

| | | |
|--|---|--|
| In RE: |) | Chapter 11 |
| |) | |
| BUILDING MATERIALS HOLDING CORPORATION, et al., |) | Case No. 09-12074 (KJC) |
| |) | |
| |) | Jointly Administered |
| |) | |
| Debtors. |) | Cure Objection Deadline: December 3, 2009 at 4:00 p.m. (ET) |
| |) | |

OBJECTION TO CURE AMOUNT AND ASSUMPTION OF EXECUTORY CONTRACT


Berg Wholesale hereby objects to the assumptions of executory contracts on the following grounds:

Berg Wholesale is in receipt of your letter dated October 22, 2009, received by Berg Wholesale on November 23, 2009, stating that a cure amount of \$0.00 is due to Berg Wholesale in relation to the Chapter 11 Bankruptcy Case No. 09-12074 (KJC) filed by Building Materials Holding Corporation.

We object to the cure amount for the following reasons:

1. On August 7, 2009 Berg Wholesale submitted two Proofs of Claim which are attached for \$16,260.45 and \$598.37.
2. Ongoing sales have been made in good faith. Attached you will find a statement dated December 1, 2009 which reflects current purchases totaling \$17,402.75.

Should you have any questions or require any additional documentation, please contact us at 800-243-8887.

Regards,

 Jean Lafayette
 Operations Manager
 Berg Wholesale

RECEIVED - 2 AM 10:14



UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF DELAWARE

PROOF OF CLAIM

| | | | |
|---|----------|--|----------|
| Name of Debtor (Check Only One): | Case No. | Name of Debtor | Case No. |
| <input type="checkbox"/> Building Materials Holding Corporation | 09-12074 | <input type="checkbox"/> TWF Construction, Inc. | 09-12080 |
| <input checked="" type="checkbox"/> BMC West Corporation | 09-12075 | <input type="checkbox"/> H.N.R. Framing Systems, Inc. | 09-12081 |
| <input type="checkbox"/> SelectBuild Construction, Inc. | 09-12076 | <input type="checkbox"/> SelectBuild Southern California, Inc. | 09-12082 |
| <input type="checkbox"/> SelectBuild Northern California, Inc. | 09-12077 | <input type="checkbox"/> SelectBuild Nevada, Inc. | 09-12083 |
| <input type="checkbox"/> Illinois Framing, Inc. | 09-12078 | <input type="checkbox"/> SelectBuild Arizona, LLC | 09-12084 |
| <input type="checkbox"/> C Construction, Inc. | 09-12079 | <input type="checkbox"/> SelectBuild Illinois, LLC | 09-12085 |

Your Claim is Scheduled As Follows:
BMC WEST CORPORATION
 Unsecured: \$16,443.39

NOTE: This form should not be used to make a claim for an administrative expense arising after the commencement of the case, except for purposes of asserting an administrative expense under 11 U.S.C. § 503(b)(9) (see Item 6 below). All other requests for payment of an administrative expense should be filed pursuant to 11 U.S.C. § 503.

Name of Creditor (the person or other entity to whom the Debtor owes money or property): **BERG WHOLESALE, INC.**

Check this box to indicate that this claim amends a previously filed claim.

Name and address where notices should be sent:
BERG WHOLESALE, INC.
P.O. BOX 3050
TUALATIN, OR 97062

Court Claim Number: _____
 (If known)

Telephone number: **503-454-5454** or **jml1998@aol.com**
 Email Address: **jean@bergwholesale.com**

Filed on: _____

Name and address where payment should be sent (if different from above):

Check this box if you are aware that anyone else has filed a proof of claim relating to your claim. Attach copy of statement giving particulars.

Check this box if you are the Debtor or trustee in this case.

Telephone number:

If an amount is identified above, you have a claim scheduled by one of the Debtors as shown. Please review the Bar Date Notice to determine whether you must file a proof of claim to preserve your rights. The Bar Date Notice is available online at www.bmhcrestructuring.com or upon request at the address on the back of this form.

THIS SPACE IS FOR COURT USE ONLY

1. Amount of Claim as of Date Case Filed: **\$16,260.54**

If all or part of your claim is secured, complete item 4 below; however, if all of your claim is unsecured, do not complete item 4. If all or part of your claim is entitled to priority, complete item 5. If your claim is asserted pursuant to 11 U.S.C. § 503(b)(9), complete item 6.

Check this box if claim includes interest or other charges in addition to the principal amount of claim. Attach itemized statement of interest or charges.

5. Amount of Claim Entitled to Priority under 11 U.S.C. § 507(a). If any portion of your claim falls in one of the following categories, check the box and state the amount.

2. Basis for Claim: **goods sold - bath & door hardware**
 (See instruction #2 on reverse side.)

Specify the priority of the claim.

3. Last four digits of any number by which creditor identifies Debtor: **1244**

3a. Debtor may have scheduled account as: _____
 (See instruction #3a on reverse side.)

Domestic support obligations under 11 U.S.C. § 507(a)(1)(A) or (a)(1)(B).

4. Secured Claim (See instruction #4 on reverse side.)
 Check the appropriate box if your claim is secured by a lien on property or a right of setoff and provide the requested information.

Wages, salaries, or commissions (up to \$10,950) earned within 180 days before filing of the bankruptcy petition or cessation of the Debtor's business, whichever is earlier - 11 U.S.C. § 507(a)(4).

Nature of property or right of setoff: Real Estate Motor Vehicle Equipment Other
 Describe:

Contributions to an employee benefit plan - 11 U.S.C. § 507(a)(5).

Value of Property: \$ _____ Annual Interest Rate % _____

Up to \$2,425 of deposits toward purchase, lease, or rental of property or services for personal, family, or household use - 11 U.S.C. § 507(a)(7).

Amount of arrearage and other charges as of time case filed included in secured claim,

if any: \$ _____ Basis for perfection: _____

Taxes or penalties owed to governmental units - 11 U.S.C. § 507(a)(8).

Amount of Secured Claim: \$ _____ Amount Unsecured: \$ _____

Other - Specify applicable paragraph of 11 U.S.C. § 507(a)(). [Note: Do not include Section 503(b)(9) Claims here.]

6. Claim Pursuant to 11 U.S.C. § 503(b)(9):
 Indicate the amount of your claim arising from your provision of goods sold to a Debtor in the ordinary course of the Debtor's business in the 20 days before June 16, 2009:
 Attach documentation supporting such claim. \$ **8,834.63**

Amount entitled to priority:

7. Credits: The amount of all payments on this claim has been credited for the purpose of making this proof of claim.

\$ _____

8. Documents: Attach redacted copies of any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements or running accounts, contracts, judgments, mortgages and security agreements. You may also attach a summary. Attach redacted copies of documents providing evidence of perfection of a security interest. You may also attach a summary. (See instruction #8 and definition of "redacted" on reverse side.)

DO NOT SEND ORIGINAL DOCUMENTS. ATTACHED DOCUMENTS MAY BE DESTROYED AFTER SCANNING.

If the documents are not available, please explain in an attachment.

Date: **08/07/09**

Signature: The person filing this claim must sign it. Sign and print name and title, if any, of the creditor or other person authorized to file this claim and state address and telephone number if different from the notice address above. Attach copy of power of attorney, if any.

FOR COURT USE ONLY

Jean Lafayette, Jean Lafayette Operations Manager



| UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF DELAWARE | | PROOF OF CLAIM |
|--|--|--|
| Name of Debtor (Check Only One): <input type="checkbox"/> Building Materials Holding Corporation <input type="checkbox"/> BMC West Corporation <input type="checkbox"/> SelectBuild Construction, Inc. <input type="checkbox"/> SelectBuild Northern California, Inc. <input type="checkbox"/> Illinois Framing, Inc. <input type="checkbox"/> C Construction, Inc. | Case No. Name of Debtor 09-12074 <input type="checkbox"/> TWF Construction, Inc. 09-12075 <input type="checkbox"/> H.N.R. Framing Systems, Inc. 09-12076 <input type="checkbox"/> SelectBuild Southern California, Inc. 09-12077 <input type="checkbox"/> SelectBuild Nevada, Inc. 09-12078 <input checked="" type="checkbox"/> SelectBuild Arizona, LLC 09-12079 <input type="checkbox"/> SelectBuild Illinois, LLC | Case No. 09-12080 09-12081 09-12082 09-12083 09-12084 09-12085 |
| <p><i>NOTE: This form should not be used to make a claim for an administrative expense arising after the commencement of the case, except for purposes of asserting an administrative expense under 11 U.S.C. § 503(b)(9) (see Item 6 below). All other requests for payment of an administrative expense should be filed pursuant to 11 U.S.C. § 503.</i></p> | | |
| Name of Creditor (the person or other entity to whom the Debtor owes money or property): BERG WHOLESALE INC | <input type="checkbox"/> Check this box to indicate that this claim amends a previously filed claim. Court Claim Number: _____ (if known) Filed on: _____ | |
| Name and address where notices should be sent: BERG WHOLESALE INC P.O. BOX 3050 TUALATIN, OR 97062 | Telephone number: 503-454-5454 Email Address: jean@bergwholesale.com [et] | |
| Name and address where payment should be sent (if different from above): | <input type="checkbox"/> Check this box if you are aware that anyone else has filed a proof of claim relating to your claim. Attach copy of statement giving particulars. <input type="checkbox"/> Check this box if you are the Debtor or trustee in this case. | |
| <p>1. Amount of Claim as of Date Case Filed: <u>\$ 598.37</u></p> <p>If all or part of your claim is secured, complete item 4 below; however, if all of your claim is unsecured, do not complete item 4. If all or part of your claim is entitled to priority, complete item 5. If your claim is asserted pursuant to 11 U.S.C. § 503(b)(9), complete item 6.</p> <input type="checkbox"/> Check this box if claim includes interest or other charges in addition to the principal amount of claim. Attach itemized statement of interest or charges. | | |
| <p>2. Basis for Claim: <u>goods sold - bath & door hardware</u> (See instruction #2 on reverse side.)</p> | | |
| <p>3. Last four digits of any number by which creditor identifies Debtor: <u>2486</u></p> | | |
| <p>3a. Debtor may have scheduled account as: _____ (See instruction #3a on reverse side.)</p> | | |
| <p>4. Secured Claim (See instruction #4 on reverse side.) Check the appropriate box if your claim is secured by a lien on property or a right of setoff and provide the requested information.</p> <p>Nature of property or right of setoff: <input type="checkbox"/> Real Estate <input type="checkbox"/> Motor Vehicle <input type="checkbox"/> Equipment <input type="checkbox"/> Other Describe: _____</p> <p>Value of Property: \$ _____ Annual Interest Rate % _____</p> <p>Amount of arrearage and other charges as of time case filed included in secured claim, if any: \$ _____ Basis for perfection: _____</p> <p>Amount of Secured Claim: \$ _____ Amount Unsecured: \$ _____</p> | | |
| <p>6. Claim Pursuant to 11 U.S.C. § 503(b)(9): Indicate the amount of your claim arising from your provision of goods sold to a Debtor in the ordinary course of the Debtor's business in the 20 days before June 16, 2009. Attach documentation supporting such claim. \$ <u>571.83</u></p> | | |
| <p>7. Credits: The amount of all payments on this claim has been credited for the purpose of making this proof of claim.</p> | | |
| <p>8. Documents: Attach redacted copies of any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements or running accounts, contracts, judgments, mortgages and security agreements. You may also attach a summary. Attach redacted copies of documents providing evidence of perfection of a security interest. You may also attach a summary. (See instruction #8 and definition of "redacted" on reverse side.) DO NOT SEND ORIGINAL DOCUMENTS. ATTACHED DOCUMENTS MAY BE DESTROYED AFTER SCANNING. If the documents are not available, please explain in an attachment.</p> | | |
| <p>Date: <u>08/07/09</u></p> | <p>Signature: The person filing this claim must sign it. Sign and print name and title, if any, of the creditor or other person authorized to file this claim and state address and telephone number if different from the notice address above. Attach copy of power of attorney, if any.</p> <p><i>Jean Lafayette</i> Jean Lafayette, Operations Mgr</p> | |
| | | <p>FOR COURT USE ONLY</p> |

Your Claim is Scheduled As Follows:
SELECTBUILD ARIZONA, LLC
 Unsecured: \$598.37

If an amount is identified above, you have a claim scheduled by one of the Debtors as shown. Please review the Bar Date Notice to determine whether you must file a proof of claim to preserve your rights. The Bar Date Notice is available online at www.bmhcrestructuring.com or upon request at the address on the back of this form.

THIS SPACE IS FOR COURT USE ONLY

5. Amount of Claim Entitled to Priority under 11 U.S.C. § 507(a).
 If any portion of your claim falls in one of the following categories, check the box and state the amount.

Specify the priority of the claim.

Domestic support obligations under 11 U.S.C. § 507(a)(1)(A) or (a)(1)(B).
 Wages, salaries, or commissions (up to \$10,950) earned within 180 days before filing of the bankruptcy petition or cessation of the Debtor's business, whichever is earlier - 11 U.S.C. § 507(a)(4).
 Contributions to an employee benefit plan - 11 U.S.C. § 507(a)(5).
 Up to \$2,425 of deposits toward purchase, lease, or rental of property or services for personal, family, or household use - 11 U.S.C. § 507(a)(7).
 Taxes or penalties owed to governmental units - 11 U.S.C. § 507(a)(8).
 Other - Specify applicable paragraph of 11 U.S.C. § 507(a)(). [Note: Do not include Section 503(b)(9) Claims here.]

Amount entitled to priority:
 \$ _____



PH# 503.454.5454
 FX# 503.454.5450

REMIT TO:
BERG WHOLESALE
P.O. BOX 3050
TUALATIN OR 97062

STATEMENT

CUSTOMER
 BMC CORPORATION M1-35
 ATTN: ACCOUNTS PAYABLE
 PO BOX 70006
 BOISE, ID 83707-0106

| | |
|----------------|----------|
| STATEMENT DATE | CUST NO. |
| 12/01/09 | 1244 |
| PAGE NO. | |
| 1 of 4 | |

| DATE | INVOICE NUMBER | PURCHASE ORDER NUMBER | INVOICE AMOUNT | PAYMENTS/CREDITS | NET DUE |
|----------|----------------|-----------------------|----------------|------------------|----------|
| 09/23/09 | S1139248.001 | 7253-2502249-00 | | | 23.60 |
| 09/28/09 | S1139447.001 | 5783-2503830-00 | | | 1,299.68 |
| 10/26/09 | S1141869.001 | 7103-2515079 | | | 127.79 |
| 10/26/09 | S1141884.001 | 7858627 | | | 308.93 |
| 10/27/09 | S1141875.001 | 7103-2515079 | | | 21.83 |
| 10/27/09 | S1141992.002 | 7103-2518559 | | | 48.16 |
| 10/27/09 | S1142062.001 | 7253-2414290-00 | | | 1.25 |
| 10/27/09 | S1142111.001 | 7253-2519210-00 | | | 291.87 |
| 10/27/09 | S1142112.001 | 7253-2519008-00 | | | 60.90 |
| 10/27/09 | S1142122.001 | 7253-2519244-00 | | | 235.98 |
| 10/28/09 | S1142118.001 | 7253-2519242-00 | | | 241.73 |
| 10/28/09 | S1142119.001 | 7253-2519244-00 | | | 211.37 |
| 10/28/09 | S1142258.001 | 7253-2519946-00 | | | 45.54 |
| 10/30/09 | S1142367.001 | 7103-2520590 | | | 27.55 |
| 10/30/09 | S1142389.001 | 71032520851 | | | 108.54 |
| 10/30/09 | S1142410.001 | 7253-2520467-00 | | | 420.67 |
| 10/30/09 | S1142458.001 | 7253-2521339-00 | | | 49.32 |
| 11/03/09 | S1142616.001 | 7103-2521795 | | | 38.34 |
| 11/03/09 | S1142652.001 | 7253-2522156-00 | | | 24.61 |
| 11/03/09 | S1142653.001 | 7253-2522155-00 | | | 37.80 |
| 11/03/09 | S1142654.001 | 7253-2522157-00 | | | 423.66 |
| 11/03/09 | S1142712.001 | 2521798 | | | 35.00 |
| 11/03/09 | S1142716.001 | 7253-2522603-00 | | | 35.73 |
| 11/03/09 | S1142721.001 | 7253-2522784-00 | | | 25.30 |
| 11/04/09 | S1142874.001 | 7253-2523278-00 | | | 224.48 |
| 11/04/09 | S1142875.001 | 7253-2523366-00 | | | 128.11 |
| 11/04/09 | S1142876.001 | 7253-2523469-00 | | | 525.32 |
| 11/05/09 | S1142881.001 | 7103-2523047 | | | 487.70 |
| 11/05/09 | S1142886.001 | 7858668 | | | 286.61 |
| 11/06/09 | S1143033.001 | 7103-2523744 | | | 33.72 |

| PREV BALANCE | PAYMENTS | CREDITS | PURCHASES | SERVICE CHARGE | NEW BALANCE |
|--------------|----------|---------|-----------|----------------|-------------|
| | | | | | |

| FUTURE | CURRENT | 31-60 DAYS | 61-90 DAYS | OVER 90 DAYS |
|--------|---------|------------|------------|--------------|
| | | | | |



PH# 503.454.5454
 FX# 503.454.5450

REMIT TO:
 BERG WHOLESALE
 P.O. BOX 3050
 TUALATIN OR 97062

STATEMENT

CUSTOMER
 BMC CORPORATION M1-35
 ATTN: ACCOUNTS PAYABLE
 PO BOX 70006
 BOISE, ID 83707-0106

| STATEMENT DATE | CUST NO. |
|----------------|----------|
| 12/01/09 | 1244 |
| PAGE NO. | |
| 2 of 4 | |

| DATE | INVOICE NUMBER | PURCHASE ORDER NUMBER | INVOICE AMOUNT | PAYMENTS/CREDITS | NET DUE |
|----------|----------------|-----------------------|----------------|------------------|----------|
| 11/06/09 | S1143123.001 | 72532524855 | | | 185.49 |
| 11/09/09 | S1143055.001 | 7103-2523744 | | | 13.30 |
| 11/09/09 | S1143145.001 | 7408822-GB | | | 128.01 |
| 11/09/09 | S1143185.001 | 7103-2525127 | | | 1.25 |
| 11/09/09 | S1143240.001 | 72532525542 | | | 92.95 |
| 11/10/09 | S1143242.001 | 7103-2524111 | | | 949.13 |
| 11/10/09 | S1143373.001 | 7253-2526238-00 | | | 80.96 |
| 11/11/09 | S1143378.001 | 7103-2525751 | | | 59.14 |
| 11/12/09 | S1143535.001 | 7103-2527056 | | | 41.09 |
| 11/12/09 | S1143619.001 | 7103-2527442 | | | 48.59 |
| 11/13/09 | S1143501.001 | 7103-2526446 | | | 170.35 |
| 11/13/09 | S1143688.001 | 2527906 | | | 145.93 |
| 11/13/09 | S1143697.001 | 7408921 | | | 1,064.95 |
| 11/13/09 | S1143730.002 | 7253-2528141-00 | | | 595.76 |
| 11/13/09 | S1143732.001 | 7253-2528137-00 | | | 38.91 |
| 11/16/09 | S1143743.001 | 7103-2527866 | | | 51.35 |
| 11/16/09 | S1143793.001 | 7253-2528435-00 | | | 121.89 |
| 11/16/09 | S1143810.001 | 7408946-6B | | | 166.18 |
| 11/17/09 | S1143866.001 | 7103-2528388 | | | 23.00 |
| 11/17/09 | S1143895.001 | 7408959-GB | | | 299.73 |
| 11/17/09 | S1143975.001 | 7253-2529232-00 | | | 100.44 |
| 11/17/09 | S1143976.001 | 7253-2529531-00 | | | 104.65 |
| 11/17/09 | S1143977.001 | 7253-2529525-00 | | | 173.65 |
| 11/17/09 | S1143978.001 | 7253-2529527-00 | | | 126.04 |
| 11/19/09 | S1144018.002 | 7103-2529629 | | | 1,213.66 |
| 11/19/09 | S1144092.001 | 7408997GB | | | 33.27 |
| 11/19/09 | S1144101.001 | 7253-2530303-00 | | | 128.11 |
| 11/19/09 | S1144136.001 | 7103-2529938 | | | 552.35 |
| 11/19/09 | S1144138.001 | 2530473 | | | 203.25 |
| 11/19/09 | S1144139.001 | 2530017 | | | 568.38 |

| PREV BALANCE | PAYMENTS | CREDITS | PURCHASES | SERVICE CHARGE | NEW BALANCE |
|--------------|----------|---------|-----------|----------------|-------------|
| | | | | | |

| FUTURE | CURRENT | 31-60 DAYS | 61-90 DAYS | OVER 90 DAYS |
|--------|---------|------------|------------|--------------|
| | | | | |



PH# 503.454.5454
 FX# 503.454.5450

REMIT TO:
BERG WHOLESALE
P.O. BOX 3050
TUALATIN OR 97062

STATEMENT

CUSTOMER
 BMC CORPORATION M1-35
 ATTN: ACCOUNTS PAYABLE
 PO BOX 70006
 BOISE, ID 83707-0106

| | |
|----------------|----------|
| STATEMENT DATE | CUST NO. |
| 12/01/09 | 1244 |
| PAGE NO. | |
| 3 of 4 | |

| DATE | INVOICE NUMBER | PURCHASE ORDER NUMBER | INVOICE AMOUNT | PAYMENTS/CREDITS | NET DUE |
|----------|----------------|-----------------------|----------------|------------------|----------|
| 11/19/09 | S1144232.001 | 7408980 | | | 43.59 |
| 11/19/09 | S1144264.001 | 7253-2530336-00 | | | 556.37 |
| 11/23/09 | S1144347.001 | 7103-2531021-00 | | | 17.04 |
| 11/23/09 | S1144417.001 | 7103-2531728 | | | 38.90 |
| 11/23/09 | S1144480.001 | 2532052 | | | 35.74 |
| 11/23/09 | S1144514.001 | 7253-2532045-00 | | | 84.18 |
| 11/24/09 | S1144534.001 | 7103-2532049 | | | 34.44 |
| 11/24/09 | S1144559.001 | 7103-2532305 | | | 16.07 |
| 11/24/09 | S1144569.001 | 7103-2532499 | | | 61.80 |
| 11/24/09 | S1144614.001 | 2532964 | | | 644.89 |
| 11/24/09 | S1144630.001 | 7253-2532859-00 | | | 207.30 |
| 11/25/09 | S1144253.001 | 7103-2530936-00 | | | 11.17 |
| 11/25/09 | S1144645.001 | 7409086 | | | 2,036.98 |
| 12/01/09 | S1144842.001 | 7253-2534240-00 | 137.88 | | 137.88 |
| 12/01/09 | S1144900.002 | 7103-2533605 | 124.80 | | 124.80 |
| 12/01/09 | S1144991.001 | 2534993 | 15.75 | | 15.75 |
| 12/01/09 | S1145007.001 | 7103-2534620/PART | 23.00 | | 23.00 |

| PREV BALANCE | PAYMENTS | CREDITS | PURCHASES | SERVICE CHARGE | NEW BALANCE |
|--------------|----------|---------|-----------|----------------|-------------|
| | | | | | |

| FUTURE | CURRENT | 31-60 DAYS | 61-90 DAYS | OVER 90 DAYS |
|--------|---------|------------|------------|--------------|
| | | | | |



PH# 503.454.5454
 FX# 503.454.5450

REMIT TO:
 BERG WHOLESALE
 P.O. BOX 3050
 TUALATIN OR 97062

STATEMENT

CUSTOMER
 BMC CORPORATION M1-35
 ATTN: ACCOUNTS PAYABLE
 PO BOX 70006
 BOISE, ID 83707-0106

| | |
|----------------|----------|
| STATEMENT DATE | CUST NO. |
| 12/01/09 | 1244 |
| PAGE NO. | |
| 4 of 4 | |

| DATE | INVOICE NUMBER | PURCHASE ORDER NUMBER | INVOICE AMOUNT | PAYMENTS/CREDITS | NET DUE |
|---|----------------|-----------------------|----------------|------------------|---------|
| You may deduct \$273.48 if paid by 12/03/09. You may deduct \$261.34 if paid by 12/04/09. You may deduct \$243.78 if paid by 12/05/09. You may deduct \$228.57 if paid by 12/06/09. You may deduct \$224.37 if paid by 12/09/09. You may deduct \$219.85 if paid by 12/10/09. You may deduct \$199.25 if paid by 12/11/09. You may deduct \$198.07 if paid by 12/12/09. You may deduct \$196.44 if paid by 12/13/09. You may deduct \$156.27 if paid by 12/16/09. You may deduct \$149.94 if paid by 12/17/09. You may deduct \$133.40 if paid by 12/19/09. You may deduct \$67.68 if paid by 12/23/09. You may deduct \$64.29 if paid by 12/24/09. You may deduct \$46.85 if paid by 12/25/09. You may deduct \$6.04 if paid by 12/31/09. Otherwise, payment in full net of any discount must be received by 12/31/09. Think of Berg for ALL COMMERCIAL & RESIDENTIAL HARDWARE -- locks, hinges, closers, panics, bath accessories, builder's hardware, mailboxes, Division 10 specialties & more. ALL brands & price points--designer to inexpensive. | | | | | |

| PREV BALANCE | PAYMENTS | CREDITS | PURCHASES | SERVICE CHARGE | NEW BALANCE |
|--------------|----------|---------|-----------|----------------|-------------|
| 17,101.32 | 0.00 | 0.00 | 301.43 | 0.00 | 17,402.75 |

| FUTURE | CURRENT | 31-60 DAYS | 61-90 DAYS | OVER 90 DAYS |
|--------|-----------|------------|------------|--------------|
| 0.00 | 13,878.04 | 2,201.43 | 1,323.28 | 0.00 |

All past due balances subject to SERVICE CHARGES of 1.50% per month.

I, Jean Marie Lafayette, hereby served by facsimile the following:

1. Building Materials Holding Corporation Attn: Paul S. Street
2. Gibson, Dunn & Crutcher LLP Attn: Michael A. Rosenthal, Esq. and Matthew Kelsey, Esq.
3. Young Conaway Stargatt & Taylor, LLP Attn: Sean M. Beach, Esq. and Robert F. Poppiti, Jr., Esq.
4. Arent Fox, LLP Attn: Christopher J. Giaimo, Esq. and Katie A. Lane, Esq.
5. Benesch, Friedlander, Coplan & Aronoff LLP Attn: Bradford J. Sandler, Esq.
6. Paul, Hastings, Janofsky & Walker, LLP Attn: Kevin B. Fischer, Esq. and Seth Mennillo, Esq.
7. Richards, Layton & Finger, P.A. Attn: Paul N. Heath, Esq.

And, hereby served by overnight delivery service the following:

1. United States Trustee for the District of Delaware Attn: Joseph McMahon, Esq.

I declare under penalty of perjury that the foregoing is true and correct.

Date: Dec. 2, 2009

Signed Jean Marie Lafayette
Jean Marie Lafayette