

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

IN RE:)	
)	Chapter 11
BUILDING MATERIALS HOLDING)	
CORPORATION, <i>et al.</i> , ¹)	Case No. 09-12074 (KJC)
)	
Debtors.)	Jointly Administered
)	
)	Objection Deadline: N/A
)	Hearing Date: N/A
)	

**MOTION PURSUANT TO LOCAL RULE 9006-1(e) FOR AN ORDER SHORTENING
THE TIME FOR NOTICE OF THE HEARING TO CONSIDER DEBTORS'
SUPPLEMENTAL MOTION FOR AN ORDER (A) INCREASING THE DEBTORS'
AUTHORIZATION TO PAY CERTAIN PREPETITION CLAIMS OF SHIPPERS,
WAREHOUSEMEN, AND MECHANIC'S/MATERIALMAN'S LIEN CLAIMANTS;
AND (B) AUTHORIZING FINANCIAL INSTITUTIONS TO HONOR AND PROCESS
RELATED CHECKS AND TRANSFERS**

Building Materials Holding Corporation and its affiliates, as debtors and debtors in possession (collectively, the "***Debtors***"), submit this motion (the "***Motion to Shorten***") pursuant to Rule 9006-1(e) of the Local Rules for the United States Bankruptcy Court for the District of Delaware (the "***Local Rules***"), for entry of an order shortening the time for notice of the Debtors' Supplemental Motion for an Order (a) Increasing the Debtors' Authorization to Pay Certain Prepetition Claims of Shippers, Warehousemen, and Mechanic's/Materialman's Lien Claimants; and (b) Authorizing Financial Institutions to Honor and Process Related Checks and

¹ 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.

Transfers (the "***Motion***") so that the Motion may be heard at the hearing currently scheduled for July 16, 2009 at 4:30 p.m. (ET). In support thereof, the Debtors respectfully represent:

BASIS FOR RELIEF REQUESTED

1. The Federal Rules of Bankruptcy Procedure (the "***Bankruptcy Rules***") require twenty (20) days' notice prior to the hearing date for motions involving the use or sale of estate property. *See* Fed. R. Bankr. P. 2002(a)(2). Likewise, Local Rule 9006-1(c) provides for a sixteen (16) day notice period (if service is by overnight delivery) for motions not otherwise governed by the Bankruptcy Rules or Local Rules. Pursuant to Local Rule 9006-1(e), however, such periods may be shortened by Order of the Court upon written motion specifying the exigencies supporting shortened notice.

2. The Debtors submit that there is sufficient cause to justify shortening the notice period for the hearing on the Motion. As set forth more fully in the Motion, the Possessory Claimants² either possess the Debtors' goods or have the ability to assert liens on the Debtors' or the Debtors' customers' property. Absent authority to satisfy the claims of the Possessory Claimants, the Debtors will be unable to receive payment from their customers (who require lien releases from the Debtors' suppliers before they will advance payment to the Debtors) and/or retrieve their goods, tooling, and other equipment. If the Debtors are unable to collect payment from their customers or deliver goods to their customers in a timely fashion, the Debtors' continued business operations will be jeopardized.

3. Despite the Debtors' best efforts to estimate the amount of Possessory Claims outstanding as of the Petition Date, the Debtors' estimate has proven to be too low.

² Capitalized terms used herein but not otherwise defined herein shall have the meanings ascribed to them in the Motion.

Accordingly, the Debtors must obtain Court approval to pay the remaining Possessory Claims so that they can receive payment from their customers and/or recover their goods, tooling, or equipment.

4. In light of the foregoing, the Debtors submit that consideration of the Motion at the July 16, 2009 hearing is necessary and in the best interests of the Debtors, their estates, and creditors so that the Motion and the relief requested therein, which are inextricably tied to the Debtors' efforts to preserve and maximize estate value, can be considered on an expedited basis. Absent the relief requested herein, the Debtors' chapter 11 efforts may be jeopardized prior to the consideration and approval of the Motion.

5. Because of the shortened notice period, the Debtors propose to give any party objecting to the Motion until July 13, 2009 at 4:00 p.m. (ET) to file and serve any objections upon the undersigned counsel for the Debtors. Such an objection deadline will allow the Debtors to file a complete notice of hearing agenda before the deadline for doing so for the July 16th hearing. As a result of the shortened noticed period, the Motion will be served by express mail or overnight or hand delivery on: (a) the Office of the United States Trustee for the District of Delaware; (b) counsel to Wells Fargo Bank, as agent under the Debtors' Prepetition Credit Agreement and DIP Facility (as defined in the Plan); (c) counsel to the Creditors' Committee; and (d) any persons who have filed a request for notice in the Chapter 11 Cases pursuant to Bankruptcy Rule 2002.

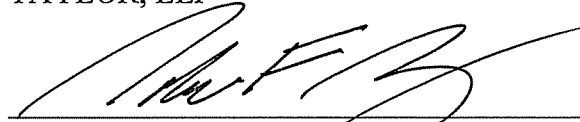
NO PRIOR REQUEST

6. No prior request for the relief sought in this Motion to Shorten has been made to this or any other court.

WHEREFORE, the Debtors respectfully request the Court to enter an order, substantially in the form attached hereto as *Exhibit A*, scheduling a hearing on the Motion for July 16, 2009 at 4:30 p.m. (ET), and requiring that any responses to the Motion be filed and served so as to be received by the undersigned counsel on or before July 13, 2009 at 4:00 p.m. (ET).

Dated: Wilmington, Delaware
July 1, 2009

YOUNG CONAWAY STARGATT &
TAYLOR, LLP



Sean M. Beach (No. 4070)
Donald J. Bowman, Jr. (No. 4383)
Robert F. Poppiti, Jr. (No. 5052)
The Brandywine Building
1000 West St., 17th Floor
Wilmington, DE 19801
Telephone: 302.571.6600
Facsimile: 302.571.1253

---- and ----

GIBSON, DUNN & CRUTCHER LLP
Michael A. Rosenthal (admitted *pro hac vice*)
Matthew K. Kelsey (admitted *pro hac vice*)
Saeed M. Muzumdar (admitted *pro hac vice*)
200 Park Ave, 47th Floor
New York, NY 10166-0193
Telephone: 212.351.4000
Facsimile: 212.351.4035

Aaron G. York (admitted *pro hac vice*)
Jeremy L. Graves (admitted *pro hac vice*)
2100 McKinney Ave, Suite 1100
Dallas, TX 75201-6911
Telephone: 214.698.3100
Facsimile: 214.571.2900

PROPOSED ATTORNEYS FOR DEBTORS AND
DEBTORS IN POSSESSION

EXHIBIT A

Proposed Order

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

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

ORDER SHORTENING THE TIME FOR NOTICE OF THE HEARING TO CONSIDER DEBTORS' SUPPLEMENTAL MOTION FOR AN ORDER (A) INCREASING THE DEBTORS' AUTHORIZATION TO PAY CERTAIN PREPETITION CLAIMS OF SHIPPERS, WAREHOUSEMEN, AND MECHANIC'S/MATERIALMAN'S LIEN CLAIMANTS; AND (B) AUTHORIZING FINANCIAL INSTITUTIONS TO HONOR AND PROCESS RELATED CHECKS AND TRANSFERS

Upon consideration of the motion (the "*Motion to Shorten*") of Building Materials Holding Corporation and its affiliates, as debtors and debtors in possession (collectively, the "*Debtors*") for entry of an order, pursuant to Rule 9006-1(e) of the Local Rules for the United States Bankruptcy Court for the District of Delaware (the "*Local Rules*"), shortening the time for notice of the Debtors' Supplemental Motion for an Order (a) Increasing the Debtors' Authorization to Pay Certain Prepetition Claims of Shippers, Warehousemen, and Mechanic's/Materialman's Lien Claimants; and (b) Authorizing Financial Institutions to Honor and Process Related Checks and Transfers (the "*Motion*") so that the Motion may be heard at the hearing currently scheduled for July 16, 2009 at 4:30 p.m. (ET), as set forth in the Motion to

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Shorten; and the Court having found that venue of this proceeding and the Motion to Shorten in this district is proper pursuant to 28 U.S.C. sections 1408 and 1409; and the Court having found that the relief requested in the Motion to Shorten is in the best interests of the Debtors' estates, their creditors, and other parties in interest; and notice of the Motion to Shorten was appropriate under the particular circumstances; and the Court having reviewed the Motion to Shorten; and the Court having determined that the legal and factual bases set forth in the Motion to Shorten establish just cause for the relief granted herein; and after due deliberation and sufficient cause appearing therefor,

IT IS HEREBY ORDERED:

1. The Motion to Shorten is granted.
2. Approval of the Motion shall be considered on July 16, 2009 at 4:30 p.m. (ET).
3. Any objections to the entry of an order authorizing and approving the relief requested in the Motion shall be filed and served upon counsel to the Debtors no later than July 13, 2009 at 4:00 p.m. (ET).
4. 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
July __, 2009

Kevin J. Carey
Chief United States Bankruptcy Judge