

NOTICE OF PUBLIC SALE

On December 7, 2010, at 12:30 p.m. prevailing Eastern time (the “Sale Date”), NIC Holding Corp. (“Secured Party”) shall appear before the courthouse door of Floyd County, Georgia, and shall then and there offer for sale at a public auction (the “Sale”), pursuant to the Uniform Commercial Code, certain property of U.S. Biofuels, Inc., a Georgia corporation (“Debtor”), on account of unpaid indebtedness owed by Debtor to Secured Party. The property offered for sale (collectively, the “Collateral”) shall consist of any and all right, title and interest of Debtor in, to, or under that certain property identified in U.C.C. Financing Statement, Filing No. 057-10-806, that was filed by Secured Party against Debtor with the Floyd County, Georgia Clerk of Superior Court on May 21, 2010 (i.e., all personal property assets of the Debtor).

On the Sale Date, the Collateral will be offered for sale, as one unit, on an “AS IS, WHERE IS” basis, and sold to the highest bidder at the conclusion of the Sale, as determined by Secured Party in its sole and absolute discretion. In its sole and absolute discretion, Secured Party reserves its rights, on or prior to the Sale Date, to withdraw any or all of the Collateral from the Sale for any reason whatsoever, to modify, waive or amend any terms or conditions of the Sale, to reject any or all bids, to continue the Sale to such time and place as Secured Party may deem fit, or to cancel or postpone the Sale without notice. Secured Party also reserves its right to credit bid at the Sale. Further information regarding the Sale and the Collateral also may be obtained from counsel for Secured Party: Heath Rosenblat, King & Spalding LLP, 1185 Avenue of the Americas, New York, NY 10036, phone: (212) 556-2124.