

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE

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

**GEORGIA DEPARTMENT OF REVENUE'S  
RESPONSE TO REORGANIZED DEBTORS' FOURTH NOTICE OF CLAIMS  
PREVIOUSLY SATISFIED**

COMES NOW, the Georgia Department of Revenue, by and through counsel,  
Thurbert E. Baker, Attorney General for the State of Georgia and responds to the  
Reorganized Debtors' Fourth Notice of Claims Previously Satisfied as follows:

The Reorganized Debtors assert that proof of claim number 2761 of the  
Georgia Department of Revenue has been satisfied. The Revenue Department's records  
indicate that the Debtors remain obligated to the Department for corporate income and  
net worth taxes for the years ending December 31, 2007 and December 31, 2008 and that  
the Debtors need to file a Georgia sales and use tax return for September of 2004 and  
withholding tax returns for the first through fourth quarters of 2004.

WHEREFORE, the Georgia Department of Revenue respectfully requests that its  
proofs of claim be allowed as filed and that it be granted such relief as the Court deems  
just and proper.

This 5th day of March, 2010.

Respectfully submitted,

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Attorney General

R. O. LERER                      446962  
Deputy Attorney General

/s/ W. Wright Banks, Jr.  
W. WRIGHT BANKS, JR.        036156  
Senior Assistant Attorney General

PLEASE ADDRESS ALL  
COMMUNICATIONS TO:

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## CERTIFICATE OF SERVICE

I do hereby certify that I have this day served a copy of the foregoing GEORGIA DEPARTMENT OF REVENUE'S RESPONSE TO REORGANIZED DEBTORS' FOURTH NOTICE OF CLAIMS PREVIOUSLY SATISFIED upon:

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by placing the same into the United States mail with adequate, first-class postage placed thereon.

This 5<sup>th</sup> day of March, 2010.

/s/ W. Wright Banks, Jr.  
W. WRIGHT BANKS, JR.  
Senior Assistant Attorney General