

interests of the Debtors' estates, their creditors, and other parties in interest; and notice of the Motion and the opportunity for a hearing on the Motion was appropriate under the particular circumstances; and the Court having reviewed the Motion and the related Certification of Counsel; and the Court having determined that the legal and factual bases set forth in the Motion and in the Certification of Counsel establish just cause for the relief granted herein; and upon all of the proceedings had before the Court; and after due deliberation and sufficient cause appearing therefor,

IT IS HEREBY ORDERED:

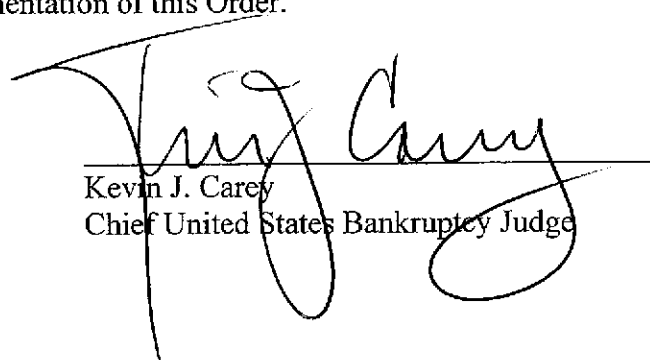
1. The Motion is granted as set forth below.
2. Pursuant to section 365(a) of the Bankruptcy Code, the Debtors are authorized to reject the San Francisco Lease effective as of December 31, 2009.
3. As a result of the rejection of the San Francisco Lease, Four Embarcadero Center Venture shall have an Allowed General Unsecured Claim against Building Materials Holding Corporation in the amount of \$1,274,714.
4. This Order shall not impair Four Embarcadero Center Venture's right to assert a claim (including, if applicable, an administrative expense claim), nor impair the Debtors' right to dispute any such claim, (i) if the San Francisco Lease premises are in unsatisfactory condition upon return, or (ii) if the Debtors have not vacated the San Francisco Lease premises on or before December 31, 2009; provided, however, that Four Embarcadero Center Venture must assert any such claim within thirty days of the date of entry of this Order.
5. The Debtors are authorized to take all actions necessary to effectuate the relief granted pursuant to this Order in accordance with the Motion.

6. Notice of the Motion as provided therein shall be deemed good and sufficient notice of such motion and the requirements of Bankruptcy Rule 6006(c) and the Local Bankruptcy Rules are satisfied by such notice.

7. To the extent Bankruptcy Rule 6004(h) is applicable, the terms and conditions of this Order shall be immediately effective and enforceable upon its entry.

8. This Court shall retain jurisdiction with respect to all matters arising from or relating to the interpretation or implementation of this Order.

Date: Wilmington, Delaware
December 20, 2009



Kevin J. Carey
Chief United States Bankruptcy Judge