty filed the Motion, the Debtors have taken steps to cancel several of the Bonds. Liberty seeks to effectuate the cancellation of the rest of the Bonds because (i) there is no need for the Bonds to remain effective and (ii) once the Bonds are cancelled, no more claims can arise thereunder prospectively from their respective effective dates of cancellation.

It is therefore **ORDERED, ADJUDGED AND DECREED THAT:**

1. The Motion is **GRANTED**;
2. The automatic stay imposed by 11 U.S.C. § 362 is hereby modified solely to permit Liberty to terminate its surety bonds in accordance with their respective contractual terms and applicable law;
3. This Court shall retain jurisdiction over any matter concerning, or in any way related to, the Motion, this Order, or the relief granted herein.

Dated: 8/7, 2009
Wilmington, Delaware



The Honorable Brendan L. Shannon
United States Bankruptcy Judge