

RELEASE

In consideration of payment in the amount of THREE THOUSAND NINE HUNDRED EIGHT and 83/100 Dollars (\$3,908.83) by LIBERTY MUTUAL INSURANCE COMPANY ("Liberty"), the receipt of which is hereby acknowledged, the undersigned, for itself and on behalf of the State of North Dakota, hereby releases and discharges Liberty, its predecessors, successors, assigns, affiliated corporations, merged successors, co-sureties and reinsurers, and any officers, directors, shareholders, employees, agents and representatives of any of the foregoing, of and from all claims of any kind or character, which the undersigned now has or may have under or in connection with Bond No. 674012345 (the "Bond") naming VeraSun Hankinson, LLC ("VeraSun") as principal, and the State of North Dakota as obligee, relating to or growing out of the matters or claims asserted or which could be asserted in Case No. 39-9-C-462-1 styled *Public Service Commission v. VeraSun Hankinson, LLC*, and pending in the District Court, Southeast Judicial District, Richland County, North Dakota, and in the undersigned's Case No. GE-09-104. As further inducement to Liberty for making payment at this time, the undersigned hereby acknowledges that the Bond obligation is declared cancelled, null and void. The undersigned has been duly authorized to execute and deliver this Release to Liberty pursuant to the documents attached hereto as **Exhibit A** which are made a part hereof.

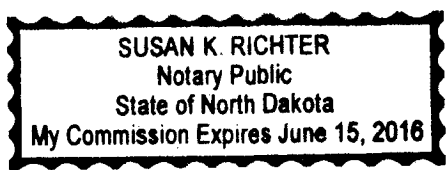
IN WITNESS WHEREOF, the undersigned has executed this Release on the date and in the capacity as set forth hereinafter.

NORTH DAKOTA PUBLIC SERVICE COMMISSION

By: *Illona A. Jeffcoat-Sacco*
Illona A. Jeffcoat-Sacco
Its: Special Assistant Attorney General

Sworn to and subscribed before me, this the *22nd* day of *September*, 2011.

Susan K. Richter
NOTARY PUBLIC



My commission expires:
June 15, 2016



Public Service Commission State of North Dakota

COMMISSIONERS

Tony Clark
Brian P. Kalk
Kevin Cramer

Executive Secretary
Darrell Nitschke

600 East Boulevard, Dept. 408
Bismarck, North Dakota 58505-0480
Web: www.psc.nd.gov
E-mail: ndpsc@nd.gov
Phone: 701-328-2400
ND Toll Free: 1-877-245-6685
Fax: 701-328-2410
TDD: 800-366-6888 or 711

July 22, 2011

Cindy Schmitz
Clerk of District Court
Richland County District Court
418 2nd Ave. North
Wahpeton, ND 58075

**RE: Public Service Commission vs. VeraSun Hankinson, LLC
CIVIL NO. 39-9-C-462-1**

PSC Case No. GE-09-104

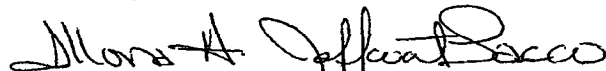
Dear Ms. Schmitz:

Enclosed for filing in the above proceeding please find the originals of:

1. Notice of Entry of Order Approving Trustee's Report, Approving Payment, and Discharging Trustee with attached copy of executed Order.
2. Affidavit of Service by Mail

If you have any questions, please do not hesitate to contact us. Thank you for your assistance in this matter.

Sincerely,


Illona A. Jeffcoat-Sacco (ID#03315)
Special Assistant Attorney General

Enclosures

STATE OF NORTH DAKOTA

IN DISTRICT COURT

COUNTY OF RICHLAND

SOUTHEAST JUDICIAL DISTRICT

_____)
Public Service Commission)
))
Petitioner,)
))
vs.)
))
VeraSun Hankinson, LLC)
))
Respondent.)
_____)
PSC Case No. GE-09-104)
_____)

CIVIL NO. 39-9-C-462-1

NOTICE OF ENTRY OF ORDER APPROVING TRUSTEE'S REPORT, APPROVING PAYMENT, AND DISCHARGING TRUSTEE

PLEASE TAKE NOTICE that an Order Approving Trustee's Report, Approving Payment, and Discharging Trustee was executed by the Court on July 19, 2011 and duly entered in the above proceeding on July 19, 2011, ordering the reimbursement to the Commission for expenses and discharging the Trustee upon reimbursement of its expenses.

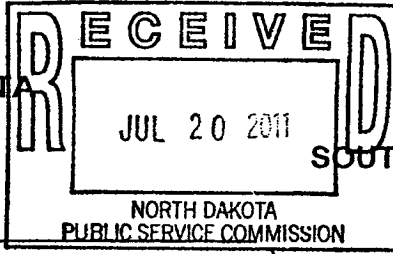
A copy of the Order is attached hereto and by reference made a part hereof.

Bismarck, North Dakota, this 22nd day of July, 2011.

Ilona A Jeffcoat-Sacco (ID#03315)
Special Assistant Attorney General
Public Service Commission
State Capitol – 12th Floor
600 E Boulevard Ave – Dept 408
Bismarck, North Dakota 58505-0480
701-328-2400

Attorney for the Public Service Commission

STATE OF NORTH DAKOTA
COUNTY OF RICHLAND



IN DISTRICT COURT
SOUTHEAST JUDICIAL DISTRICT

Public Service Commission

Petitioner,

vs.

VeraSun Hankinson, LLC

Respondent.

CIVIL NO. 39-9-C-462-1

ORDER APPROVING
TRUSTEE'S REPORT,
APPROVING PAYMENT,
AND DISCHARGING
TRUSTEE

PSC Case No. GE-09-104

This matter came before the Court on the motion of the Public Service Commission (Commission) seeking approval of its Report as Trustee of VeraSun Hankinson, LLC. This report was scheduled for hearing before this Court on July 19, 2011, at 11:30 a.m. CDT at the Richland County Courthouse in Wahpeton, North Dakota, with proper notice having been given to the claimants as evidenced by the affidavit of mailing on file. The Commission appeared through Ilona A Jeffcoat-Sacco, Special Assistant Attorney General; no other parties or claimants appeared.

There were no objections to the report or the Trustee's recommendation. The Court reviewed the report and other documents of record and finds grounds for approving the report.

CASE NO. _____
FILED 7-19-11
CLERK OF DISTRICT COURT
RICHLAND COUNTY ND
BY _____
DEPUTY

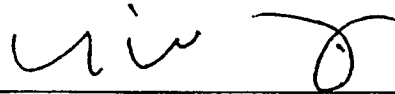
ORDER

IT IS THEREFORE ORDERED:

1. That the Report and Recommendation of Trustee, dated June 13, 2011, which recommends the bonding company reimburse the Commission, as Trustee, for expenses incurred in the administration of this insolvency is approved.
2. That upon reimbursement of its expenses, the Trustee is discharged.

Bismarck, North Dakota, this 19th day of July, 2011.

BY THE COURT



Honorable Judge Richard W. Grosz
Judge of the District Court

STATE OF NORTH DAKOTA

IN DISTRICT COURT

COUNTY OF RICHLAND

SOUTHEAST JUDICIAL DISTRICT

_____)
Public Service Commission)
))
Petitioner,)
))
vs.)
))
VeraSun Hankinson, LLC)
))
Respondent.)
_____)
PSC Case No. GE-09-104)
_____)

CIVIL NO. 09-C-1034

AFFIDAVIT OF SERVICE
BY REGULAR MAIL

STATE OF NORTH DAKOTA)
)ss
COUNTY OF BURLEIGH)

Geralyn R. Schmaltz deposes and says that:

she is over the age of 18 years and not a party to this action and, on the **22nd day of July, 2011**, she deposited in the United States Mail, Bismarck, North Dakota, **7 envelopes** by regular mail, with postage fully prepaid, securely sealed, each containing a photocopy of:

1. Notice of Entry of Order Approving Trustee's Report, Approving Payment, and Discharging Trustee with attached copy of executed Order.
2. Affidavit of Service by Mail

The envelopes were addressed as follows:

Joel West, Vice President of Risk Management
VeraSun Hankinson, LLC
110 North Minnesota Avenue Suite 300
Sioux Falls, SD 57104-6440

C T Corporation System
VeraSun Hankinson, LLC's Registered Agent
PO Box 400
Bismarck, ND 58502

Scott C. Williams
Manier & Herod
Liberty Mutual Insurance Company
150 Fourth Avenue North
Nashville, TN 37219

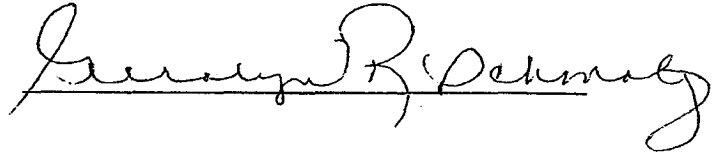
Stephen S. Newman
VeraSun Energy Corporation
Skadden, Arps, Slate, Meagher & Flom LLP
155 North Wacker Drive
Chicago, IL 60606-1720

Adam W. Hamm
State Capitol – 5th Floor
600 East Boulevard Avenue
Bismarck, ND 58505-0320

John Bullis, Attorney for Keith Saunders
P.O. Box 275
Wahpeton, ND 58074-0275

James Wirtz
17275 95 R St SE
Fairmount, ND 58030

Subscribed and sworn to before me
this 22nd day of July, 2011.


Notary Public

SEAL

