

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

<b>In re:</b>	)	
	)	<b>Chapter 11</b>
<b>BUILDING MATERIALS HOLDING CORPORATION, <i>et al.</i>,<sup>1</sup></b>	)	<b>Case No. 09-12074 (KJC)</b>
	)	<b>Jointly Administered</b>
<b>Debtors.</b>	)	
	)	<b>Objection Deadline: January 20, 2010 at 4:00 p.m. (ET)</b>
	)	<b>Hearing Date: January 27, 2010 at 3:00 p.m. (ET)</b>

**DEBTORS' EIGHTH OMNIBUS (NON-SUBSTANTIVE) OBJECTION TO CLAIMS  
PURSUANT TO SECTION 502(b) OF THE BANKRUPTCY CODE,  
BANKRUPTCY RULES 3003 AND 3007 AND LOCAL RULE 3007-1**

Building Materials Holding Corporation and its affiliates, as debtors and debtors in possession (collectively, the “Debtors”), hereby submit this objection (the “Objection”), pursuant to section 502(b) of title 11 of the United States Code, 11 U.S.C. §§ 101 et seq. (the “Bankruptcy Code”), Rules 3003 and 3007 of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”) and Rule 3007-1 of the Local Rules of Bankruptcy Practice and Procedure for the United States Bankruptcy Court for the District of Delaware (the “Local Rules”), to each of the claims (the “Disputed Claims”) listed on Exhibits A, B, C, D, E and F to the proposed form of order (the “Proposed Order”) attached hereto as Exhibit 2,<sup>2</sup> and request the entry of an order modifying or disallowing and expunging in full each of the Disputed Claims, as indicated

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<sup>1</sup> The Debtors, along with the last four digits of each Debtor's tax identification number, are as follows: Building Materials Holding Corporation (4269), BMC West Corporation (0454), SelectBuild Construction, Inc. (1340), SelectBuild Northern California, Inc. (7579), Illinois Framing, Inc. (4451), C Construction, Inc. (8206), TWF Construction, Inc. (3334), H.N.R. Framing Systems, Inc. (4329), SelectBuild Southern California, Inc. (9378), SelectBuild Nevada, Inc. (8912), SelectBuild Arizona, LLC (0036), and SelectBuild Illinois, LLC (0792). The mailing address for the Debtors is 720 Park Boulevard, Suite 200, Boise, Idaho 83712.

<sup>2</sup> The Debtors do not object to any claims listed on the exhibits to the Proposed Order that are identified as “Surviving Claims,” and the term “Disputed Claims” as used herein does not include such “Surviving Claims.”

in further detail below and on Exhibits A, B, C, D, E and F to the Proposed Order. In support of this Objection, the Debtors rely on the Declaration of Paul S. Street in Support of the Debtors' Eighth Omnibus (Non-Substantive) Objection to Claims Pursuant to Section 502(b) of the Bankruptcy Code, Bankruptcy Rules 3003 and 3007 and Local Rule 3007-1 (the "Street Declaration"), a copy of which is attached hereto as Exhibit 1. In further support, the Debtors respectfully represent as follows:

### **JURISDICTION AND VENUE**

1. This Court has jurisdiction to consider this Objection pursuant to 28 U.S.C. §§ 157 and 1334. This is a core proceeding pursuant to 28 U.S.C. § 157(b)(2). Venue is proper in this Court pursuant to 28 U.S.C. §§ 1408 and 1409. The statutory predicates for the relief requested herein are section 502(b) of the Bankruptcy Code, along with Bankruptcy Rules 3003 and 3007 and Local Rule 3007-1.

### **BACKGROUND**

2. On June 16, 2009 (the "Petition Date"), each of the Debtors filed a voluntary petition for relief under chapter 11 of the Bankruptcy Code (the "Chapter 11 Cases"). The Debtors continue to operate their businesses and manage their property as debtors in possession pursuant to sections 1107(a) and 1108 of the Bankruptcy Code. No request for the appointment of a trustee or examiner has been made in the Chapter 11 Cases. On July 26, 2009, the Office of the United States Trustee (the "U.S. Trustee") appointed the official committee of unsecured creditors (the "Creditors' Committee").

3. The Debtors are one of the largest providers of residential building products and construction services in the United States. The Debtors distribute building materials, manufacture building components (e.g., millwork, floor and roof trusses, and wall

panels), and provide construction services to professional builders and contractors through a network of 31 distribution facilities, 43 manufacturing facilities, and five regional construction services facilities.

4. The Debtors operate under two brand names: BMC West® and SelectBuild®.

- ***BMC West.*** Under the BMC West brand, the Debtors market and sell building products, manufacture building components, and provide construction services to professional builders and contractors. Products include structural lumber and building materials purchased from manufacturers, as well as manufactured building components such as millwork, trusses, and wall panels. Construction services include installation of various building products and framing. The Debtors currently offer these products and services in major metropolitan markets in Texas, Washington, Colorado, Idaho, Utah, Montana, North Carolina, California, and Oregon.
- ***SelectBuild.*** Under the SelectBuild brand, the Debtors offer integrated construction services to production homebuilders, as well as commercial and multi-family builders. Services include wood framing, concrete services, managing labor and construction schedules, and sourcing materials. The Debtors currently offer these services in major metropolitan markets in California, Arizona, Nevada and Illinois.

5. On the Petition Date, the Debtors filed their proposed chapter 11 plan (the “Plan”) and accompanying disclosure statement (the “Disclosure Statement”). The Debtors filed several amended versions of the Plan and Disclosure Statement since that time. The Court approved the Disclosure Statement by order entered on October 22, 2009, and confirmed the Plan by order entered on December 17, 2009. To implement their restructuring, the Debtors have obtained \$80 million in debtor-in-possession financing, which the Court approved on a final basis on July 1, 2009.

## BAR DATE AND PROOFS OF CLAIM

6. On June 17, 2009, this Court entered an order [Docket No. 53] appointing The Garden City Group, Inc. (“GCG”) as the claims and noticing agent in these chapter 11 cases. GCG is authorized to maintain (i) all proofs of claim filed against the Debtors in these bankruptcy proceedings and (ii) an official claims register by docketing all proofs of claim in a claims database containing, among other things, information regarding the name and address of each claimant, the date the proof of claim was received by GCG, the claim number assigned to the proof of claim and the asserted amount and classification of the claim.

7. On July 16, 2009, this Court entered an order [Docket No. 248] (the “Bar Date Order”) (i) establishing August 31, 2009 at 4:00 p.m. (prevailing Eastern Time) (the “General Bar Date”) as the final date and time for filing proofs of claim against the Debtors’ estates on account of claims arising, or deemed to have arisen, pursuant to section 501(d) of the Bankruptcy Code prior to the Petition Date, and (ii) approving the form and manner of notice of the General Bar Date. Therein, the Court also established December 16, 2009 at 4:00 p.m. (prevailing Eastern Time) (the “Government Bar Date”) as the final date and time for any governmental unit to file proofs of claims against the Debtors’ estates on account of claims (whether secured, unsecured priority or unsecured non-priority) that arose prior to or on the Petition Date.

8. Additionally, pursuant to the Bar Date Order, any entity asserting a claim (a “Rejection Damages Claim”) against the Debtors’ estates in connection with the Debtors’ rejection of an executory contract and/or unexpired lease under section 365 of the Bankruptcy Code prior to the confirmation of a chapter 11 plan was required to file a proof of claim on or before the later of (i) the General Bar Date or (ii) 4:00 p.m. (prevailing Eastern Time) on the date

that is thirty (30) days after entry of an order approving the rejection of such executory contract and/or unexpired lease pursuant to which the entity asserting the Rejection Damages Claim is a party (the “Rejection Bar Date,” and together with the General Bar Date and the Government Bar Date, the “Bar Date”).

9. Pursuant to the Bar Date Order, actual notice of the Bar Date was sent to (i) all known entities holding potential prepetition claims and their counsel (if known); (ii) all parties that have requested notice in these cases; (iii) all equity security holders; (iv) the U.S. Trustee; (v) the Securities and Exchange Commission; and (vi) all taxing authorities for the jurisdictions in which the Debtors do business. In addition, notice of the Bar Date was published in the national edition of the *Wall Street Journal* and local editions of *LA Times*, *Sun-Sentinel*, *Miami Herald*, *Impacto USA*, *Las Vegas Review-Journal*, *El Tiempo*, *Arizona Republic*, and *Prensa Hispana*. Affidavits of service and publication [Docket Nos. 296, 366-68, 411, 498-501, and 524] confirming such actual notice and publication of the Bar Date have been filed with this Court.

### **RELIEF REQUESTED**

10. By this Objection, the Debtors request the Court to enter an order, pursuant to section 502(b) of the Bankruptcy Code, Bankruptcy Rules 3003 and 3007 and Local Rule 3007-1, modifying or disallowing and expunging in full each of the Disputed Claims, as indicated in further detail below and Exhibits A, B, C, D, E and F to the Proposed Order.

11. In accordance with Local Rule 3007-1(e)(i)(E), the Debtors believe that this Objection complies in all respects with Local Rule 3007-1.

## OBJECTION

### **A. Duplicate Claims**

12. The claims identified under the column titled “Objectionable Claim” on Exhibit A to the Proposed Order (the “Duplicate Claims”) are duplicative of the proofs of claim identified under the column titled “Surviving Claim” on Exhibit A. The Debtors believe that it was not the intention of the claimants asserting such claims to seek a double recovery against the Debtors’ estates. Instead, the filing of Duplicate Claims appears to be a function of claimants filing multiple proof of claim forms on account of a single claim, or filing the same claim with multiple parties (e.g., GCG, the Debtors, counsel to the Debtors and/or the Clerk of the Court). Regardless of the claimants’ reasons for filing the Duplicate Claims, only one claim should be allowed for each claimant.

13. Failure to disallow the Duplicate Claims will result in the applicable claimants receiving an unwarranted double recovery against the Debtors’ estates, to the detriment of other creditors in these cases. Accordingly, the Debtors hereby object to the Duplicate Claims and request the Court to enter an order disallowing and expunging in full each of the Duplicate Claims identified on Exhibit A to the Proposed Order.

### **B. Amended Claims**

14. The claims identified under the column titled “Objectionable Claim” on Exhibit B to the Proposed Order (the “Amended Claims”) have been amended and superseded by subsequently-filed proofs of claim identified under the column titled “Surviving Claim” on Exhibit B (the “Surviving Claims”). The Amended Claims, thus, no longer represent valid claims against the Debtors’ estates.

15. Failure to disallow the Amended Claims will result in the applicable claimants receiving an unwarranted double recovery against the Debtors' estates, to the detriment of other unsecured creditors in these cases. Furthermore, no prejudice will result to the holders of Amended Claims because they will receive the same treatment as other similarly-situated claimants for their Surviving Claims. Accordingly, the Debtors hereby object to the Amended Claims and request entry of an order disallowing and expunging in full each of the Amended Claims.

**C. Stockholder Claims**

16. The claims listed on Exhibit C to the Proposed Order (the "Stockholder Claims") were filed by parties on account of asserted equity interests held by such parties in the Debtors. The Debtors object to the Stockholder Claims because they were filed by a shareholder based solely on ownership of stock of the Debtors, and not on account of damages or a claim against the Debtors.<sup>3</sup> Therefore, the Debtors hereby object to the Stockholder Claims and request entry of an order disallowing in full and expunging each of the Stockholder Claims.

**D. No Supporting Documentation Claims**

17. The claims listed on Exhibit D to the Proposed Order (the "No Supporting Documentation Claims") were submitted without any documentation supporting the alleged claims. Local Rule 3007-1(d)(vi) provides that a debtor may object on a non-substantive basis to a "claim that does not have a basis in the debtor's books and records and does not include or attach sufficient information or documentation to constitute prima facie evidence of the validity and amount of the claim, as contemplated by [Bankruptcy Rule] 3001(f)." To comply with the

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<sup>3</sup> The Debtors do not seek by this Objection to expunge any equity interests asserted by the parties that filed the Stockholder Claims.

requirements for filing a claim, “a claimant must allege facts sufficient to support a legal basis for the claim. If the assertions in the filed claim meet this standard of sufficiency, the claim is *prima facie* valid pursuant to Rule 3001(f) of the Federal Rules of Bankruptcy Procedure.” In re Planet Hollywood Int’l, 247 B.R. 391, 395 (Bankr. D. Del. 2001).

18. The claimants asserting the No Supporting Documentation Claims failed to allege any facts and included no documentation to support their claims. Therefore their claims are not *prima facie* valid. See in re Allegheny Int’l, Inc., 954 F.2d 167, 173 (3d Cir. 1992) (“[T]he claimant must allege facts sufficient to support the claim. If the averments in [the claimant’s] filed claim meet this standard of sufficiency, it is ‘*prima facie*’ valid.”). Because the No Supporting Documentation Claims are not *prima facie* valid, the Debtors hereby object to them and request the Court to enter an order disallowing in full and expunging each of the No Supporting Documentation Claims identified on Exhibit D to the Proposed Order.

**E. Insufficient Documentation Claims**

19. The claims listed on Exhibit E to the Proposed Order (the “Insufficient Documentation Claims”) were submitted without sufficient alleged facts or documentation to support the alleged claims. The Insufficient Documentation Claims all have some documentation attached, but such documentation is not adequate to allow the Debtors to determine whether they are in fact liable for the amount claimed. As set forth above, Local Rule 3007-1(d)(vi) provides that a debtor may object on a non-substantive basis to a “claim that does not have a basis in the debtor’s books and records and does not include or attach sufficient information or documentation to constitute *prima facie* evidence of the validity and amount of the claim, as contemplated by [Bankruptcy Rule] 3001(f).” To comply with the requirements for filing a claim, “a claimant must allege facts sufficient to support a legal basis for the claim. If



the assertions in the filed claim meet this standard of sufficiency, the claim is *prima facie* valid pursuant to Rule 3001(f) of the Federal Rules of Bankruptcy Procedure.” In re Planet Hollywood Int’l, 247 B.R. 391, 395 (Bankr. D. Del. 2001).

20. The claimants asserting the Insufficient Documentation Claims failed to allege facts sufficient and/or attach documentation sufficient to determine the appropriate amount of their claims. Therefore their claims are not *prima facie* valid. See in re Allegheny Int’l, Inc., 954 F.2d 167, 173 (3d Cir. 1992) (“[T]he claimant must allege facts sufficient to support the claim. If the averments in [the claimant’s] filed claim meet this standard of sufficiency, it is ‘*prima facie*’ valid.”). Although the Insufficient Documentation Claims are not *prima facie* valid because the claimants failed to allege sufficient facts and/or attach documentation sufficient to support the claimed amount, the Debtors have reconciled the Insufficient Documentation Claims against their books and records. As a result, the Debtors believe the Insufficient Documentation Claims assert amounts that are higher than the amount of liability reflected in the Debtors’ book and records. Consequently, the amounts of the Insufficient Documentation Claims identified under the column titled “Objectionable Claim” on Exhibit E should be modified by reducing or fixing the amounts to the dollar values listed under the column titled “Amount and Classification of Modified Claim” under the heading “Modified Claim.” The Debtors believe that Exhibit E contains the appropriate amount of liability for each of the Insufficient Documentation Claims.

21. Accordingly, the Debtors hereby object to the Insufficient Documentation Claims and request the Court to enter an order reducing or fixing the value of such claims as provided for on Exhibit E to the Proposed Order.

**F. Wrong Debtor Claims**

22. The claims listed on Exhibit F to the Proposed Order (the “Wrong Debtor Claims”) were filed by the claimants against the Debtors identified by the case numbers listed under the column titled “Objectionable Claim” on Exhibit F.<sup>4</sup> After reviewing their books and records, the Debtors believe that they have determined the appropriate Debtors that the Wrong Debtor Claims should have been filed against. As a result, the Debtors have listed a new case number for each of these claims under the column titled “Case No. of Reassigned Claim” under the heading “Reassigned Claim” on Exhibit F to the Proposed Order. The Debtors believe that any failure to reassign the Wrong Debtor Claims to the correct Debtor entities would result in claims being improperly asserted against the estates of certain Debtors.

23. Accordingly, the Debtors hereby object to the Wrong Debtor Claims and request the Court to enter an order reassigning them to the appropriate case numbers, as provided for on Exhibit F to the Proposed Order.

**RESERVATION OF RIGHTS**

24. The Debtors expressly reserve the right to amend, modify or supplement this Objection, and to file additional objections to any claims filed in these chapter 11 cases, including, without limitation, any and all claims which are the subject of this Objection. In the event the Court determines that the Debtors’ objections herein to the No Supporting Documentation Claims and/or Insufficient Documentation Claims are more properly

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<sup>4</sup> Some of the claimants asserting the Wrong Debtor Claims failed to list any Debtor entity in their proofs of claim. On Exhibit F, these claimants have “No Debtor identified” listed under “Case No.” in the column titled “Objectionable Claim.”

characterized as substantive (as opposed to non-substantive) objections, the Debtors reserve any and all rights to amend, modify or supplement their objections to any and all such claims.

**NOTICE**

25. Notice of this Objection will be provided to: (i) the U.S. Trustee; (ii) counsel to the Creditors' Committee; (iii) counsel to Wells Fargo Bank, as agent under the Debtors' Prepetition Credit Agreement and DIP Facility (as defined in the Plan); (iv) claimants whose Disputed Claims are subject to this Objection; and (v) all parties entitled to notice under Local Rule 2002-1(b). In light of the nature of the relief requested herein, the Debtors submit that no other or further notice is necessary.

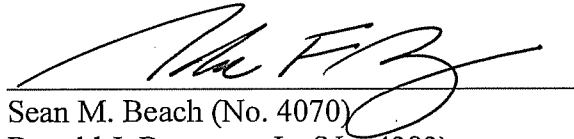
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**CONCLUSION**

WHEREFORE, the Debtors respectfully request the Court to enter an order, substantially in the form attached hereto as Exhibit 2, sustaining this Objection in all respects and granting such other and further relief as the Court deems just and proper.

Dated: Wilmington, Delaware  
December 23, 2009

YOUNG CONAWAY STARGATT & TAYLOR, LLP



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ATTORNEYS FOR DEBTORS  
AND DEBTORS IN POSSESSION

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

<b>In re:</b>	)	<b>Chapter 11</b>
	)	
<b>BUILDING MATERIALS HOLDING CORPORATION, <i>et al.</i>,<sup>1</sup></b>	)	<b>Case No. 09-12074 (KJC)</b>
	)	
<b>Debtors.</b>	)	<b>Jointly Administered</b>
	)	
	)	<b>Objection Deadline: January 20, 2010 at 4:00 p.m. (ET)</b>
	)	<b>Hearing Date: January 27, 2010 at 3:00 p.m. (ET)</b>

**NOTICE OF DEBTORS' EIGHTH OMNIBUS (NON-SUBSTANTIVE) OBJECTION TO CLAIMS PURSUANT TO SECTION 502(b) OF THE BANKRUPTCY CODE, BANKRUPTCY RULES 3003 AND 3007 AND LOCAL RULE 3007-1**

TO: (I) THE U.S. TRUSTEE; (II) COUNSEL TO THE CREDITORS' COMMITTEE; (III) COUNSEL TO WELLS FARGO BANK, AS AGENT UNDER THE DEBTORS' PREPETITION CREDIT AGREEMENT AND DIP FACILITY; (IV) CLAIMANTS WHOSE DISPUTED CLAIMS ARE SUBJECT TO THIS OBJECTION; AND (V) ALL PARTIES ENTITLED TO NOTICE UNDER RULE 2002-1(b) OF THE LOCAL RULES OF BANKRUPTCY PRACTICE AND PROCEDURE FOR THE UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF DELAWARE

**PLEASE TAKE NOTICE** that the above-captioned debtors and debtors in possession (collectively, the "Debtors") have filed the attached **Debtors' Eighth Omnibus (Non-Substantive) Objection to Claims Pursuant to Section 502(b) of the Bankruptcy Code, Bankruptcy Rules 3003 and 3007 and Local Rule 3007-1** (the "Objection").

**PLEASE TAKE FURTHER NOTICE** that any responses (each, a "Response") to the attached Objection must be filed with the United States Bankruptcy Court for the District of Delaware (the "Bankruptcy Court"), 824 N. Market Street, 3rd Floor, Wilmington, Delaware 19801 on or before **4:00 p.m (ET) on January 20, 2010** (the "Response Deadline"). At the same time, you must also serve a copy of any Response upon the undersigned counsel to the Debtors so that the Response is received on or before the Response Deadline.

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<sup>1</sup> The Debtors, along with the last four digits of each Debtor's tax identification number, are as follows: Building Materials Holding Corporation (4269), BMC West Corporation (0454), SelectBuild Construction, Inc. (1340), SelectBuild Northern California, Inc. (7579), Illinois Framing, Inc. (4451), C Construction, Inc. (8206), TWF Construction, Inc. (3334), H.N.R. Framing Systems, Inc. (4329), SelectBuild Southern California, Inc. (9378), SelectBuild Nevada, Inc. (8912), SelectBuild Arizona, LLC (0036), and SelectBuild Illinois, LLC (0792). The mailing address for the Debtors is 720 Park Boulevard, Suite 200, Boise, Idaho 83712.

**PLEASE TAKE FURTHER NOTICE** that any Response must contain, at a minimum, the following:

- (a) a caption setting forth the name of the Bankruptcy Court, the case number and the title of the Objection to which the Response is directed;
- (b) the name of the claimant and description of the basis for the amount of the Disputed Claim, if applicable;
- (c) a concise statement setting forth the reasons why the Disputed Claim should not be disallowed or modified for the reasons set forth in the Objection, including, but not limited to, the specific factual and legal bases upon which the responding party will rely in opposing the Objection;
- (d) all documentation or other evidence of the Disputed Claim or assessed value, to the extent not included with the proof of claim previously filed with the Bankruptcy Court, upon which the responding party will rely in opposing the Objection at the hearing;
- (e) the address(es) to which the Debtors must return any reply to the Response, if different from that presented in the Disputed Claim; and
- (f) the name, address and telephone number of the person (which may be the claimant or its legal representative) possessing ultimate authority to reconcile, settle or otherwise resolve the Disputed Claim or Response on behalf of the responding party.

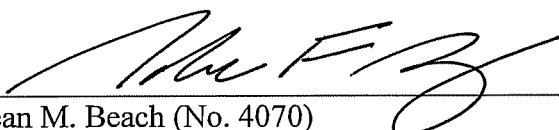
**PLEASE TAKE FURTHER NOTICE THAT A HEARING ON THE OBJECTION WILL BE HELD ON JANUARY 27, 2010 AT 3:00 P.M. (ET) BEFORE THE HONORABLE KEVIN J. CAREY AT THE BANKRUPTCY COURT, 824 MARKET STREET, 5TH FLOOR, COURTROOM NO. 5, WILMINGTON, DELAWARE 19801.**

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**PLEASE TAKE FURTHER NOTICE THAT IF YOU FAIL TO RESPOND ON OR BEFORE THE RESPONSE DEADLINE, THE BANKRUPTCY COURT MAY GRANT THE RELIEF REQUESTED IN THE OBJECTION WITHOUT FURTHER NOTICE OR A HEARING.**

Dated: Wilmington, Delaware  
December 23, 2009

YOUNG CONAWAY STARGATT & TAYLOR, LLP



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ATTORNEYS FOR THE DEBTORS  
AND DEBTORS-IN-POSSESSION

**EXHIBIT 1**

Street Declaration



**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

<b>In re:</b>	)	
	)	<b>Chapter 11</b>
<b>BUILDING MATERIALS HOLDING CORPORATION, <i>et al.</i>,<sup>1</sup></b>	)	<b>Case No. 09-12074 (KJC)</b>
	)	
<b>Debtors.</b>	)	<b>Jointly Administered</b>
	)	

**DECLARATION OF PAUL S. STREET IN SUPPORT OF THE DEBTORS’  
EIGHTH OMNIBUS (NON-SUBSTANTIVE) OBJECTION TO CLAIMS  
PURSUANT TO SECTION 502(b) OF THE BANKRUPTCY CODE,  
BANKRUPTCY RULES 3003 AND 3007 AND LOCAL RULE 3007-1**

I, PAUL S. STREET, pursuant to 28 U.S.C. § 1746, hereby declare:

1. I am Senior Vice President, Chief Administrative Officer, General Counsel, and Corporate Secretary of Building Materials Holding Corporation, a corporation organized under the laws of the State of Delaware and one of the above-captioned debtors and debtors in possession (collectively, the “Debtors”). In this capacity I am familiar with the Debtors’ day-to-day operations, businesses, financial affairs and books and records.

2. In this capacity, I am one of the individuals primarily responsible for overseeing the claims reconciliation and objection process in the Debtors’ chapter 11 cases. I have read the Debtors’ Eighth Omnibus (Non-Substantive) Objection to Claims Pursuant to Section 502(b) of the Bankruptcy Code, Bankruptcy Rules 3003 and 3007, and Local Rule 3007-1 (the

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<sup>1</sup> The Debtors, along with the last four digits of each Debtor's tax identification number, are as follows: Building Materials Holding Corporation (4269), BMC West Corporation (0454), SelectBuild Construction, Inc. (1340), SelectBuild Northern California, Inc. (7579), Illinois Framing, Inc. (4451), C Construction, Inc. (8206), TWF Construction, Inc. (3334), H.N.R. Framing Systems, Inc. (4329), SelectBuild Southern California, Inc. (9378), SelectBuild Nevada, Inc. (8912), SelectBuild Arizona, LLC (0036), and SelectBuild Illinois, LLC (0792). The mailing address for the Debtors is 720 Park Boulevard, Suite 200, Boise, Idaho 83712.

“Objection”),<sup>2</sup> and am directly, or by and through my personnel or agents, familiar with the information contained therein, the proposed form of order (the “Proposed Order”) and the exhibits attached thereto. I am authorized to execute this Declaration on behalf of the Debtors.

3. Considerable resources and time have been expended in reviewing and reconciling the proofs of claim filed or pending against the Debtors in these cases. The claims were carefully reviewed and analyzed in good faith utilizing due diligence by the appropriate personnel, including the Debtors’ claims agent, The Garden City Group, Inc. (“GCG”). These efforts resulted in the identification of the “Duplicate Claims,” “Amended Claims,” “Stockholder Claims,” “No Documentation Claims,” “Insufficient Documentation Claims” and “Wrong Debtor Claims,” as defined in the Objection and identified on Exhibits A, B, C, D, E and F to the Proposed Order, respectively.

4. The information contained in Exhibits A, B, C, D, E and F to the Proposed Order is true and correct to the best of my knowledge, information and belief.

5. The Debtors have determined based upon a review of the claims docket in these chapter 11 cases that the claims identified on Exhibit A to the Proposed Order are duplicative of other claims filed in these cases. Accordingly, to prevent the claimants from receiving potential double recoveries against the Debtors’ estates based on the filing of two separate but identical proofs of claim, the Debtors seek to expunge and disallow in full the Duplicate Claims.

6. The Debtors have further determined based upon a review of the claims docket that the claims identified on Exhibit B to the Proposed Order have been amended and superseded by subsequently filed claims. Accordingly, to prevent the claimants from receiving an

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<sup>2</sup> Capitalized terms used but not otherwise defined herein shall have the meaning ascribed to such terms in the Objection.

unwarranted recovery on the basis of a claim that has been amended and superseded, the Debtors seek to expunge and disallow in full the Amended Claims.

7. The Debtors have further determined based upon a review of the claims docket and the claims listed on Exhibit C to the Proposed Order that the claims identified therein were filed by parties solely on account of equity interests held by such parties in the Debtors. As such, the Debtors seek to expunge and disallow in full the Stockholder Claims.

8. The Debtors have further determined based upon a review of the claims docket and the claims identified on Exhibit D to the Proposed Order that such claims were filed without any supporting documentation or any facts sufficient to support a legal basis for a claim. Moreover, the Debtors have made reasonable efforts to reconcile each of the No Supporting Documentation Claims against their books and records and believe that such claims do not provide *prima facie* evidence of the validity and amount of such claims. Accordingly, the Debtors seek to expunge and disallow in full the No Supporting Documentation Claims.

9. The Debtors have further determined based upon a review of the claims docket in these chapter 11 cases and the claims identified on Exhibit E to the Proposed Order that such claims were filed without sufficient supporting documentation and/or failed to allege facts sufficient to support the validity of the amount claimed therein. The Debtors have made reasonable efforts to reconcile each of the Insufficient Documentation Claims against their books and records and believe that these claims do not provide *prima facie* evidence of the validity of the amount claimed. As a result of reviewing their books and records to reconcile such claims, the Debtors have determined that these claims assert amounts that are higher than the amount of liability reflected in the Debtors' books and records. The Debtors therefore seek to modify the


listed under the column titled “Amount and Classification of Modified Claim” under the heading “Modified Claim.”

10. After reviewing their books and records, the Debtors have determined that the claims listed on Exhibit F to the Proposed Order were filed against the wrong Debtor entity. The Debtors therefore seek to reassign the Wrong Debtor Claims to the case numbers for the appropriate Debtor entities in order to prevent the claims from being improperly asserted against certain Debtor entities.

*Signature page follows*

I declare under penalty of perjury under the laws of the United States of America  
that the foregoing is true and correct to the best of my knowledge, information and belief.

Executed on December 23, 2009

  
\_\_\_\_\_  
Paul S. Street

**EXHIBIT 2**

Proposed Order

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

<b>IN RE:</b>	)	<b>Chapter 11</b>
<b>BUILDING MATERIALS HOLDING CORPORATION, <i>et al.</i>,</b> <sup>1</sup>	)	<b>Case No. 09-12074 (KJC)</b>
<b>Debtors.</b>	)	<b>Jointly Administered</b>
	)	<b>Ref. Docket No. _____</b>

**ORDER SUSTAINING DEBTORS' EIGHTH OMNIBUS (NON-SUBSTANTIVE) OBJECTION TO CLAIMS PURSUANT TO SECTION 502(b) OF THE BANKRUPTCY CODE, BANKRUPTCY RULES 3003 AND 3007 AND LOCAL RULE 3007-1**

Upon consideration of the eighth omnibus (non-substantive) objection (the "Objection")<sup>2</sup> of the above-captioned debtors and debtors in possession (collectively, the "Debtors") for the entry of an order, pursuant to section 502(b) of title 11 of the United States Code, 11 U.S.C. §§ 101 *et seq.* (the "Bankruptcy Code"), Rules 3003 and 3007 of the Federal Rules of Bankruptcy Procedure (the "Bankruptcy Rules") and Rule 3007-1 of the Local Rules of Bankruptcy Practice and Procedure for the United States Bankruptcy Court for the District of Delaware (the "Local Rules"), modifying or disallowing and expunging in full each of the Disputed Claims identified on Exhibits A, B, C, D, E and F attached hereto; and it appearing that due and sufficient notice of the Objection has been given under the circumstances; and after due deliberation and upon the Court's determination that the relief requested in the Objection is in

<sup>1</sup> The Debtors, along with the last four digits of each Debtor's tax identification number, are as follows: Building Materials Holding Corporation (4269), BMC West Corporation (0454), SelectBuild Construction, Inc. (1340), SelectBuild Northern California, Inc. (7579), Illinois Framing, Inc. (4451), C Construction, Inc. (8206), TWF Construction, Inc. (3334), H.N.R. Framing Systems, Inc. (4329), SelectBuild Southern California, Inc. (9378), SelectBuild Nevada, Inc. (8912), SelectBuild Arizona, LLC (0036), and SelectBuild Illinois, LLC (0792). The mailing address for the Debtors is 720 Park Boulevard, Suite 200, Boise, Idaho 83712.

<sup>2</sup> Capitalized terms used but not otherwise defined herein shall have the meanings ascribed to such terms in the Objection.

the best interests of the Debtors, their estates and creditors and other parties in interest; and sufficient cause appearing for the relief requested in the Objection, it is hereby:

**ORDERED, ADJUDGED AND DECREED that:**

1. The Objection is sustained.
2. Pursuant to section 502(b) of the Bankruptcy Code, Bankruptcy Rules 3003 and 3007 and Local Rule 3007-1, the Disputed Claims identified on Exhibits A, B, C, and D attached hereto are hereby disallowed and expunged in their entirety.
3. Pursuant to section 502(b) of the Bankruptcy Code, Bankruptcy Rules 3003 and 3007 and Local Rule 3007-1, the Disputed Claims identified on the attached Exhibit E are hereby modified by reducing or fixing the amounts of such claims to the dollar values listed under the column titled “Amount and Classification of Modified Claim” under the heading “Modified Claim” on Exhibit E hereto.
4. Pursuant to section 502(b) of the Bankruptcy Code, Bankruptcy Rules 3003 and 3007 and Local Rule 3007-1, the Disputed Claims identified on the attached Exhibit F are hereby reassigned to the case numbers (and corresponding Debtor) indicated under the column titled “Case No. of Reassigned Claim” under the heading “Reassigned Claim” on the attached Exhibit F.
5. The Debtors (and any successors or successors in interest) reserve any and all rights to amend, modify or supplement this Objection, and to file additional objections to any and all claims filed in these chapter 11 cases, including, without limitation, any and all claims that are the subject of the Objection.



6. The Debtors (and any successors or successors in interest) reserve any and all rights to object to any and all of the Disputed Claims on any and all grounds in any and all additional objections to claims filed in these chapter 11 cases.

7. This Court shall retain jurisdiction over any and all affected parties with respect to any and all matters, claims or rights arising from or related to the implementation or interpretation of this Order.

Dated: Wilmington, Delaware  
January \_\_\_\_\_, 2010

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Kevin J. Carey  
Chief United States Bankruptcy Judge

**EXHIBIT A**

Duplicate Claims

IN RE: BUILDING MATERIALS HOLDING CORPORATION ET AL., CASE NO. 09-12074  
 CLAIMS TO BE EXPUNGED AS DUPLICATIVE

----- OBJECTIONABLE CLAIM ----- SURVIVING CLAIM -----

NAME AND ADDRESS OF CLAIMANT	CLAIM NUMBER	DATE FILED	CASE NO.	AMOUNT AND CLASSIFICATION OF CLAIM	CLAIM NUMBER	DATE FILED	CASE NO.	AMOUNT AND CLASSIFICATION OF CLAIM
ALLIED LUMBER DEALERS, INC 469 WEST WESLEY AVENUE DENVER CO 80223	1554	8/24/2009	09-12074	Priority: \$12,274.21 Unsecured: \$25,848.44	1553	8/24/2009	09-12074	Priority: \$12,274.21 Unsecured: \$25,848.44
AUS-TEX TOWING 201 E BRAKER AUSTIN TX 78753	852	8/10/2009	09-12075	Unsecured: \$2,117.50	851	8/10/2009	09-12075	Unsecured: \$2,117.50
DAHILL INDUSTRIES INC P.O. BOX 314 SAN ANTONIO TX 78292	1076	8/13/2009	09-12075	Unsecured: \$2,233.37	1075	8/13/2009	09-12075	Unsecured: \$2,233.37
DAHILL INDUSTRIES, INC. P.O. BOX 314 SAN ANTONIO TX 78292	1077	8/13/2009	09-12075	Unsecured: \$2,233.37	1075	8/13/2009	09-12075	Unsecured: \$2,233.37
FARNSWORTH WHOLESALE CO 27 W BASELINE RD GILBERT AZ 85233	482	8/3/2009	09-12084	Unliquidated	481	8/3/2009	09-12084	Unliquidated
HARRIS COUNTY TRA C/O LINEBARGER GOGGAN BLAIR SAMPSON LLP PO BOX 3064 HOUSTON TX 77253	2591	9/3/2009	09-12074	Unsecured: \$78.50	2565	9/9/2009	09-12074	Unsecured: \$78.50

IN RE: BUILDING MATERIALS HOLDING CORPORATION, ET AL., CASE NO. 09-12074  
 CLAIMS TO BE EXPUNGED AS DUPLICATIVE

OBJECTIONABLE CLAIM \_\_\_\_\_ SURVIVING CLAIM \_\_\_\_\_

NAME AND ADDRESS OF CLAIMANT	CLAIM NUMBER	DATE FILED	CASE NO.	AMOUNT AND CLASSIFICATION OF CLAIM	CLAIM NUMBER	DATE FILED	CASE NO.	AMOUNT AND CLASSIFICATION OF CLAIM
HARRIS COUNTY TRA C/O LINEBARGER GOGGAN BLAIR SAMPSON LLP POST OFFICE BOX 3064 HOUSTON TX 77253	2631	9/4/2009	09-12074	Unsecured: \$78.50	2565	9/9/2009	09-12074	Unsecured: \$78.50
IDEALFASE 2255 LARKIN CIRCLE SPARKS NV 89431	1532	8/24/2009	09-12075	Unsecured: \$1,372.39	1533	8/24/2009	09-12075	Unsecured: \$2,291.88
PAPE MATERIAL HANDLING 2430 GRAND AVENUE SACRAMENTO CA 95838	277	7/31/2009	09-12075	Unsecured: \$2,544.00	841	8/10/2009	09-12075	Priority: \$4,551.81 Unsecured: \$2,654.21
THOMAS D. LINEAU ON BEHALF OF GUILLERMO PALAFOX C/O CASEY, GERRY, SCHENK 110 LAUREL STREET SAN DIEGO CA 92101	1072	8/13/2009	09-12082	Unsecured: \$95,000.00	706	8/5/2009	09-12082	Unsecured: \$95,000.00
WESTERN CONFERENCE OF TEAMSTERS PENSION TRUST FUND - C/O RUSSELL J REID REID PEDERSEN MCCARTHY & BALLEW LLP 101 ELLIOTT AVE W SUITE 550 SEATTLE WA 98119	90	7/21/2009	09-12075		73	7/22/2009	09-12075	
WESTERN CONFERENCE OF TEAMSTERS PENSION TRUST FUND - C/O RUSSELL J REID REID PEDERSEN MCCARTHY & BALLEW LLP 101 ELLIOTT AVE W STE 550 SEATTLE WA 98119	113	7/27/2009	09-12075		73	7/22/2009	09-12075	

IN RE: BUILDING MATERIALS HOLDING CORPORATION, ET AL.; CASE NO. 09-12074  
 CLAIMS TO BE EXPUNGED AS DUPLICATIVE

----- OBJECTIONABLE CLAIM ----- SURVIVING CLAIM -----

NAME AND ADDRESS OF CLAIMANT	CLAIM NUMBER	DATE FILED	CASE NO.	AMOUNT AND CLASSIFICATION OF CLAIM	CLAIM NUMBER	DATE FILED	CASE NO.	AMOUNT AND CLASSIFICATION OF CLAIM
WESTERN CONFERENCE OF TEAMSTERS PENSION TRUST FUND - C/O RUSSELL J REID REID PEDERSEN MCCARTHY & BALLEW LLP 101 ELLIOTT AVE W STE 550 SEATTLE WA 98119	117	7/27/2008	09-12075		73	7/22/2009	09-12075	

**EXHIBIT B**

Amended Claims

IN RE: BUILDING MATERIALS HOLDING CORPORATION, ET AL., CASE NO. 09-12074  
 CLAIMS TO BE EXPUNGED AS AMENDED AND SUPERSEDED BY A SUBSEQUENT LY FILED CLAIM

NAME AND ADDRESS OF CLAIMANT	CLAIM NUMBER	DATE FILED	CASE NO.	CLASSIFICATION OF CLAIM	AMOUNT AND CLASSIFICATION	SURVIVING CLAIM	
						CLAIM NUMBER	CASE NO.
ANDERSEN DISTRIBUTION INC DBA ANDERSEN LOGISTICS ATTN: A/R MGMT SPECIALIST MN126-0116 100 FOURTH AVENUE NORTH BAYPORT MN 55003	1000	8/11/2009	09-12075	Priority: \$15,341.84 Unsecured: \$41.34	Priority: \$20,561.02 Unsecured: \$41.10	2634	09-12075
BERGE FORD 460 E AUTO CENTER DR MESA AZ 85204	371	8/3/2009	09-12084	Unsecured: \$595.26	Priority: \$7.44 Unsecured: \$567.82	2208	09-12084
CARPENTERS BENEFIT FUNDS OF IL C/O CATHERINE M. CHAPMAN BAUM SIGMAN AUERBACH & NEUMAN, LTD. 200 W. ADAMS STREET, SUITE 2200 CHICAGO IL 60606	2445	8/31/2009	09-12085	Priority: \$10,045.06 Unsecured: \$381,597.60	Unsecured: \$4,401.87	2825	09-12085
CERTAIN UNDERWRITERS AT LLOYDS OF LONDON AMERICAN CLAIMS SERVICES, INC. 11777 KATY FREEWAY #520 HOUSTON TX 77079	1506	8/24/2009	09-12081	Unsecured: \$15,000.00	Unsecured: \$10,137.06	2710	09-12081
HAJOCA CORP / ABLE DISTRIBUTING DIV OF ATTN: JUDY ROGGE 2727 W GROVERS AVE PHOENIX AZ 85055	1123	8/14/2009	09-12084	Unsecured: \$198,807.00	Unsecured: \$199,346.14	2697	09-12084
KDL ENTERPRISES INC 7818 S 194TH STREET KENT WA 98032	31	7/2/2009	09-12075	Priority: \$1,453.72	Priority: \$3,642.39	829	09-12075

IN RE: BUILDING MATERIALS HOLDING CORPORATION, ET AL., CASE NO. 09-12074  
 CLAIMS TO BE EXPUNGED AS AMENDED AND SUPERSEDED BY A SUBSEQUENT LY FILED CLAIM

----- OBJECTIONABLE CLAIM ----- SURVIVING CLAIM -----

NAME AND ADDRESS OF CLAIMANT	CLAIM NUMBER	DATE FILED	CASE NO.	AMOUNT AND CLASSIFICATION OF CLAIM	CLAIM NUMBER	DATE FILED	CASE NO.	AMOUNT AND CLASSIFICATION
WARM BEACH ARCH WOODS 9226 176TH ST N W STANWOOD WA 98292	35	7/9/2009	09-12075	Priority: \$1,095.40	382	8/3/2009	09-12075	Priority: \$1,757.40



**EXHIBIT C**

Stockholder Claims

IN RE: BUILDING MATERIALS HOLDING CORPORATION, ET AL., CASE NO. 09-12074  
 CLAIMS TO BE EXPUNGED AS EQUITY INTEREST CLAIMS

NAME AND ADDRESS OF CLAIMANT	CLAIM NUMBER	DATE FILED	CASE NO.	AMOUNT AND CLASSIFICATION OF CLAIM
CHARLES M.KNAIDE 237 MILITIA COURT COLLEGEVILLE PA 19426	1107	8/13/2009	09-12074	Unliquidated
DAVID L STEWART DENISE STEWART CAROLYN D STEWART J/T 565 S 2ND AVE COVILIA CA 91723	2206	8/28/2009	09-12074	Unsecured: \$10,909.99
JOYCE CARPENTER, GREG CARPENTER 486 CROSSWIND DRIVE FERNANDINA BEACH FL 32034	1505	8/24/2009	09-12074	Unliquidated
MARCIA & BRYAN P COOLEY 579 CROOKED LANE N BARRINGTON IL 60010	2318	8/31/2009	09-12074	Unliquidated
MURIEL V PINKUS - SHAREHOLDER 6101 OHIO DR VILLA 3 PLANO TX 75024	713	8/5/2009	No Debtor identified	Unliquidated
THOMAS JOYCE 429 WEST THIRD ST WILLIAMSPORT PA 17701	1112	8/13/2009	09-12074	Unliquidated

IN RE: BUILDING MATERIALS HOLDING CORPORATION, ET AL., CASE NO. 09-12074  
CLAIMS TO BE EXPUNGED AS EQUITY INTEREST CLAIMS

NAME AND ADDRESS OF CLAIMANT	CLAIM NUMBER	DATE FILED	CASE NO.	AMOUNT AND CLASSIFICATION OF CLAIM
VINCENT E RHYNES 1514 W/MANCHESTER AVE #5 LOS ANGELES CA 90047	109	7/17/2009	09-12074	Unliquidated

**EXHIBIT D**

No Supporting Documentation Claims

IN RE: BUILDING MATERIALS HOLDING CORPORATION, ET AL., CASE NO. 09-12074  
 CLAIMS TO BE EXPUNGED AS NO SUPPORTING DOCUMENTATION

NAME AND ADDRESS OF CLAIMANT	CLAIM NUMBER	FILE DATE	AMOUNT AND CLASSIFICATION OF CLAIM	CASE NO.	REASON FOR DISALLOWANCE
CHI LING SUN 727 RAIN DANCE WAY CORDOVA TN 38018	1773	8/27/2009	Unsecured: \$3,859.43	09-12074	No supporting documentation was filed with the claim, and based on a review of the Debtors' books and records, the Debtors do not believe that any amounts are due and owing to the claimant.
CITY OF LOS ANGELES PO BOX 30420 LOS ANGELES CA 90030	542	8/3/2009	Unliquidated	09-12077	No supporting documentation was filed with the claim, and based on a review of the Debtors' books and records, the Debtors do not believe that any amounts are due and owing to the claimant.
CITY OF LOS ANGELES P.O. BOX 30420 LOS ANGELES CA 90030	661	8/5/2009	Unliquidated	09-12077	No supporting documentation was filed with the claim, and based on a review of the Debtors' books and records, the Debtors do not believe that any amounts are due and owing to the claimant.
CLERK OF THE COMBINED COURT 100 JEFFERSON COUNTY PKWY GOLDEN CO 80401	461	8/3/2009	Unliquidated	No debtor identified	No supporting documentation was filed with the claim, and based on a review of the Debtors' books and records, the Debtors do not believe that any amounts are due and owing to the claimant.
DECORATIVE PLANTS 2920 DAIRY ASHFORD HOUSTON TX 77082	327	7/31/2009	Unsecured: \$261.42	09-12075	No supporting documentation was filed with the claim, and based on a review of the Debtors' books and records, the Debtors do not believe that any amounts are due and owing to the claimant.
DIAZ, ABNER 35304 CORREGIDOR DRIVE CATHEDRAL CITY CA 92234	714	8/5/2009	Unliquidated	09-12080	No supporting documentation was filed with the claim, and based on a review of the Debtors' books and records, the Debtors do not believe that any amounts are due and owing to the claimant.

IN RE: BUILDING MATERIALS HOLDING CORPORATION, ET AL., CASE NO. 09-12074  
CLAIMS TO BE EXPUNGED AS NO SUPPORTING DOCUMENTATION

NAME AND ADDRESS OF CLAIMANT	CLAIM NUMBER	FILE DATE	AMOUNT AND CLASSIFICATION OF CLAIM	CASE NO.	REASON FOR DISALLOWANCE
DIVERSIFIED CONSTRUCTION SUPPLY LLC PO BOX 94106 LAS VEGAS NV 89193	2371	8/31/2009	Unliquidated	No debtor identified	No supporting documentation was filed with the claim, and based on a review of the Debtors' books and records, the Debtors do not believe that any amounts are due and owing to the claimant.
DIVERSIFIED CONSTRUCTION SUPPLY, INC. 3921 W. OQUENDO ROAD LAS VEGAS NV 89118	2373	8/31/2009	Unliquidated	No debtor identified	No supporting documentation was filed with the claim, and based on a review of the Debtors' books and records, the Debtors do not believe that any amounts are due and owing to the claimant.
FLATHEAD BUSINESS JOURNAL ATTN: TIFFANY PO BOX 7610 KALISPELL MT 59904	2391	8/31/2009	Unsecured: \$229.00	09-12075	No supporting documentation was filed with the claim, and based on a review of the Debtors' books and records, the Debtors do not believe that any amounts are due and owing to the claimant.
METROPOLITAN LIFE INSURANCE CO C/O EXECUTIVE PLAN SERVICES 9300 MANSFIELD ROAD STE 302 SHREVEPORT LA 71118	443	8/3/2009	Unliquidated	No debtor identified	No supporting documentation was filed with the claim, and based on a review of the Debtors' books and records, the Debtors do not believe that any amounts are due and owing to the claimant.
NORTHWEST PARTS & RIGGING CO INC PO BOX 107 KALISPELL MT 59903	598	8/3/2009	Unsecured: \$215.00	No debtor identified	No supporting documentation was filed with the claim, and based on a review of the Debtors' books and records, the Debtors do not believe that any amounts are due and owing to the claimant.
SANCTUARY HOMES GC INC HEDBERG & HOWELL LLC 1807 S PEARL ST DENVER CO 80210	1293	8/10/2009	Unsecured: \$18,519.92	09-12074	No supporting documentation was filed with the claim, and based on a review of the Debtors' books and records, the Debtors do not believe that any amounts are due and owing to the claimant.

IN RE: BUILDING MATERIALS HOLDING CORPORATION, ET AL., CASE NO. 09-12074  
 CLAIMS TO BE EXPUNGED AS NO SUPPORTING DOCUMENTATION

NAME AND ADDRESS OF CLAIMANT	CLAIM NUMBER	FILE DATE	AMOUNT AND CLASSIFICATION OF CLAIM	CASE NO.	REASON FOR DISALLOWANCE
THE A C HOUSTON LUMBER COMPANY 612 S 10TH STREET LAS VEGAS NV 89101	2265	8/31/2009	Unsecured: \$137.07	09-12080	No supporting documentation was filed with the claim, and based on a review of the Debtors' books and records, the Debtors do not believe that any amounts are due and owing to the claimant.
THE OLSEN COMPANY 950 TOWER LANE, SUITE 1250 FOSTER CITY CA 94404	478	8/3/2009	Unliquidated	No Debtor identified	No supporting documentation was filed with the claim, and based on a review of the Debtors' books and records, the Debtors do not believe that any amounts are due and owing to the claimant.

**EXHIBIT E**

Insufficient Documentation Claims



IN RE: BUILDING MATERIALS HOLDING CORPORATION, ET AL., CASE NO. 09-12074  
CLAIMS TO BE MODIFIED AS INSUFFICIENT SUPPORTING DOCUMENTATION

OBJECTIONABLE CLAIM				MODIFIED CLAIM		
NAME AND ADDRESS OF CLAIMANT	CLAIM NUMBER	FILE DATE	AMOUNT AND CLASSIFICATION OF CLAIM	CASE NO.	AMOUNT AND CLASSIFICATION OF MODIFIED CLAIM	COMMENTS
AON CONSULTING JESSICA SMITH 1100 REYNOLDS BLVD WINSTON-SALEM NC 27105	69	7/20/2009	Unliquidated	09-12074	Secured: \$0.00 Priority: \$0.00 Unsecured: \$0.00	Based on review of the Debtors' books and records, there is no amount owing to this claimant and the claimant has provided insufficient documentation to support the claim. As such, the debtors object to this claim.
BAY AREA WOODCRAFTS PO BOX 533 PETALUMA CA 94853	1308	8/18/2009	Priority: \$213.20	09-12074	Secured: \$0.00 Priority: \$0.00 Unsecured: \$0.00	Based on review of the Debtors' books and records, there is no amount owing to this claimant and the claimant has provided insufficient documentation to support the claim. As such, the debtors object to this claim.
CANADIAN PACIFIC RAILWAY COMPANY PO BOX 77299 DETROIT MI 48277	1715	8/27/2009	Unsecured: \$4,119.51	09-12075	Unsecured: \$0.00	Based on review of the Debtors' books and records, there is no amount owing to this claimant and the claimant has provided insufficient documentation to support the claim. As such, the debtors object to this claim.
FIRST CUT SAWING AND BREAKING INC 3634 E SOUTHERN AVE STE 6 PHOENIX AZ 85040	26	7/6/2009	Unsecured: \$6,398.00	09-12084	Unsecured: \$2,652.00	Based on review of supporting documentation filed with the claim, there is insufficient documentation to support the claim amount. Based on the review of the Debtors' books and records, an amount of \$2,652 is owing to the claimant. As such, the Debtors object to \$4,339.58 of the claim based on insufficient documentation and no liability.
HD SUPPLY C/O RMS BANKRUPTCY RECOVERY SERVICES PO BOX 5126 TIMONIUM MD 21094	2189	8/20/2009	Unsecured: \$7,141.16	09-12074	Unsecured: \$320.27	Based on review of supporting documentation filed with the claim, there is insufficient documentation to support the claim amount. Based on review of the Debtors' books and records, an amount of \$320.27 is owing to the claimant. As such, the Debtors object to \$6,820.89 of the claim based on insufficient documentation and no liability.
PGE PORTLAND GENERAL ELECTRIC 7895 SW MOHAWK ST / ERC TUALATIN OR 97062	491	8/3/2009	Unsecured: \$2,095.10	09-12075	Unsecured: \$303.88	Based on review of supporting documentation filed with the claim, there is insufficient documentation to support the claim amount. Based on review of the Debtors' books and records, the amount due is \$303.88. As such, the Debtors object to \$1,791.22 of the claim based on insufficient documentation and no liability.

IN RE: BUILDING MATERIALS HOLDING CORPORATION, ET AL., CASE NO. 09-12074  
 CLAIMS TO BE MODIFIED AS INSUFFICIENT SUPPORTING DOCUMENTATION

NAME AND ADDRESS OF CLAIMANT	CLAIM NUMBER	FILE DATE	OBJECTIONABLE CLAIM		CASE NO.	MODIFIED CLAIM		COMMENTS
			AMOUNT AND CLASSIFICATION OF CLAIM	CLASSIFICATION OF CLAIM		AMOUNT AND CLASSIFICATION OF MODIFIED CLAIM	CLASSIFICATION OF MODIFIED CLAIM	
RAMOS OIL COMPANY P.O. BOX 401 W SACRAMENTO CA 95691	1393	8/20/2009	Unsecured: \$39,323.27	Unsecured	09-12077	Unsecured: \$2,923.22	Unsecured	Based on review of supporting documentation filed with the claim, there is insufficient documentation to support the claim amount. Based on review of the Debtors' books and records, the amount due is \$2,923.22. As such, the Debtors object to \$36,400.05 of the claim based on insufficient documentation and no liability.
SEPULVEDA GLEZ, PEDRO 140 HEFFERNAN PMB 35419 CALEXICO CA 92231	1416	8/21/2009	Unliquidated		No debtor identified	Secured: \$0.00 Priority: \$0.00 Unsecured: \$0.00		Based on review of the Debtors' books and records, there is no amount owing to this claimant and the claimant has provided insufficient documentation to support the claim. As such, the debtors object to this claim.
TEXAS TOOL TRADERS 13317 SEYDLER ROAD WEIMAR TX 78962	438	8/2/2009	Unsecured: \$1,736.35	Unsecured	09-12074	Secured: \$0.00 Priority: \$0.00 Unsecured: \$0.00		Based on review of supporting documentation filed with the claim, there is insufficient documentation to support the claim amount. Based on review of the Debtors' books and records, the amount due is \$682.84, which amounts has been allowed under claim #437. As such, the Debtors object to this claim.

**EXHIBIT F**

Wrong Debtor Claims

IN RE: BUILDING MATERIALS HOLDING CORPORATION, ET AL., CASE NO. 09-12074  
 CLAIMS TO BE REASSIGNED TO A NEW DEBTOR

OBJECTIONABLE CLAIM				REASSIGNED CLAIM	
NAME AND ADDRESS OF CLAIMANT	CLAIM NUMBER	FILE DATE	CASE NO.	AMOUNT AND CLASSIFICATION OF CLAIM	REASON FOR REASSIGNMENT
CAL TEX LUMBER COMPANY INC PO BOX 631010 NACOGDOCHES TX 75963	963	8/6/2009	09-12074	Unsecured: \$28,600.32	09-12075 Based on review of supporting documentation filed with the claim, the claim should be against BMC West Corporation.
R&G MOULDING INC. 560 SOUTH MAIN CLEARFIELD CT 84015	1519	8/24/2009	09/12074	Priority: \$2,520.26 Unsecured: \$5,252.50	09-12075 Based on review of supporting documentation filed with the claim, the claim should be against BMC West Corporation.