



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, KANSAS CITY DIVISION

In Re: ) In Proceedings Under Chapter 11  
)  
GATEWAY ETHANOL, L.L.C. ) Case No. 08-22579-DLS  
)  
Debtor. )

**ORDER GRANTING AGREED MOTION FOR  
HEARING ON AN EXPEDITED BASIS AND MOTION FOR  
RELIEF FROM THE AUTOMATIC STAY PURSUANT TO 11 U.S.C. § 362(d)**

Now on this 7th day of October, 2008, this matter came before the Court on the Agreed Motion for Hearing on an Expedited Basis and Motion for Relief from the Automatic Stay Pursuant to 11 U.S.C. § 362(d) (the “**Joint Motion**”), filed by the Debtor, Gateway Ethanol, LLC (“**Gateway**”), and Cargill, Incorporated (“**Cargill**”). After having reviewed the Joint Motion and all pleadings and matters relevant thereto, hearing statements of counsel at the hearing, and there being no objection to the Joint Motion, the Court finds and determines that (1) cause exists to grant the Joint Motion on the terms set forth in this Order and (2) Gateway neither owns nor has any equity in the Cargill grain and the Cargill grain is not necessary to an effective

reorganization of Gateway. Therefore, the Court hereby ORDERS, ADJUDGES, AND DECREES THE FOLLOWING:

A. The Court hereby GRANTS the Joint Motion;

B. The automatic stay of Code § 362(a) is hereby annulled retroactively to the time Gateway filed this Chapter 11 case on October 5, 2008, to allow Cargill to continue to remove its grain from Gateway's facility and to pay Gateway seven cents per bushel for the Cargill grain removed pursuant to the letter agreement, all as set forth in the Joint Motion; and

C. The Court waives the 10-day stay of this Order pursuant to FED. R. BANKR. P. 4001(a)(3).

# # #

ORDER SUBMITTED BY:

LATHROP & GAGE L.C.

By: s/ Brian T. Fenimore

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# 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

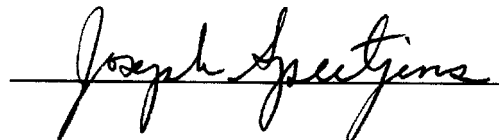
Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

**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:

A handwritten signature in black ink, reading "Joseph Speetjens", written over a horizontal line.