

**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: July 22, 2009 at 4:00 p.m (ET)
	)	Hearing Date: July 29, 2009 at 10:00 a.m. (ET)
)	

**DEBTORS' SIXTH OMNIBUS MOTION FOR AN ORDER AUTHORIZING
REJECTION OF CERTAIN UNEXPIRED LEASES AND EXECUTORY
CONTRACTS NUNC PRO TUNC TO THE REJECTION EFFECTIVE DATE**

Building Materials Holding Corporation and its affiliates, as debtors and debtors in possession (collectively, the "***Debtors***"), submit this motion (the "***Motion***") for entry of an order, substantially in the form annexed hereto as ***Exhibit A***, authorizing the Debtors to reject certain unexpired leases, nunc pro tunc to the Rejection Effective Date (as defined below). In support thereof, the Debtors respectfully represent:

JURISDICTION AND VENUE

1. The Court has jurisdiction to consider this Motion pursuant to 28 U.S.C. sections 157 and 1334. This is a core proceeding pursuant to 28 U.S.C. section 157(b). Venue is proper pursuant to 28 U.S.C. sections 1408 and 1409.

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.

RELIEF REQUESTED

2. By this Motion, the Debtors, pursuant to sections 365(a), 1107(a), and 1108 of title 11 of the United States Code (the "*Bankruptcy Code*") and Federal Rules of Bankruptcy Procedure 6004 and 6006, seek entry of an order authorizing them to reject the unexpired leases of personal property set forth on *Exhibit B* (the "*Personal Property Leases*" or the "*Leases*"), which is annexed hereto, nunc pro tunc to the Rejection Effective Date (as defined below). Parties receiving this Motion should consult *Exhibit B* to locate the Leases sought to be rejected and the names of the counterparties to such Personal Property Leases (the "*Counterparties*").

BACKGROUND

3. On June 16, 2009 (the "*Petition Date*"), each of the Debtors filed a voluntary petition for relief under chapter 11 of the Bankruptcy Code (the "*Chapter 11 Cases*"). The Debtors continue to operate their businesses and manage their property as debtors in possession pursuant to sections 1107(a) and 1108 of the Bankruptcy Code. No request for the appointment of a trustee or examiner has been made in the Chapter 11 Cases.

4. The Debtors are one of the largest providers of residential building products and construction services in the United States. The Debtors distribute building materials, manufacture building components (e.g., millwork, floor and roof trusses, and wall panels), and provide construction services to professional builders and contractors through a network of 31 distribution facilities, 43 manufacturing facilities, and five regional construction services facilities.

5. The Debtors operate under two brand names: BMC West® and SelectBuild®.

- ***BMC West.*** Under the BMC West brand, the Debtors market and sell building products, manufacture building components, and provide construction services to professional builders and contractors. Products include structural lumber and building materials purchased from manufacturers, as well as manufactured building components such as millwork, trusses, and wall panels. Construction services include installation of various building products and framing. The Debtors currently offer these products and services in major metropolitan markets in Texas, Washington, Colorado, Idaho, Utah, Montana, North Carolina, California, and Oregon.
- ***SelectBuild.*** Under the SelectBuild brand, the Debtors offer integrated construction services to production homebuilders, as well as commercial and multi-family builders. Services include wood framing, concrete services, managing labor and construction schedules, and sourcing materials. The Debtors currently offer these services in major metropolitan markets in California, Arizona, Nevada and Illinois.

6. On the Petition Date, the Debtors filed their proposed chapter 11 plan (the "***Plan***") and accompanying disclosure statement (the "***Disclosure Statement***"). As set forth in greater detail in the Plan and Disclosure Statement, the Plan contemplates a restructure of the Debtors' balance sheet and ownership structure, as well as an immediate cash distribution to unsecured creditors and an opportunity for such creditors to receive full payment from the Reorganized Debtors, depending on business performance. The Debtors believe that the restructuring proposal embodied in the Plan provides the Debtors' creditors with the best means of maximizing value of the Debtors and their businesses. To implement this restructuring, the Debtors have obtained \$80 million in debtor-in-possession financing, which the Court approved on an final basis on July 1, 2009.

UNEXPIRED PERSONAL PROPERTY LEASES

7. Prior to the Petition Date, the Debtors entered into a number of Personal Property Leases for the use and/or maintenance of various pieces of personal property such as

trucks, vans, tractors and trailers, heavy equipment, and office equipment. As part of their extensive prepetition restructuring efforts, the Debtors discontinued or reduced certain operations and accordingly no longer need certain of the Personal Property Leases. In addition, as part of their continuing restructuring efforts and as a result of the severe decline in the market for the Debtors' services, the Debtors intend to discontinue or reduce other operations and accordingly will no longer need certain other Personal Property Leases on a going-forward basis.

BASIS FOR RELIEF REQUESTED

A. The Court Should Authorize Rejection of the Personal Property Leases as a Sound Exercise of the Debtors' Business Judgment

8. Pursuant to section 365(a) of the Bankruptcy Code, the Debtors seek authority to reject the Personal Property Leases. Section 365(a) of the Bankruptcy Code provides, in pertinent part, that a debtor in possession "subject to the court's approval, may assume or reject any executory contract or unexpired lease of the debtor." 11 U.S.C. § 365(a). "[T]he purpose behind allowing the assumption or rejection of executory contracts is to permit the trustee or debtor-in-possession to use valuable property of the estate and to 'renounce title to and abandon burdensome property.'" *Orion Pictures Corp. v. Showtime Networks, Inc. (In re Orion Pictures Corp.)*, 4 F.3d 1095, 1098 (2d Cir. 1993) (quoting 2 COLLIER ON BANKRUPTCY ¶ 365.01[1] (15th ed. 1993)).

9. Courts defer to a debtor's business judgment in rejecting executory contracts or unexpired leases, and upon finding that a debtor has exercised its sound business judgment, approve such rejections under section 365(a) of the Bankruptcy Code. *NLRB v. Bildisco & Bildisco*, 465 U.S. 513, 523 (1984) (recognizing the "business judgment" standard used to authorize rejection of executory contracts), *superseded by statute on other grounds*, 11

U.S.C. § 1113, as recognized in *Mason v. Official Comm. of Unsecured Creditors (In re FBI Distrib. Corp.)*, 330 F.3d 36, 44 (1st Cir. Mass. 2003); *Sharon Steel Corp. v. Nat'l Fuel Gas Distrib. Corp. (In re Sharon Steel Corp.)*, 872 F.2d 36, 39-40 (3d Cir. 1989) (recognizing the "business judgment" standard, which requires only that the rejection will benefit the estate); *In re Trans World Airlines, Inc.*, 261 B.R. 103, 120 (Bankr. D. Del. 2001) ("A debtor's determination to reject an executory contract is governed by the business judgment standard."). The business judgment standard is "not a difficult standard to satisfy and requires only a showing that rejection will benefit the estate." *In re Exide Techs.*, 340 B.R. 222, 239 (Bankr. D. Del. 2006); see also *In re III Enters., Inc. V*, 163 B.R. 453, 469 (Bankr. E.D. Pa. 1994) (observing that courts do not "disturb [a debtor's] decision to reject [a lease] unless the decision is so unreasonable that it could not be based on sound business judgment, but only on bad faith or whim") (internal citations and quotations omitted).

10. The Debtors have reviewed the Personal Property Leases and have determined, in their business judgment, that the property leased pursuant to such leases is no longer of any value or utility to the Debtors. In this regard, the Debtors no longer need certain of the office equipment that is leased pursuant to the Leases because such office equipment was utilized in commercial real estate that is no longer used by the Debtors. In addition, the Debtors no longer need the maintenance services provided pursuant to certain of the Leases because the trucks, vans, tractors and trailers, and heavy equipment covered by those services were part of the Debtors' operations that have been discontinued or reduced during the period of downsizing and restructuring or are no longer needed for the Debtors' continued operations. Accordingly, the Personal Property Leases are a substantial drain on the Debtors' resources but do not confer any corresponding benefit to the Debtors.

11. For these reasons, the Debtors' decision to reject the Personal Property Leases is an exercise of sound business judgment that will provide a significant benefit the Debtors' estates.

**B. The Court Should Authorize Rejection of the
Personal Property Leases Effective as of the Date Hereof**

12. The Debtors also respectfully submit that it is appropriate for the Court to order that the effective date of rejection for each Personal Property Lease be the date hereof (the "*Rejection Effective Date*").

13. While section 365 of the Bankruptcy Code does not specifically address whether the Court may order rejection to be effective retroactively, many courts have held that bankruptcy courts may, in their discretion, authorize rejection retroactive to a date prior to entry of the order authorizing the rejection where the balance of equities weighs in favor of retroactive application of rejection. *See, e.g., Pac. Shores Dev., LLC v. At Home Corp. (In re At Home Corp.)*, 392 F.3d 1064, 1074 (9th Cir. 2004) (affirming bankruptcy court's approval of retroactive rejection); *Thinking Machs. Corp. v. Mellon Fin. Servs. Corp. #1 (In re Thinking Machs., Corp.)*, 67 F.3d 1021, 1028 (1st Cir. 1995) ("[B]ankruptcy courts may enter retroactive orders of approval, and should do so when the balance of equities preponderates in favor of such remediation"); *Stonebriar Mall Ltd. P'ship v. CCI Wireless, LLC (In re CCI Wireless, LLC)*, 297 B.R. 133, 140 (D. Colo. 2003) (holding that "because section 365 does not, as a matter of law, prohibit selection of a retroactive date for rejection, the bankruptcy court has authority under section 365(d)(3) to set the effective date of rejection at least as early as the filing date of the motion to reject."); *Constant Ltd. P'ship v. Jamesway Corp. (In re Jamesway Corp.)*, 179 B.R. 33, 37 (S.D.N.Y. 1995) (stating that section 365 does not include "restrictions as to the manner in which the court can approve rejection"); *In re Chi-*

Chi's, Inc., 305 B.R. 396, 399 (Bankr. D. Del. 2004) (Case, J.) (holding that when principles of equity dictate, a bankruptcy court may approve rejection of a nonresidential lease pursuant to section 365(a) retroactive to the motion filing date); *In re Amber's Stores, Inc.*, 193 B.R. 819, 827 (Bankr. N.D. Tex. 1996) (holding that the lease at issue should be deemed rejected as of the petition date due to the equities of the case where the debtor turned over its keys and vacated the premises prepetition and served the motion to reject the lease as soon as possible).

14. Here, the balance of the equities favors granting the Debtors' request for a retroactive effective date of rejection. Without a retroactive date of rejection, the Debtors will potentially be forced to incur unnecessary administrative charges for leases that provide no tangible benefit to the Debtors' estates. Moreover, the Counterparties to the Personal Property Leases will not be unduly prejudiced if the rejection is deemed effective as of the Rejection Effective Date because they will receive notice of this Motion and have sufficient opportunity to act accordingly. Indeed, concurrently with the filing of this Motion, all of the Counterparties have been mailed notice of the Debtors' unequivocal abandonment of the properties relating to the Personal Property Leases. In addition, the Counterparties have been provided with any keys or other access necessary to reclaim such properties. The Debtors respectfully submit that it is fair and equitable for the Court to find that the Personal Property Leases are rejected as of the Rejection Effective Date, as the retroactive rejection of the Personal Property Leases promotes the purposes of section 365 by relieving the estate of additional and unnecessary administrative expenses.

15. Courts in this jurisdiction have routinely approved relief similar to the relief requested herein.² *See, e.g., In re Aleris Int'l, Inc.*, Case No. 09-10478 (BLS) (Bankr. D. Del. Apr. 23, 2009) (authorizing the rejection of leases and granting retroactive relief requested); *In re Masonite Corp.*, Case No. 09-10844 (PJW) (Bankr. D. Del. Apr. 14, 2009) (same); *In re Smurfit-Stone Container Corp.*, Case No. 09-10235 (BLS) (Bankr. D. Del. Feb. 23, 2009) (authorizing the rejection of certain leases retroactive to the date the motion was filed); *In re Leiner Health Prods., Inc.*, Case No. 08-10446 (KJC) (Bankr. D. Del. Apr. 4, 2008) (authorizing the rejection of leases retroactive to the date the motion was filed); *In re Buffets Holdings, Inc.*, Case No. 08-10141 (MFW) (Bankr. D. Del. Feb. 13, 2008) (authorizing the rejection of leases retroactive to the petition date); *In re Pope & Talbot, Inc.*, Case No. 07-11738 (CSS) (Bankr. D. Del. Dec. 12, 2007) (authorizing the rejection of executory contracts retroactive to the petition date); *In re Am. Home Mortgage Holdings, Inc.*, Case No. 07-11047 (CSS) (Bankr. D. Del. Sept. 20, 2007) (authorizing the rejection of leases and granting retroactive relief requested).

REQUEST FOR WAIVER OF STAY

16. To implement the foregoing, the Debtors seek a waiver of any stay of the effectiveness of the order approving this Motion. Pursuant to Bankruptcy Rule 6004(h), any "order authorizing the use, sale, or lease of property other than cash collateral is stayed until the expiration of 10 days after entry of the order, unless the court orders otherwise." While the Debtors do not believe that Bankruptcy Rule 6004(h) applies to the relief requested

² The Debtors have not annexed copies of the unreported orders cited herein because of their size. Copies of these orders, however, are available upon request of the Debtors' counsel, including at the hearing to consider the Motion.

in this motion, to the extent applicable, ample cause exists to waive any stay of the effectiveness of this order because the Debtors' estates may be liable to pay any postpetition obligations arising under the Personal Property Leases as administrative expenses of their estates. Accordingly, the Debtors submit that ample cause exists to justify a waiver of the 10-day stay under Bankruptcy Rule 6004(h), to the extent applicable.

NOTICE

17. No trustee or examiner has been appointed in these Chapter 11 Cases. The Debtors have provided notice of filing of the Motion to: (a) the Office of the United States Trustee for the District of Delaware; (b) counsel for the Official Committee of Unsecured Creditors; (c) counsel to Wells Fargo Bank, as agent under the Debtors' Prepetition Credit Agreement and DIP Facility (as defined in the Plan); (d) any persons who have filed a request for notice in the Chapter 11 Cases pursuant to Bankruptcy Rule 2002; and (e) the Counterparties listed on *Exhibit B*. Due to the nature of the relief requested, the Debtors respectfully submit that no further notice of this Motion is required.

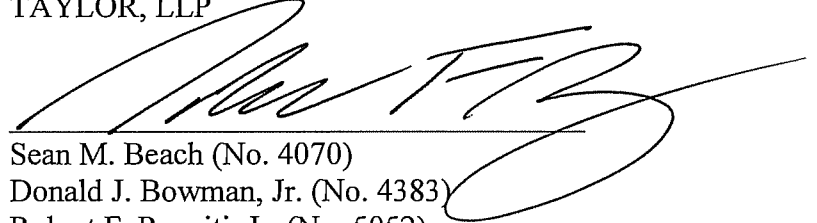
NO PRIOR REQUEST

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

WHEREFORE, the Debtors respectfully request that the Court grant the relief requested herein and such other and further relief as the Court may deem just and proper.

Dated: Wilmington, Delaware
July 10, 2009

YOUNG CONAWAY STARGATT &
TAYLOR, LLP



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Donald J. Bowman, Jr. (No. 4383)
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---- and ----

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PROPOSED ATTORNEYS FOR DEBTORS AND
DEBTORS IN POSSESSION

**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: July 22, 2009 at 4:00 p.m. (ET)
	)	Hearing Date: July 29, 2009 at 10:00 a.m. (ET)

NOTICE OF MOTION

TO: (I) THE OFFICE OF THE UNITED STATES TRUSTEE FOR THE DISTRICT OF DELAWARE; (II) COUNSEL TO THE OFFICIAL COMMITTEE OF UNSECURED CREDITORS; (III) COUNSEL TO WELLS FARGO BANK, AS AGENT UNDER THE PREPETITION CREDIT FACILITY AND THE DIP FACILITY (AS DEFINED IN THE PLAN); (IV) THE COUNTERPARTIES LISTED IN THE MOTION; AND (V) ALL PARTIES THAT HAVE REQUESTED NOTICE PURSUANT TO RULE 2002 OF THE FEDERAL RULES OF BANKRUPTCY PROCEDURE.

PLEASE TAKE NOTICE that the above-captioned debtors and debtors in possession (collectively, the "Debtors") have filed the attached **Debtors' Sixth Omnibus Motion for an Order Authorizing Rejection of Certain Unexpired Leases and Executory Contracts, *Nunc Pro Tunc* to the Rejection Effective Date** (the "Motion").

PLEASE TAKE FURTHER NOTICE that any objections to the Motion must be filed on or before **July 22, 2009 at 4:00 p.m. (ET)** (the "Objection Deadline") with the United States Bankruptcy Court for the District of Delaware, 824 Market Street, 3rd Floor, Wilmington, Delaware 19801. At the same time, you must serve a copy of the objection upon the undersigned counsel to the Debtors so as to be received on or before the Objection Deadline.

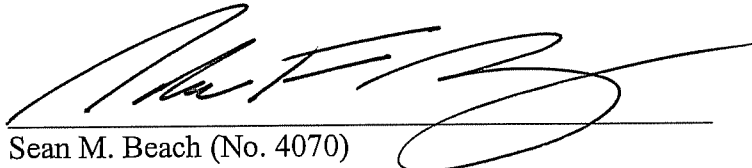
PLEASE TAKE FURTHER NOTICE THAT A HEARING TO CONSIDER THE MOTION WILL BE HELD ON JULY 29, 2009 AT 10:00 A.M. (ET) BEFORE THE HONORABLE KEVIN J. CAREY AT THE UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF DELAWARE, 824 MARKET STREET, 5TH FLOOR, COURTROOM NO. 5, WILMINGTON, DELAWARE 19801.

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.

PLEASE TAKE FURTHER NOTICE that if you fail to respond in accordance with this notice, the Court may grant the relief requested in the Motion without further notice or hearing.

Dated: Wilmington, Delaware
July 10, 2009

YOUNG CONAWAY STARGATT & TAYLOR, LLP



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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. _____

**SIXTH ORDER AUTHORIZING THE DEBTORS TO
REJECT CERTAIN UNEXPIRED LEASES AND EXECUTORY
CONTRACTS, *NUNC PRO TUNC* TO THE REJECTION EFFECTIVE DATE**

Upon consideration of the sixth omnibus motion (the "***Motion***") of Building Materials Holding Corporation and its affiliates, as debtors and debtors in possession (collectively, the "***Debtors***") for entry of an order authorizing the Debtors to reject certain unexpired leases, as set forth in the Motion; and the Court having found that venue of this proceeding and the Motion 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 is in the best 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 having considered the statements in support of the relief requested therein at a hearing before the Court (the "***Hearing***"); and the Court having determined that the legal and factual bases set forth in the Motion and at the Hearing establish

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.

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 Personal Property Leases² listed in *Exhibit B* annexed to the Motion. Effective immediately, such Personal Property Leases are deemed rejected (the "*Rejections*"), with the Rejections being effective as of July 10, 2009 (the "*Rejection Effective Date*").
3. The Counterparties to the Personal Property Leases shall have until the date fixed by this Court pursuant to Federal Rule of Bankruptcy Procedure 3003(c)(3) to file any claim for damages arising from rejection of a Personal Property Lease.
4. The Debtors are authorized to take all actions necessary to effectuate the relief granted pursuant to this Order in accordance with the Motion.
5. The Debtors do not waive any claims they may have against the Counterparties to the Personal Property Leases, whether or not such claims arise under, are related to the rejection of, or are independent of the Personal Property Leases.
6. Nothing herein shall prejudice the rights of the Debtors to argue that any claim for damages arising from the rejection of the Personal Property Leases is limited to the remedies available under any applicable termination provision of such Personal Property Lease, or that any such claim is an obligation of a third party, and not that of the Debtors or their estates.

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

7. 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.

8. 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.

9. 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

EXHIBIT B

Leases to be Rejected

BMHC Copier Rejection List							
Lessee	Lessor	Lessor - Physical Address	PO #	SN	Lease Start Date	Lease End Date	Equipment Address
Building Materials Holding Corporation	De Lage Landen	1111 Old Eagle School Rd., Wayne, PA 19087-1453	09-2705	31728841	10/6/05	4/5/10	2260 Cooper Street, Suite B, Merced, CA 95348
BMC West Corporation	De Lage Landen	1111 Old Eagle School Rd., Wayne, PA 19087-1453	8730-121407	FBG-480825	12/31/07	6/30/12	4863 E Ingram, Mesa AZ 85205
BMC West Corporation	De Lage Landen	1111 Old Eagle School Rd., Wayne, PA 19087-1453	8730-121407	WTM-759599	12/27/07	6/26/12	4863 E Ingram, Mesa AZ 85205
Building Materials Holding Corporation	Ricoh Corporation	5 Dedrick Place, West Caldwell, NJ 07006	9994-042507	L8175300016	7/9/07	7/8/12	6840 West Frier Drive, Glendale, AZ 85303
Building Materials Holding Corporation	Ricoh Corporation	5 Dedrick Place, West Caldwell, NJ 07006	08-0105	K6855500252	8/31/05	2/28/10	2724 Nathan Ave., Modesto, CA 95354
Building Materials Holding Corporation	Ricoh Corporation	5 Dedrick Place, West Caldwell, NJ 07006	12-0904	K6845500572	1/10/05	7/9/09	2724 Nathan Ave., Modesto, CA 95354
KBI Stucco, Inc	IKON Financial Services	70 Valley Stream Parkway, Malvern, PA 19355-0989		SXP23076	12/7/06	12/6/10	6255 Range Road, Las Vegas, NV 89115
BMC Construction/SelectBuild	Toshiba Financial Services / Zoom Imaging Solutions, Inc.	9816 Business Park Drive #A, Sacramento, CA 95827	09-1906	CCH611336	9/11/06	3/10/11	4237 Murphy Road, Modesto, CA 95358
SelectBuild Nevada, Inc.	Toshiba Financial Services/Zoom Imaging Solutions, Inc.	9816 Business Park Drive #A, Sacramento, CA 95827		CZC722758	8/29/07	8/28/12	6255 Range Road, Las Vegas, NV 89115
BMC Construction/KBI Norcal	Toshiba Financial Services/Zoom Imaging Solutions, Inc.	9816 Business Park Drive #A, Sacramento, CA 95827	12-1505B	CQJ513217	12/13/05	6/12/10	1100 Business Park Drive, Suite A, Dixon, CA 95620
SelectBuild Construction	Toshiba Financial Services/Zoom Imaging Solutions, Inc.	9816 Business Park Drive #A, Sacramento, CA 95827		CQC719336	6/29/07	6/29/10	1855 N. 1st Street, Suite C, Dixon, CA 95620
Building Materials Holding Corporation	Xerox Corporation	Office of General Counsel, Xerox Corporation, 800 Long Ridge Road PO Box 1600, Stamford, CT 06904	CM06010401	MTE-028229	1/31/10	2/1/06	4863 E Ingram, Mesa AZ 85205
Building Materials Holding Corporation	Xerox Corporation	Office of General Counsel, Xerox Corporation, 800 Long Ridge Road PO Box 1600, Stamford, CT 06904		UTU-903871	6/25/10	6/26/06	4863 E Ingram, Mesa AZ 85205
Building Materials Holding Corporation	Xerox Corporation	Office of General Counsel, Xerox Corporation, 800 Long Ridge Road PO Box 1600, Stamford, CT 06904	EXP-8242	UTU-826265	10/27/06	4/26/11	6255 Range Road, Las Vegas, NV 89115
Building Materials Holding Corporation	Xerox Corporation	Office of General Counsel, Xerox Corporation, 800 Long Ridge Road PO Box 1600, Stamford, CT 06904	17791	UTV-805918	4/18/06	10/17/10	6255 Range Road, Las Vegas, NV 89115
Building Materials Holding Corporation	Xerox Corporation	Office of General Counsel, Xerox Corporation, 800 Long Ridge Road PO Box 1600, Stamford, CT 06904	17309	UTV-801432	2/2/06	8/1/10	6255 Range Road, Las Vegas, NV 89115
Building Materials Holding Corporation	Xerox Corporation	Office of General Counsel, Xerox Corporation, 800 Long Ridge Road PO Box 1600, Stamford, CT 06904		URR-894028	1/19/07	7/18/11	6255 Range Road, Las Vegas, NV 89115
Building Materials Holding Corporation	Xerox Corporation	Office of General Counsel, Xerox Corporation, 800 Long Ridge Road PO Box 1600, Stamford, CT 06904	17309	UTV-806676	2/2/06	8/1/10	6255 Range Road, Las Vegas, NV 89115
Building Materials Holding Corporation	Xerox Corporation	Office of General Counsel, Xerox Corporation, 800 Long Ridge Road PO Box 1600, Stamford, CT 06904	17782	UTV-810666	3/17/06	9/30/10	6255 Range Road, Las Vegas, NV 89115
Building Materials Holding Corporation	Xerox Corporation	Office of General Counsel, Xerox Corporation, 800 Long Ridge Road PO Box 1600, Stamford, CT 06904	CM06010401	MTE-026298	1/18/06	7/17/10	7777 N. 70th Avenue, Glendale, AZ 85303
Building Materials Holding Corporation	Xerox Corporation	Office of General Counsel, Xerox Corporation, 800 Long Ridge Road PO Box 1600, Stamford, CT 06904	CM06010401	UTU-102668	3/1/06	2/28/10	4863 E Ingram, Mesa AZ 85205
MWB Building Contractors, Inc	Canon Financial Services, Inc.	14904 Collections Center Drive, Chicago, IL 60693-0149		KHT03499	12/3/05	12/2/10	1855 N. 1st Street, Suite C, Dixon, CA 95620
SelectBuild Nevada, LLC	KIP America	39575 13 Mile Road, Novi, MI 48377		7707041196	11/9/07	11/9/12	6255 Range Road, Las Vegas, NV 89115
BMHC Leased Copier Maintenance Agreement							
Lessee	Lessor	Lessor - Physical Address		SN	Lease Start Date	Lease End Date	Equipment Address
SelectBuild	Elan Office Systems	6231 S. McLeod Dr., Las Vegas, NV 89120		7707041196	11/9/07	11/9/12	6255 Range Road, Las Vegas, NV 89115

Lessee	Lessor	Lessor - Physical Address	PO #	SN	Lease Start Date	Lease End Date	Equipment Address
<i>BMHC Service Contract for Mat Cleaning</i>							
Lessee	Lessor	Lessor - Physical Address	Merchandise/ Service Items	Account #	Lease Start Date	Lease End Date	Equipment Address
BMC West	G&K Services	12754 South 125th East, Draper, UT 84020	3x10 track grey/4x6 track grey/3x4 track grey/scrapper mats 3x5				7132 N. Silver Creek Road, Ste. C&D Park City, UT 84098
BMC West	G&K Services	12754 South 125th East, Draper, UT 84020		14280-01 & 14280-02	6/14/07 10/26/06	6/14/14 10/26/11	7902 South 1410 West, West Jordan, UT 84088
<i>BMHC Hockey Season Tickets</i>							
Lessee	Lessor	Lessor - Physical Address			Lease Start Date	Lease End Date	
SelectBuild Arizona, LLC	Coyotes Hockey, LLC	6751 N. Sunset Blvd., Glendale, AZ 85305			4/1/06	4/1/10	