

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE

In re:

WHITE ENERGY, INC., *et al.*,<sup>1</sup>

Debtors.

Chapter 11

Case No. 09-11601 (CSS)

(Jointly Administered)

**AMENDED**<sup>2</sup> NOTICE OF AGENDA OF MATTERS SCHEDULED  
FOR HEARING ON APRIL 21, 2010 AT 3:00 P.M. (ET)

**NO MATTERS ARE GOING FORWARD; THE HEARING IS CANCELLED.**

CONFIRMATION HEARING (ADJOURNED)

1. Second Amended Chapter 11 Plan of Reorganization for White Energy, Inc. and Its Affiliated Debtors Filed by the Debtors and WestLB AG, New York Branch, as Administrative Agent [Docket No. 652; Filed 3/25/10].

Related Documents:

- a. The Chapter 11 Plan of Reorganization for White Energy, Inc. and Its Affiliated Debtors Filed by the Debtors and WestLB AG, New York Branch, as Administrative Agent [Docket No. 425; Filed 12/15/09].
- b. Disclosure Statement Relating to the Chapter 11 Plan of Reorganization for White Energy, Inc. and Its Affiliated Debtors Filed by the Debtors and WestLB AG, New York Branch, as Administrative Agent [Docket No. 426; Filed 12/15/09].
- c. Notice of Filing of Exhibits C and D to Disclosure Statement Relating to the Chapter 11 Plan of Reorganization for White Energy, Inc. and Its Affiliated Debtors Filed by the Debtors and WestLB AG, New York Branch, as Administrative Agent [Docket No. 440; Filed 12/18/09].
- d. Amended Chapter 11 Plan of Reorganization for White Energy, Inc. and Its Affiliated Debtors Filed by the Debtors and WestLB AG, New York Branch, as Administrative Agent [Docket No. 488; Filed 1/12/10].

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<sup>1</sup> The Debtors in these cases, along with the last four digits of each Debtor's federal tax identification number, are: White Energy, Inc. (1083); White Energy Holding Company, LLC (3034); US Energy Partners, LLC (1177); WE Hereford, LLC (9408); and Plainview BioEnergy, LLC (5553). the corporate headquarters for each of the Debtors is 5005 LBJ Freeway, Suite 1400, Dallas, TX 75244.

<sup>2</sup> **Changes to the original Agenda are in bold.**

- e. Amended Disclosure Statement Relating to the Chapter 11 Plan of Reorganization for White Energy, Inc. and Its Affiliated Debtors Filed by the Debtors and WestLB AG, New York Branch, as Administrative Agent [Docket No. 489; Filed 1/12/10].
- f. Notice of Filing of Amended Chapter 11 Plan of Reorganization for White Energy, Inc. and Its Affiliated Debtors Filed by the Debtors and WestLB AG, New York Branch, as Administrative Agent (Redline Attached) [Docket No. 490; Filed 1/12/10].
- g. Notice of Filing of Amended Disclosure Statement Relating to the Amended Chapter 11 Plan of Reorganization for White Energy, Inc. and Its Affiliated Debtors Filed by the Debtors and WestLB AG, New York Branch, as Administrative Agent (Redline Attached) [Docket No. 491; Filed 1/12/10].
- h. Notice of Filing of Signature Pages [Docket No. 502; Filed 1/14/10].
- i. Order (I) Approving the Disclosure Statement Relating to the Chapter 11 Plan of Reorganization for White Energy, Inc. and Its Affiliated Debtors Filed by the Debtors and WestLB AG, New York Branch, as Administrative Agent; (II) Approving Form of Ballot and Proposed Solicitation, Voting and Tabulation Procedures for the Plan and Plan Confirmation Process; (III) Approving The Solicitation Packages and Prescribing the Form and Manner of Notice and Distribution Thereof; (IV) Scheduling a Hearing on Plan Confirmation and (V) Granting Other Related Relief [Docket No. 511; Entered 1/19/10].
- j. Plan Supplement to the Amended Chapter 11 Plan of Reorganization [Docket No. 580; Filed 2/18/10].
- k. Notice of Filing of Plan Supplement to the Amended Chapter 11 Plan of Reorganization [Docket No. 581; Filed 2/18/10].
- l. Notice of Filing of Schedule of Executory Contracts to be Assumed Pursuant to Debtors' and Agent's Amended Plan of Reorganization and Proposed Cure Amounts [Docket No. 582; Filed 2/18/10].
- m. Declaration of Kathryn A. Pamerter of The Garden City Group, Inc. Certifying the Methodology for the Tabulation of Votes on and Results of Voting with Respect to the Amended Chapter 11 Plan of Reorganization for White Energy, Inc. and Its Affiliated Debtors Filed by the Debtors and WestLB AG, New York Branch, as Administrative Agent [Docket No. 598; Filed 3/1/10].
- n. Notice of Filing of Second Amended Exhibit A to Debtors' Motion to Allow Administrative Claims Pursuant to 11 U.S.C. § 503(b)(9) (Redline Attached) [Docket No. 599; Filed 3/2/10].

- o. Notice Pursuant to Section 13.15 of the Amended Chapter 11 Plan of Reorganization for White Energy, Inc. and Its Affiliated Debtors [Docket No. 611; Filed 3/3/10]
- p. Notice of Rescheduled Confirmation Hearing Date [Docket No. 619; Filed 3/4/10].
- q. Notice of Filing of Second Amended Chapter 11 Plan of Reorganization for White Energy, Inc. and Its Affiliated Debtors Filed by the Debtors and WestLB AG, New York Branch, as Administrative Agent (Redline Attached) [Docket No. 653; Filed 3/25/10].

Objection Deadline: February 25, 2010 at 4:00 p.m.

Objections Received:

- r. Objection of ICM, Inc. to Notice of Filing of Schedule of Executory Contracts to be Assumed Pursuant to Debtors' and Agent's Amended Plan of Reorganization and Proposed Cure Amounts [Docket No. 593; Filed 2/25/10].
- s. Objection of Fagen, Inc. to Confirmation of the Amended Chapter 11 Plan of Reorganization for White Energy, Inc. and Its Affiliated Debtors Filed by the Debtors and WestLB AG, New York Branch, as Administrative Agent [Docket No. 594; Filed 2/25/10].
- t. Limited Objection of Plainview Independent School District and Plainview BioEnergy, LLC to Proposed Cure Amount Set Forth in Schedule of Executory Contracts to be Assumed [Docket No. 596; Filed 2/26/10].
- u. Objection of the United States Trustee to Amended Chapter 11 Plan of Reorganization for White Energy, Inc. and Its Affiliated Debtors Filed by the Debtors and WestLB AG, New York Branch, as Administrative Agent [Docket No. 597; Filed 2/26/10].
- v. Reservations of Rights of Fagen, Inc. in Relation to the Amended Chapter 11 Plan of Reorganization for White Energy, Inc. and Its Affiliated Debtors Filed by the Debtors and WestLB AG, New York Branch, as Administrative Agent [Docket No. 607; Filed 3/2/10].

Status: The confirmation hearing is adjourned to a date to be determined by the Court.

UNCONTESTED MATTER GOING FORWARD WITH CERTIFICATION OF NO OBJECTION

- 2. Debtors' Third Motion for an Order Extending the Deadline to Assume or Reject Unexpired Lease of Nonresidential Real Property Pursuant to Section 365(d)(4) of the Bankruptcy Code [Docket No. 660; Filed 4/10/10].

Related Documents:

- a. Certification of No Objection Regarding Docket No. 643 [Docket No. 676; Filed 4/15/10].
- b. Order Extending the Deadline to Assume or Reject Unexpired Lease of Nonresidential Real Property Pursuant to 11 U.S.C. § 365(d)(4) [Docket No. 685; Entered 4/19/10].**

Objections Received: None.

Objection Deadline: April 14, 2010 at 4:00 p.m.

Status: **The Court has entered an order granting the Motion.**

CONTESTED MATTERS GOING FORWARD

3. Motion of the Debtors for Interim and Final Orders Pursuant to Sections 105, 361, 362, 363 and 364 of the Bankruptcy Code (A) Authorizing Debtors to Use Cash Collateral, (B) Granting Adequate Protection to the Debtors' Prepetition Secured Parties and (C) Scheduling a Final Hearing [Docket No. 9; Filed 5/7/09].

Related Documents:

- a. First Interim Order (A) Authorizing Debtors to Use Cash Collateral, (B) Granting Adequate Protection to the Debtors' Prepetition Secured Parties [Docket No. 15; Entered 5/8/09].
- b. Second Interim Order (A) Authorizing Debtors to Use Cash Collateral, (B) Granting Adequate Protection to the Debtors' Prepetition Secured Parties and (C) Scheduling a Further Interim Hearing [Docket No. 31; Entered 5/12/09].
- c. Notice of Filing of Exhibit (Budget) to: Second Interim Order (A) Authorizing Debtors to Use Cash Collateral, (B) Granting Adequate Protection to the Debtors' Prepetition Secured Parties and (C) Scheduling a Further Interim Hearing [Docket No. 47; Filed 5/19/09].
- d. Third Interim Order (A) Authorizing Debtors to Use Cash Collateral, (B) Granting Adequate Protection to the Debtors' Prepetition Secured Parties and (C) Scheduling a Final Hearing [Docket No. 57; Entered 5/21/09].
- e. Notice of Entry of Third Interim Order (A) Authorizing Debtors to Use Cash Collateral, (B) Granting Adequate Protection to the Debtors' Prepetition Secured Parties and (C) Scheduling a Final Hearing [Docket No. 60; Filed 5/22/09].
- f. Objection of Official Committee of Unsecured Creditors to Motion of the Debtors for Interim and Final Orders Pursuant to Sections 105, 361, 362, 363, and 364 of the Bankruptcy Code (A) Authorizing Debtors to Use Cash Collateral, (B)

Granting Adequate Protection to the Debtors' Prepetition Secured Parties and (C) Scheduling a Final Hearing [Docket No. 97; Filed 6/2/09].

- g. Motion for Leave to File Reply by WestLB AG, New York Branch to Objection of Official Committee of Unsecured Creditors to Motion of the Debtors for Interim and Final Orders Pursuant to Sections 105, 361, 362, 363, and 364 of the Bankruptcy Code (A) Authorizing Debtors to Use Cash Collateral, (B) Granting Adequate Protection to the Debtors' Prepetition Secured Parties and (C) Scheduling a Final Hearing [Docket No. 100; Filed 6/3/09].
- h. Order Granting Motion for Leave to File Reply by WestLB AG, New York Branch to Objection of Official Committee of Unsecured Creditors to Motion of the Debtors for Interim and Final Orders Pursuant to Sections 105, 361, 362, 363, and 364 of the Bankruptcy Code (A) Authorizing Debtors to Use Cash Collateral, (B) Granting Adequate Protection to the Debtors' Prepetition Secured Parties and (C) Scheduling a Final Hearing [Docket No. 103; Entered 6/4/09].
- i. Order (Final) Authorizing Debtors to Use Cash Collateral, (B) Granting Adequate Protection to the Debtors Prepetition Secured Parties [Docket No. 145; Entered: 6/23/09].
- j. Notice of (i) Extension of Termination Date of Order Authorizing the Debtors to Use Cash Collateral and (ii) the Administrative Agents Consent Thereto [Docket No. 152; Filed 6/29/09].
- k. Amended Final Order (A) Authorizing Debtors to Use Cash Collateral, and (B) Granting Adequate Protection to the Debtors Prepetition Secured Parties [Docket No. 197; Entered: 7/20/09].
- l. Notice of Extension of (i) Amended Final Order (a) Authorizing Debtors to Use Cash Collateral and (b) Granting Adequate Protection to the Debtors' Prepetition Secured Parties, and (ii) Authorization to Use Cash Collateral Pursuant Thereto [Docket No. 227; Filed 8/17/09].
- m. Notice of Extension of (i) Amended Final Order (a) Authorizing Debtors to Use Cash Collateral and (b) Granting Adequate Protection to the Debtors' Prepetition Secured Parties, and (ii) Authorization to Use Cash Collateral Pursuant Thereto [Docket No. 257; Filed 9/15/09].
- n. Notice of Extension of (i) Amended Final Order (a) Authorizing Debtors to Use Cash Collateral and (b) Granting Adequate Protection to the Debtors' Prepetition Secured Parties, and (ii) Authorization to Use Cash Collateral Pursuant Thereto [Docket No. 332; Filed 10/15/09].
- o. Notice of Extension of (I) Amended Final Order (A) Authorizing Debtors to Use Cash Collateral and (B) Granting Adequate Protection to the Debtors' Prepetition Secured Parties, and (II) Authorization to Use Cash Collateral Pursuant Thereto [Docket No. 399; Filed 12/1/09].

- p. Second Amended Final Order (A) Authorizing Debtors to Use Cash Collateral and (B) Granting Adequate Protection to the Debtors' Prepetition Secured Parties [Docket No. 414; Filed 12/10/09].
- q. Notice of Extension of (I) Second Amended Final Order (A) Authorizing Debtors to Use Cash Collateral and (B) Granting Adequate Protection to the Debtors' Prepetition Secured Parties, and (II) Authorization to Use Cash Collateral Pursuant Thereto [Docket No. 507; Filed 1/15/10].
- r. Notice of Second Extension of (I) Second Amended Final Order (A) Authorizing Debtors to Use Cash Collateral and (B) Granting Adequate Protection to the Debtors' Prepetition Secured Parties, and (II) Authorization to Use Cash Collateral Pursuant Thereto [Docket No. 561; Filed 2/9/10].
- s. Notice of Third Extension of (I) Second Amended Final Order (A) Authorizing Debtors to Use Cash Collateral and (B) Granting Adequate Protection to the Debtors' Prepetition Secured Parties, and (II) Authorization to Use Cash Collateral Pursuant Thereto [Docket No. 618; Filed 3/4/10].
- t. Notice of Fourth Extension of (I) Second Amended Final Order (A) Authorizing Debtors to Use Cash Collateral and (B) Granting Adequate Protection to the Debtors' Prepetition Secured Parties, and (II) Authorization to Use Cash Collateral Pursuant Thereto [Docket No. 627; Filed 3/11/10].
- u. Notice of Fifth Extension of (I) Second Amended Final Order (A) Authorizing Debtors to Use Cash Collateral and (B) Granting Adequate Protection to the Debtors' Prepetition Secured Parties, and (II) Authorization to Use Cash Collateral Pursuant Thereto [Docket No. 642; Filed 3/23/10].
- v. **Notice of Sixth Extension of (I) Second Amended Final Order (A) Authorizing Debtors to Use Cash Collateral and (B) Granting Adequate Protection to the Debtors' Prepetition Secured Parties, and (II) Authorization to Use Cash Collateral Pursuant Thereto [Docket No. 688; Filed 4/20/10].**

Objection Deadline: N/A

Status: **The Debtors, WestLB AG, New York Branch, as agent for the secured lenders, and the Official Committee of Unsecured Creditors have entered into a stipulation providing for the continued consensual use of cash collateral to and through May 3, 2010.**

Dated: April 20, 2010  
Wilmington, Delaware

Respectfully submitted,

/s/ Christopher M. Winter

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Christopher M. Winter (No. 4163)

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