



**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 (A) AUTHORIZING DEBTOR TO OPERATE  
ITS BUSINESS AND (B) IMPLEMENTING THE AUTOMATIC STAY**

Now on this 7th day of October, 2008, this matter having come before the Court upon Debtor's Motion for an Order (A) Authorizing Debtor to Operate Its Business and (B) Implementing the Automatic Stay (the "Motion") and the Court having considered the Motion, the arguments of counsel and for good cause shown,

IT IS HEREBY ORDERED that Debtor be and hereby is authorized to operate its business and manage its properties in the ordinary course of business and maintain or resume all pre-petition business relationships incident thereto and to enter into all transactions that it could have entered into in the ordinary course of business had there been no Chapter 11 case commenced; and it is further

ORDERED, that all outstanding powers of attorney executed by Debtor pre-petition remain in full force and effect subject to the terms that governed them prior to the commencement of this Chapter 11 case; and it is further

ORDERED, that all persons (including individuals, partnerships, corporations, other entities and all those acting on their behalf) and governmental units, whether of the United States, any state or locality therein or any territory or possession thereof, or any foreign country (including any division, department, agency, instrumentality or service thereof and all those acting on their behalf) be and each of them hereby is stayed, restrained and enjoined from:

1. commencing or continuing (including the issuance or employment of process) any judicial, administrative or other proceeding against Debtor that was or could have been commenced before the commencement of Debtor's Chapter 11 case or recovering a claim against Debtor that arose before the commencement of the Chapter 11 case;
2. enforcing, against Debtor or against property of its estate, any judgment or order obtained before the commencement of the Chapter 11 case;
3. taking any act to obtain possession of property of the estate, or property from the estate, or to exercise control over property of the estate;
4. taking any act to create, perfect, or enforce any lien against property of the estate;
5. taking any act to create, perfect, or enforce against property of the Debtor any lien to the extent that such lien secures a claim that arose before the commencement of the Chapter 11 case;
6. taking any act to collect, assess, or recover a claim against the Debtor that arose before the commencement of the Chapter 11 case;
7. offsetting any debt owing to the Debtor that arose before the commencement of the Chapter 11 case against any claim against the Debtor; and
8. commencing or continuing any proceeding before the United States Tax Court concerning the Debtor, subject to the provision of 11 U.S.C. § 362(b); and it is further

ORDERED, that all entities be and each of them hereby is stayed, restrained and enjoined from terminating any and all executory contracts to which Debtor is a party or signatory notwithstanding any provision or provisions in such executory contract that the same may be

terminated or modified: (a) upon the insolvency or financial condition of Debtor; (b) upon the filing by such Debtor of a petition for reorganization under Chapter 11 of the Bankruptcy Code; (c) upon the cessation of such Debtor's operations; or (d) at will or on the expiration from time to time of any period of time (such as on a month-to-month basis); and it is further

ORDERED, that all entities be and each of them hereby is stayed, restrained and enjoined from terminating any and all leases to which Debtor is a party or signatory, notwithstanding any provision or provisions in such leases that same may be terminated or modified: (a) upon the insolvency or financial condition of such Debtor; (b) upon the filing by such Debtor of a petition for reorganization under Chapter 11 of the Bankruptcy Code; (c) upon the cessation of such Debtor's operations; or (d) at will or on the expiration from time to time of any period of time (such as on a month-to-month basis); and it is further

ORDERED, that nothing contained herein shall constitute an assumption or adoption by Debtor of any executory contract or lease; and it is further

ORDERED, that nothing herein in this Order shall affect any parties' rights under the Bankruptcy Code 11 U.S.C. § 101 *et seq.*, and it is further

ORDERED, that this Court shall retain jurisdiction to hear and determine all matters arising from the implementation of this Order.

# # #

**ORDER SUBMITTED BY:**

Laurence M. Frazen, KS Fed. #70114  
Tammee E. McVey, KS #14972  
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Attorneys for Debtor and Debtor in Possession

# 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 09, 2008

The following entities were served by first class mail on Oct 11, 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

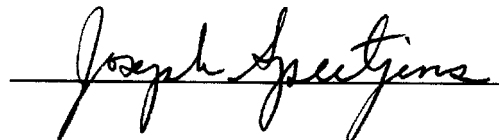
Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

**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 11, 2008

Signature:

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