

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

**IN RE:** ) **Chapter 11**  
)  
**BUILDING MATERIALS HOLDING CORPORATION, et al.,** ) **Case No. 09-12074 (KJC)**  
)  
**Debtors.** ) **Jointly Administered**  
)  
) **Objections Due: February 16, 2010 at 4:00 p.m.**  
) **Hearing Date: February 22, 2010 at 1:00 p.m.**

**RE-NOTICE OF MOTION OF JUAN M. NAVARRO AND LETICIA RAMIREZ  
FOR RELIEF FROM THE AUTOMATIC STAY AND/OR  
RELIEF FROM THE CONFIRMATION INJUNCTION**

TO: Parties on the attached service list:

Juan M. Navarro and Leticia Ramirez (“Movants”) have filed the Motion of Juan M. Navarro and Leticia Ramirez for Relief from Automatic Stay and/or Relief from the Confirmation Injunction (the “Motion”) which seeks relief from the automatic stay of 11 U.S.C. § 362(a) and/or the confirmation injunction to pursue their personal injury action pending in state court in Arizona, for purposes of establishing liability of the defendants, which include debtor Building Materials Holding Corporation, and recovering any judgment, award or settlement in accordance with the Debtors’ Plan and/or from available insurance proceeds.

If you wish to respond to the Motion, you must file such a response by **February 16, 2010 at 4:00 p.m.** prevailing Eastern Time (the “Objection Deadline”).

At the same time, you must serve such response upon the following counsel to Movant so as to actually be received by the Objection Deadline:

Carl N. Kunz, III  
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HEARING ON THE MOTION WILL BE HELD ON **FEBRUARY 22, 2010 AT 1:00 P.M.** (PREVAILING EASTERN TIME) BEFORE THE HONORABLE KEVIN J. CAREY AT THE UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF DELAWARE, 824 MARKET STREET, 5<sup>th</sup> FLOOR, COURTROOM #5, WILMINGTON, DELAWARE 19801.

**IF YOU FAIL TO RESPOND IN ACCORDANCE WITH THIS NOTICE, THE COURT MAY GRANT THE RELIEF DEMANDED BY THE MOTION WITHOUT FURTHER NOTICE OR HEARING.**

Dated: February 8, 2010

**MORRIS JAMES LLP**



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-and-

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*Attorneys for Juan M. Navarro and  
Leticia Ramirez*

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

-----X  
In re: ) Chapter 11  
)  
BUILDING MATERIALS HOLDING ) Case No. 09-12074 (KJC)  
CORPORATION, *et al.*, )  
) Jointly Administered  
Debtors. )  
-----X

**AFFIDAVIT OF JAMIE DAWSON, PARALEGAL**

STATE OF DELAWARE :  
: SS:  
NEW CASTLE COUNTY :

I, Jamie Dawson, certify that I am, and at all times during the service, have been, an employee of Morris James LLP, not less than 18 years of age and not a party to the matter concerning which service was made. I certify further that on February 8, 2010, I caused service of the following:

**RE-NOTICE OF MOTION OF JUAN M. NAVARRO AND LETITIA RAMIREZ  
FOR RELIEF FROM THE AUTOMATIC STAY AND/OR  
RELIEF FROM THE CONFIRMATION INJUNCTION**

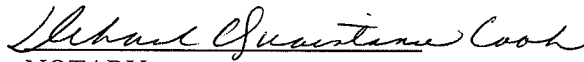
Service was completed upon the following parties on the attached service as indicated thereon.

Date: February 8, 2010



Jamie Dawson

SWORN TO AND SUBSCRIBED before me this 8th day of February, 2010.



NOTARY

My commission expires: \_\_\_\_\_

DEBORAH QUAINANCE COOK  
Notary Public - State of Delaware  
My Comm. Expires May 11, 2011

**VIA HAND DELIVERY**

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**VIA FIRST CLASS MAIL**

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[Counsel for the Official Committee of  
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