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IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

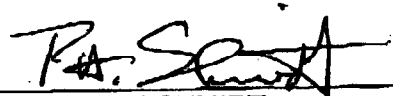
In Re: Chapter 11
BUILDING MATERIALS Case No. 09-12074 (KJC)
HOLDING CORPORATION, et al. Hearing Date: December 15, 2010
10:00 a.m.
Debtor

WITHDRAWAL OF MOTION OF RUCKER CONSTRUCTION, INC. FOR RELIEF FROM STAY
UNDER SECTION 11 USC 362 OF THE BANKRUPTCY CODE

COMES NOW MOVANT, RUCKER CONSTRUCTION, INC., in the above-captioned
matter, by and through its attorney, BOWMAN AND BROOKE LLP, hereby withdraws its Motion
for Relief from Stay pursuant to 11 USC 362, filed herein on February 25, 2010.

Dated: 12/9/10

BOWMAN AND BROOKE LLP

By: 
PARRIS H. SCHMIDT
Attorney for Movant
RUCKER CONSTRUCTION, INC.

FILED
2010 DEC 10 PM 1:43
CLERK
US BANKRUPTCY COURT
DISTRICT OF DELAWARE

1 **PROOF OF SERVICE**
2 **CCP 1013A(3) (Revised 5/1/88)**

3 STATE OF CALIFORNIA, COUNTY OF SANTA CLARA

4 I am employed in the County of Santa Clara, State of California. I am over the age of
5 18 and not a party to the within action. My business address is 1741 Technology Drive, Suite
6 200, San Jose, CA 95110.

7 On December 9, 2010, I served the foregoing document described as:

8 **WITHDRAWAL OF MOTION OF RUCKER CONSTRUCTION, INC. FOR RELIEF FROM
9 STAY UNDER SECTION 11 USC 362 OF THE BANKRUPTCY CODE**

10 on all interested parties in this action by:

11 <u>Attorneys for Plaintiffs</u> 12 Michael T. Whitaker, Esq. 13 The Whitaker Law Firm 14 P.O. Box 4118 15 Carmel-By-The-Sea, CA 93921 16 Tel: (831) 624-5556 17 Fax: (831) 624-5509 18 thewhitakerlawfirm@yahoo.com	19 <u>Special Master</u> 20 Grant C. Woodruff, Esq. 21 Woodruff Dispute Resolution Center 22 3000 - F Danville Blvd, Suite 111 23 Alamo, CA 94507 24 Tel: (925) 855-8400 25 Fax: (925) 855-8402 26 grant@woodruffdrc.com
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03/05 PAGE 09/03

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() BY MAIL: I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under the practice it would be deposited with U.S. postal service on that same day with postage thereon fully prepaid in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage date is more than 1 day after date of deposit for mailing in affidavit.

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I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this declaration was executed on December 9, 2010 at San Jose, California.



Christine Zenovitch