

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

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In re:	:	Chapter 11
	:	
BUILDING MATERIAL HOLDING	:	Case No. 09-12074 (KJC)
CORPORATION, <u>et al.</u>	:	
	:	Jointly Administered
	:	
Debtors.	:	
	:	Obj. Deadline: February 4, 2010 at 4:00 p.m.
	:	(ET)
	:	Hearing Date: February 22, 2010 at 1:00 p.m.
	:	(ET)
	:	
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**NOTICE OF FIRST AND FINAL APPLICATION OF ROBERT A. GARCIA, MEMBER
AND CHAIRPERSON OF THE OFFICIAL COMMITTEE OF UNSECURED
CREDITORS, FOR REIMBURSEMENT OF EXPENSES INCURRED
DURING THE PERIOD OF JUNE 16, 2009 THROUGH OCTOBER 31, 2009**

TO: (I) THE DEBTORS; (II) THE OFFICE OF THE UNITED STATES TRUSTEE FOR THE DISTRICT OF DELAWARE; AND (III) ALL PARTIES WHO HAVE FILED AND SERVED REQUESTS FOR NOTICE PURSUANT TO BANKRUPTCY RULE 2002.

PLEASE TAKE NOTICE that on January 15, 2010, Arent Fox LLP, counsel to the Official Committee of Unsecured Creditors (the “Committee”) for the above-captioned debtors (the “Debtors”) filed the attached **Final Application of Robert A. Garcia, Member and Chairperson of the Official Committee of Unsecured Creditors, for Reimbursement of Expenses Incurred During the Period of June 16, 2009 through October 31, 2009** (the “Application”) with the United States Bankruptcy Court for the District of Delaware, 824 Market Street, Wilmington, Delaware 19801 (the “Court”), seeking reimbursement of expenses in the amount of \$6,719.75

PLEASE TAKE FURTHER NOTICE that objections, if any, to the Application must be made in accordance with this Court’s administrative order establishing procedures for interim compensation and reimbursement of expenses of professionals, dated July 14, 2009

[Docket No. 201] (the “Professional Fee Order”), and must be filed with the Clerk of the United States Bankruptcy Court for the District of Delaware, 824 North Market Street, Wilmington, Delaware 19801, and be served upon and received by (i) the Debtors, Building Materials Holding Corporation, 720 Park Boulevard, Suite 200, Boise, Idaho, 83712, Attn: Paul S. Street; (ii) counsel to the Debtors, (a) Gibson, Dunn & Crutcher, LLP, 200 Park Avenue, New York, New York, 10166, Attn: Michael A. Rosenthal and Matthew K. Kelsey, (b) Young Conaway Stargatt & Taylor, LLP, The Brandywine Building, 1000 West Street, 17th Floor, Wilmington, Delaware, 19801, Attn: Sean M. Beach and Robert F. Poppiti, Jr.; (iii) the Office of the United States Trustee for the District of Delaware, 844 King Street, Suite 2270, Lockbox 35, Wilmington, Delaware, 19801, Attn: Joseph McMahon; (iv) counsel for Official Committee of Unsecured Creditors, (a) Arent Fox LLP, 1050 Connecticut Avenue, NW, Washington DC, 20036, Attn: Christopher J. Giaimo and Katie A. Lane, (b) Benesch, Friedlander, Coplan & Aronoff LLP, 222 Delaware Avenue, Suite 801, Wilmington, Delaware, 19801, Attn: Bradford J. Sandler; and (v) Paul, Hastings, Janofsky, & Walker LLP, 55 Second Street, Twenty Fourth Floor, San Francisco, California, 94105, Attn: Kevin B. Fisher, by no later than **February 4, 2010 at 4:00 p.m. (Prevailing Eastern Time)** (the “Objection Deadline”).

PLEASE TAKE FURTHER NOTICE that a hearing on the Application will be held before the Honorable Kevin J. Carey in the United States Bankruptcy Court for the District of Delaware, 824 N. Market Street, 5th Floor, Courtroom #5, Wilmington, DE 19801, on **February 22, 2010 at 1:00 p.m. (ET)**.

PLEASE TAKE FURTHER NOTICE that, pursuant to the Professional Fee Order, if no objection to the Application is timely filed, served, and received by the Objection Deadline, the Applicant may be paid an amount equal to 100% of expenses requested in the Application, or 100% of the expenses not subject to an objection, without the need for further order of the

Bankruptcy Court.

Dated: Washington, DC
January 19, 2010

Benesch Friedlander Coplan & Aronoff, LLP

/s/ Bradford J. Sandler

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-and -

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*Counsel for the Official Committee of
Unsecured Creditors*

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CERTIFICATE OF SERVICE

I, Bradford J. Sandler, Esquire, hereby certify that on January 15, 2010, a true and correct copy of the foregoing document was served via overnight delivery, postage prepaid, upon all parties on the attached list.

Dated: January 15, 2010

BENESCH, FRIEDLANDER, COPLAN &
ARONOFF LLP

By: /s/ Bradford J. Sandler
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Counsel to the Official Committee of Unsecured
Creditors

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Suite 200
Boise, ID 83712

Gibson, Dunn & Crutcher LLP
Attn: Michael A. Rosenthal and Matthew K. Kelsey
200 Park Avenue
New York, NY 10166

Office of the United States Trustee
Attn: Joseph McMahon
844 King Street
Suite 2207
Wilmington, DE 19801

Young Conaway Stargatt & Taylor, LLP
Attn: Sean M. Beach and Robert F. Poppiti, Jr.
The Brandywine Building
1000 West Street
17th Floor
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Paul, Hastings, Janofsky & Walker LLP
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