



**SO ORDERED.**

**SIGNED this 08 day of October, 2008.**

*Dale L. Somers*

Dale L. Somers  
UNITED STATES BANKRUPTCY JUDGE

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF KANSAS**

<b>In re:</b>	)	<b>In Proceedings Under Chapter 11</b>
	)	
<b>GATEWAY ETHANOL, L.L.C.</b>	)	<b>Case No. 08-22579-DLS</b>
	)	
<b>Debtor.</b>	)	

**ORDER AUTHORIZING PAYMENT OF PRE-PETITION  
WAGES, SALARIES, REIMBURSABLE EMPLOYEE BUSINESS  
EXPENSES AND MEDICAL AND OTHER EMPLOYEE BENEFITS**

Now on this 7th day of October, 2008, this matter having come before the Court upon Debtor’s Emergency Motion for Order Authorizing Payment of Pre-Petition Wages, Salaries, Reimbursable Employee Expenses and Medical and Other Employee Benefits (the “Motion”), and the Court, having considered the issues, the evidence, the arguments of counsel, and for good cause shown, finds that the relief requested in the Motion is necessary and proper under the circumstances, that appropriate notice of the Motion was given and that the emergency consideration of the Motion was necessary to prevent significant and irreparable harm to Debtor and its estate,

**IT IS HEREBY ORDERED** that the Motion be granted in all respects,

**IT IS FURTHER ORDERED** that Debtor, excluding the pre-petition claim of Jeff Spencer, be and hereby is authorized to (i) pay all wages, salaries, fees and other compensation including vacation pay and reimbursable expenses with respect to or relating to services rendered pre-petition, (ii) reissue checks to employees to replace dishonored, voided or canceled checks for pre-petition wages, salaries or reimbursable expenses, (iii) pay all withholding, payroll or other taxes attributable to services rendered pre-petition, and (iv) pay all payroll deductions to the appropriate payee;

**IT IS FURTHER ORDERED** that Debtor is authorized to honor and pay all contributions due or claims incurred under Debtor's medical benefits, welfare benefits, workers' compensation program, and 401(k) benefit plans (as set forth and more fully described in the Motion); provided, however, that the relief granted herein is not an approval of and shall not constitute an assumption of any such programs, policies or plans under 11 U.S.C. §§ 365 or otherwise; and

**IT IS FURTHER ORDERED** that the banks at which Debtor maintains its payroll accounts or other accounts relating to the payment of wages, salaries, and other compensation, reimbursable expenses and employee benefit programs as specified in the Motion and identified on Exhibit A hereto, be, and each of them hereby is, authorized and directed to honor all payroll, wage, or other compensation checks, expense reimbursement checks and all checks for payment of Debtor's obligations under its employee benefits programs and its payments to designated payees of employee payroll deductions as and when presented for

payment, and honor all fund transfers related thereto, to the extent that sufficient funds are available in such accounts.

# # #

**ORDER SUBMITTED BY:**

Laurence M. Frazen, KS Fed. #70114  
Tammee E. McVey, KS #14972  
BRYAN CAVE LLP  
3500 One Kansas City Place  
1200 Main Street  
Kansas City, Missouri 64105  
Telephone: (816) 374-3200  
Telecopy: (816) 374-3300

Attorneys for Debtor and Debtor in Possession

**EXHIBIT A**

**LIST OF BANK ACCOUNTS USED TO PAY FOR EMPLOYEE BENEFITS**

<b>Bank Name and Address</b>	<b>Account Number</b>
The Peoples Bank Attn: Regina Brubaker 222 South Main P.O. Box B Pratt, KS 67124-1102	01-748-6

# CERTIFICATE OF NOTICE

District/off: 1083-2  
Case: 08-22579

User: susan  
Form ID: pdf020

Page 1 of 1  
Total Served: 1

Date Rcvd: Oct 08, 2008

The following entities were served by first class mail on Oct 10, 2008.  
db +Gateway Ethanol, L.L.C., 10333 NE 30th Street, Pratt, KS 67124-8428

The following entities were served by electronic transmission.  
NONE.

TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

**I, Joseph Speetjens, declare under the penalty of perjury that I have served the attached document on the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 9): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Oct 10, 2008

Signature:

