

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

In re:

BUILDING MATERIALS HOLDING
CORPORATION, *et al.*¹

Reorganized Debtors.

Chapter 11

Case No. 09-12074 (KJC)

(Jointly Administered)

Objection Deadline: 6/22/2011 at 4:00 pm (ET)

Hearing Date: 6/29/2011 at 2:00 p.m. (ET)

**REORGANIZED DEBTORS' MOTION FOR ENTRY OF FINAL DECREE CLOSING
SUBSIDIARY CASES AND AMENDING CAPTION OF REMAINING CASE**

Building Materials Holding Corporation (“*BMHC*”) and its affiliates, as reorganized debtors (collectively, the “*Debtors*” or “*Reorganized Debtors*”), submit this motion (the “*Motion*”) for entry of an order, substantially in the form annexed hereto as *Exhibit B*, closing the chapter 11 cases of BMC West Corporation; SelectBuild Construction, Inc.; SelectBuild Northern California, Inc.; Illinois Framing, Inc.; C Construction, Inc.; TWF Construction, Inc.; H.N.R. Framing Systems, Inc.; SelectBuild Southern California, Inc.; SelectBuild Nevada, Inc.; SelectBuild Arizona, LLC; and SelectBuild Illinois, LLC (collectively, the “*Closing Cases*”) pursuant to sections 105 and 350(a) of title 11 of the United States Code (the “*Bankruptcy Code*”), Rules 3022 of the Federal Rules of Bankruptcy Procedure (the “*Bankruptcy Rules*”), and Rule 5009-1(a) of the Local Rules of Bankruptcy Practice and Procedure of the United States Bankruptcy Court for the District of Delaware (the “*Local Rules*”), and amending the caption of the remaining chapter 11 case of BMHC effective as of the

¹ The Reorganized Debtors, along with the last four digits of each Reorganized 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 Reorganized Debtors is 720 Park Boulevard, Suite 200, Boise, Idaho 83712.

entry of an order granting this Motion. In support of this Motion, the Reorganized Debtors respectfully submit as follows:

JURISDICTION AND VENUE

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

2. The statutory predicates for the relief requested are sections 105 and 350(a) of the Bankruptcy Code, Bankruptcy Rule 3022 and Local Rule 5009-1(a).

GENERAL BACKGROUND

3. On June 16, 2009 (the "*Petition Date*"), each of the now Reorganized Debtors filed a voluntary petition for relief under chapter 11 of the Bankruptcy Code (the "*Chapter 11 Cases*"). No request for the appointment of a trustee or examiner has been made in the Chapter 11 Cases. On June 26, 2009, the Office of the United States Trustee (the "*U.S. Trustee*") appointed the official committee of unsecured creditors.

4. The Reorganized Debtors are one of the largest providers of residential building products and construction services in the United States. The Reorganized 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 distribution facilities, manufacturing facilities, and regional construction services facilities.

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

- ***BMC West.*** Under the BMC West brand, the Reorganized 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 Reorganized 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 Reorganized 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 Reorganized Debtors currently offer these services in major metropolitan markets in California, Arizona, Nevada and Illinois.

6. On December 17, 2009, the Court entered an Order Confirming Joint Plan of Reorganization for the Debtors Under Chapter 11 of the Bankruptcy Code Amended December 14, 2009 (With Technical Modifications) [Docket No. 1182] (the “**Confirmation Order**”) confirming the Reorganized Debtors’ plan of reorganization (the “**Plan**”). The Effective Date of the Plan occurred on January 4, 2010.

RELIEF REQUESTED

7. The Reorganized Debtors’ chapter 11 cases include BMHC (the “**Remaining Case**”) and the Closing Cases. By this Motion, the Reorganized Debtors seek entry of a final decree closing each of the Closing Cases, and leaving the Remaining Case open. None of the Closing Cases have more than five (5) active matters, all of which are related to the claims reconciliation process and do not include any adversary proceedings. BMHC requests that any pending or future matters regarding the Closing Cases be addressed in BMHC’s Remaining Case (Case No. 09-12074(KJC)).

8. Additionally, the Reorganized Debtors seek entry of an order modifying the caption of the Remaining Case to reflect that BMHC is the remaining Reorganized Debtor

with an open and pending bankruptcy case. The Reorganized Debtors propose that the new caption read as follows:

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

In re:

BUILDING MATERIALS HOLDING
CORPORATION,¹

Reorganized Debtor.

Chapter 11

Case No. 09-12074 (KJC)

BASIS FOR RELIEF REQUESTED

9. Section 350(a) of the Bankruptcy Code provides that “[a]fter an estate is fully administered and the court has discharged the trustee, the court shall close the case.” 11 U.S.C. § 350(a). Bankruptcy Rule 3022, which implements section 350 of the Bankruptcy Code, also provides that “[a]fter an estate is fully administered in a chapter 11 reorganization case, the court, on its own motion or on motion of a party in interest, shall enter a final decree closing the case.” Fed. R. Bankr. P. 3022.

10. The term “fully administered” is not defined in the Bankruptcy Code or the Bankruptcy Rules. The 1991 Advisory Committee Note to Bankruptcy Rule 3022 does, however, set forth the following non-exclusive factors a court should consider when determining whether an estate has been fully administered: (1) whether the order confirming the plan has become final; (2) whether deposits required by the plan have been distributed; (3) whether the property proposed by the plan to be transferred has been transferred; (4) whether the debtor or the successor of the debtor under the plan has assumed the business or the management of the

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property dealt with by the plan; (5) whether payments under the plan have commenced; and (6) whether all motions, contested matters, and adversary proceedings have been finally resolved. *See* Advisory Committee's note to Fed. R. Bankr. P. 3022; *see e.g., In re Union Home & Indus. Inc.*, 375 B.R. 912, 916 (B.A.P. 10th Cir. 2007) (recognizing that bankruptcy courts weigh the Advisory Committee Note factors in deciding whether to close a case); *In re Johnson*, 402 B.R. 851, 856 (Bankr. N.D. Ind. 2009) (same).

11. The Advisory Committee's Note, however, is silent as to the number of factors required to be satisfied before a chapter 11 bankruptcy case is deemed fully administered. Although bankruptcy courts often apply the six factors described above, these factors simply serve as a guide to assist in the determination of whether a case is fully administered. Failure to completely satisfy all factors will not prevent a case from being fully administered. *See Walnut Assocs. v. Sidel*, 164 B.R. 487, 493 (E.D. Pa. 1994); *In re Mold Makers*, 124 B.R. 766, 768 (Bankr. N.D. Ill. 1990) (“[A]ll of the factors in the Committee Note need not be present before the Court will enter a final decree. Instead, the Committee Note and the factors merely serve as a guide in assisting the Court in its decision to close a case.”). Indeed, the Editors' Comment to Bankruptcy Rule 3022 describes it as “a flexible Rule to permit the court to determine that an estate is fully administered and should be closed even though payments or other activities involving the debtor and its creditors might continue.” *In re Gould*, 2010 WL 3834344, at *4 (D. Conn. Sept. 30, 2010) (*quoting* Fed. R. Bankr. P. 3022 ed. cmt.). As a result, courts have suggested that substantial consummation alone is sufficient for entry of a final decree. *In re BankEast Corporation*, 132 B.R. 665, 668 (Bankr. N.H. 1991) (“This court deems a chapter 11 estate to be ‘fully administered’ pursuant to Bankruptcy Rule 3022 at the point of substantial consummation as defined by § 1101(2) of the Bankruptcy Code”); *accord In re Consolidated*

Pioneer Mortgage Entities, 248 B.R. 368, 379 (9th Cir. B.A.P. 2000) (indicating that entry of a final decree would be appropriate if a plan were substantially consummated).

12. Of course, Local Rule 5009-1 supports the conclusion that substantial consummation alone is satisfactory for entry of a final decree closing a chapter 11 case. That Local Rule provides, in relevant part, that “a party in interest may seek the entry of a final decree at any time after the confirmed plan has been substantially consummated provided that all required fees due under 28 U.S.C. § 1930 have been paid.” Del. Bankr. L.R. 5009-1(a).

13. The Closing Cases have been “fully administered” within the meaning of section 350 of the Bankruptcy Code and the Reorganized Debtors’ Plan has been substantially consummated within the meaning of section 1101(2) of the Bankruptcy Code, making it appropriate for the Court to enter a final decree closing those cases. Among other things:

- (1) The Confirmation Order entered with respect to the Plan has become final and non-appealable;
- (2) The Debtors have emerged from chapter 11 as reorganized entities;
- (3) All property proposed to be transferred under the Plan has been transferred;
- (4) The Reorganized Debtors have assumed the business and management of the property dealt with by the Plan; and
- (5) Distributions to creditors in each class under the Plan are completed or underway.

Thus, the foregoing factors support closure of the Closing Cases.

14. Bankruptcy courts, including those in this district, have issued final decrees closing chapter 11 cases while retaining jurisdiction over certain pending matters. *See, e.g., In re Stock Building Supply Holdings, LLC, et al.*, Case No. 09-11554(MFW) (Bankr. D. Del. Feb. 19 2010) (Docket No. 552) (granting motion for final decree for some, but not all reorganized

debtors, where motion provided that “[a]ll motions, contested matters, and adversary proceedings that remain open will be administered under the Remaining Cases.”); *In re KCMVNO, Inc.*, Case No. 08-10600(BLS) (Bankr. D. Del. Dec. 3, 2010) (Docket No. 645) (closing case notwithstanding pending adversary proceeding); *In re PWS Holding Corp., et al.*, Case No. 98-212(SLR) (Bankr. D. Del. Nov. 9, 2005) (Docket No. 2853) (closing cases notwithstanding pending adversary proceeding); *see also In re DJK Residential LLC*, Case No. 08-10375(JMP) (Bankr. S.D.N.Y. June 3, 2009) (Docket No. 695) (closing cases notwithstanding unresolved claims); *In re Loral Space & Commc’ns Ltd.*, Case No. 03-41710(RDD) (Bankr. S.D.N.Y. May 23, 2007) (Docket No. 2929) (same).

15. Thus, the fact that certain claims filed in the Closing Cases remain disputed and a very limited number of contested matters are pending does not require the Closing Cases to remain open pending resolution of those disputes. Indeed, the proposed Closing Cases each contain no more than five (5) disputed claims and contested matters, all of which relate to the claims reconciliation process. There are presently no open adversary proceedings related to the Closing Cases.

16. Allowing the Reorganized Debtors to close the Closing Cases at this time will save the Reorganized Debtors substantial expense that they continue to incur while those cases remain open. Until the Court enters a final decree closing the Closing Cases, those Reorganized Debtors must continue paying quarterly fees to the U.S. Trustee (“*U.S. Trustee Fees*”), which is an unnecessary financial burden. To date, the Reorganized Debtors have paid approximately \$864,975 in U.S. Trustee Fees through the quarter ending March 31, 2011. Of the U.S. Trustee Fees paid for the quarter ended March 31, 2011, \$20,000 related to BMHC and the remaining \$78,750 related to the proposed Closing Cases.

17. All expenses arising from the administration of the Closing Cases, including court fees, U.S. Trustee Fees, professional fees, and expenses, have been paid or will be paid in the amounts due on or before August 1, 2011. In addition, the Reorganized Debtors will complete any remaining quarterly reports on or before August 1, 2011.

18. The Reorganized Debtors request that any and all disputed claims, motions, contested matters, and adversary proceedings that remain open or that are opened in the future with respect to the Reorganized Debtors be administered under the Remaining Case. Thus, closing the Closing Cases will not prejudice any parties' rights as such rights may be exercised in the Remaining Case. The Closing Cases are simply unnecessary to the continued administration of matters related to the Reorganized Debtors.

19. Consistent with Local Rule 5009-1(c), which requires a debtor to file a final report at least fourteen (14) days prior to the hearing on a motion to close a chapter 11 case, the Reorganized Debtors' Verified Final Report is attached hereto as *Exhibit A*. Therefore, the Reorganized Debtors submit that ample justification exists for entry of a final decree closing the Closing Cases.

NOTICE

20. No trustee or examiner has been appointed in the Chapter 11 Cases. The Reorganized Debtors have provided notice of filing of this Motion to: (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) DK Acquisition Partners, L.P.; (d) Wells Fargo Foothill, LLC; and (e) any persons who have filed a request for notice in the Chapter 11 Cases pursuant to Bankruptcy Rule 2002. Due to the

nature of the relief requested, the Reorganized Debtors respectfully submit that no further notice of this Motion is required.

NO PRIOR REQUEST

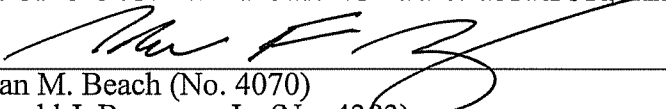
21. No prior request for the relief sought in this Motion has been made to this or any other court.

CONCLUSION

WHEREFORE, the Reorganized Debtors respectfully request the Court to grant the relief requested herein by entering a form of order, substantially in the form annexed hereto as *Exhibit B*, and to grant such other and further relief as the Court may deem just and proper.

Dated: Wilmington, Delaware
June 9, 2011

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 Street, 17th Floor
P. O. Box 391
Wilmington, Delaware 19899-0391
Telephone: (302) 571-6600
Facsimile: (302) 571-1253

---- and ----

SACKS TIERNEY P.A.
Aron G. York (admitted *pro hac vice*)
4250 N. Drinkwater Blvd.
Fourth Floor
Scottsdale, Arizona 85251
Telephone: 480.425.2676
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ATTORNEYS FOR REORGANIZED DEBTORS

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

In re:

BUILDING MATERIALS HOLDING
CORPORATION, *et al.*,¹

Reorganized Debtors.

Chapter 11

Case No. 09-12074 (KJC)

Jointly Administered

Objection Deadline: 6/22/2011 at 4:00 p.m. (ET)

Hearing Date: 6/29/2011 at 2:00 p.m. (ET)

NOTICE OF MOTION

TO: (A) The Office of the United States Trustee for the District of Delaware; (B) Counsel to Wells Fargo Bank, as Agent Under the Reorganized Debtors' Prepetition Credit Agreement and DIP Facility (as Defined in the Plan); (C) DK Acquisition Partners, L.P.; (D) Wells Fargo Foothill, LLC; and (E) All Parties That Have Requested Notice Pursuant to Rule 2002 of the Federal Rules of Bankruptcy Procedure.

PLEASE TAKE NOTICE that the above-captioned reorganized debtors (collectively, the "Reorganized Debtors") have filed the attached **Reorganized Debtors' Motion for Entry of Final Decree Closing Subsidiary Cases and Amending Caption of Remaining Case** (the "Motion").

PLEASE TAKE FURTHER NOTICE that any objections to the Motion must be filed on or before **June 22, 2011 at 4:00 p.m. (ET)** (the "Objection Deadline") with the United States Bankruptcy Court for the District of Delaware, 824 North 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 Reorganized 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 JUNE 29, 2011 AT 2:00 P.M. (ET) BEFORE THE HONORABLE KEVIN J. CAREY AT THE UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF DELAWARE, 824 NORTH MARKET STREET, 5TH FLOOR, COURTROOM NO. 5, WILMINGTON, DELAWARE 19801.

¹ The Reorganized Debtors, along with the last four digits of each Reorganized 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 Reorganized 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 a hearing.

Dated: Wilmington, Delaware
June 9, 2011

YOUNG CONAWAY STARGATT & TAYLOR, LLP



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ATTORNEYS FOR THE REORGANIZED DEBTORS

EXHIBIT A

Verified Final Report

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

In re:

BUILDING MATERIALS HOLDING
CORPORATION, *et al.*¹

Reorganized Debtors.

Chapter 11

Case No. 09-12074 (KJC)

Jointly Administered

VERIFIED FINAL REPORT

I, Paul S. Street, the Chief Administrative Officer and General Counsel for Building Materials Holding Corporation, a corporation organized under the laws of the State of Delaware and one of the above-captioned reorganized debtors (collectively, the “Debtors” or Reorganized Debtors”), on behalf of the Reorganized Debtors, do hereby declare that:

1. To the best of my knowledge, information and belief, the following is a breakdown of the results in the Chapter 11 Cases:²

<u>Type of Payment</u>	<u>Amount of Payment</u> ³
1. Chapter 11 Trustee’s Compensation	\$ <u> N/A </u>
2. Chapter 11 Trustee’s Expenses (non-operating)	\$ <u> N/A </u>
3. Chapter 11 Trustee’s Attorney Expenses	\$ <u> N/A </u>
4. Attorneys for Debtors – Fees	

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² Capitalized terms used but not otherwise defined herein shall have the meanings ascribed to such terms in the Joint Plan of Reorganization for the Debtors Under Chapter 11 of the Bankruptcy Code Amended December 14, 2009 (With Technical Modifications).

³ The amounts listed herein with respect to professionals reflect payments made by all of the Debtors for services rendered and expenses incurred during the period from the Petition Date through and including the Confirmation Date. The amounts listed herein with respect to U.S. Trustee Fees reflect payments made by all of the Debtors during the period from the Petition Date through and including the date hereof.


	(i)	Gibson, Dunn & Crutcher LLP	\$	<u>4,086,980.75</u>
	(ii)	Young Conaway Stargatt & Taylor, LLP	\$	<u>462,054.50</u>
5.		Attorneys for Debtors – Expenses		
	(i)	Gibson, Dunn & Crutcher LLP	\$	<u>97,285.73</u>
	(ii)	Young Conaway Stargatt & Taylor, LLP	\$	<u>98,491.36</u>
6.		Other Professionals for Debtors – Fees		
	(i)	Alvarez & Marsal North America, LLC	\$	<u>2,134,243.50</u>
	(ii)	Peter J. Solomon Company, L.P.	\$	<u>2,750,000.00</u>
	(iii)	PricewaterhouseCoopers LLP	\$	<u>1,008,070.00</u>
	(iv)	KPMG LLP	\$	<u>172,456.95</u>
7.		Other Professionals for Debtors – Expenses		
	(i)	Alvarez & Marsal North America, LLC	\$	<u>132,526.63</u>
	(ii)	Peter J. Solomon Company, L.P.	\$	<u>49,107.35</u>
	(iii)	PricewaterhouseCoopers LLP	\$	<u>235.04</u>
	(iv)	KPMG LLP	\$	<u>0.00</u>
8.		Ordinary Course Professionals for Debtors – Fees and Expenses		
	(i)	All Professionals	\$	<u>641,606.29</u>
9.		Attorneys for Committee – Fees		
	(i)	Arent Fox LLP	\$	<u>1,089,116.00</u>
	(ii)	Benesch Friedlander Coplan & Aronoff LLP	\$	<u>121,621.50</u>
10.		Attorneys for Committee – Expenses		
	(i)	Arent Fox LLP	\$	<u>16,368.49</u>
	(ii)	Benesch Friedlander Coplan & Aronoff LLP	\$	<u>2,665.22</u>
11.		Other Professionals for Committee – Fees		
	(i)	Executive Sounding Board Associates Inc.	\$	<u>373,922.50</u>
12.		Other Professionals for Committee – Expenses		
	(i)	Executive Sounding Board Associates Inc.	\$	<u>19,255.57</u>
13.		Fee Auditor’s – Fees		
	(i)	Direct Fee Review LLC	\$	<u>24,132.50</u>
14.		Fee Auditor’s – Expenses		
	(i)	Direct Fee Review LLC	\$	<u>160.56</u>
15.		U.S. Trustee Fees	\$	<u>864,975.00</u>
		TOTAL PAYMENTS	\$	<u>14,145,275.44</u>

2. No trustee or examiner was appointed in the Chapter 11 Cases. As a result, no fees were incurred for a trustee or counsel to any trustee.

3. As of the filing of this Verified Final Report, I do not believe that there are any U.S. Trustee Fees due and owing to the Office of the U.S. Trustee under 28 U.S.C. § 1930. In connection with the closing of the Closing Cases,⁴ the Reorganized Debtors will pay any U.S. Trustee Fees due and owing in the Closing Cases on or before August 1, 2011.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct to the best of my knowledge, information and belief.

Executed on June 9, 2011



Paul S. Street

⁴ As defined in the Reorganized Debtors' Motion for Entry of Final Decree Closing Subsidiary Cases and Amending Caption of Remaining Case.

EXHIBIT B

Proposed Order

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

In re:

BUILDING MATERIALS HOLDING
CORPORATION, *et al.*¹

Reorganized Debtors.

Chapter 11

Case No. 09-12074 (KJC)

(Jointly Administered)

Ref. Docket No. _____

**FINAL DECREE CLOSING SUBSIDIARY CASES
AND AMENDING CAPTION OF REMAINING CASE**

Upon consideration of the motion (the “*Motion*”)² of the above-captioned reorganized debtors (collectively, the “*Reorganized Debtors*”) for entry of an order closing the Closing Cases and changing the caption of the Remaining Case; and the Court having considered the Motion and all related pleadings and documents; and the Court having found that adequate notice of the Motion has been given under the circumstances; and good and sufficient cause appearing therefor, it is hereby:

ORDERED, that the Motion is granted; and it is further

ORDERED, that the caption of the Remaining Case shall be changed to read as follows:

¹ The Reorganized Debtors, along with the last four digits of each Reorganized 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 Reorganized Debtors is 720 Park Boulevard, Suite 200, Boise, Idaho 83712.

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

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

In re:

BUILDING MATERIALS HOLDING
CORPORATION,¹

Reorganized Debtor.

Chapter 11

Case No. 09-12074 (KJC)

and it is further

ORDERED, that each of the following cases shall be closed, effective as of the date hereof:

- A. BMC West Corporation, Case No. 09-12075 (KJC);
- B. SelectBuild Construction, Inc., Case No. 09-12076 (KJC);
- C. SelectBuild Northern California, Inc., Case No. 09-12077 (KJC);
- D. Illinois Framing, Inc., Case No. 09-12078 (KJC);
- E. C Construction, Inc., Case No. 09-12079 (KJC);
- F. TWF Construction, Inc., Case No. 09-12080 (KJC);
- G. H.N.R. Framing Systems, Inc., Case No. 09-12081 (KJC);
- H. SelectBuild Southern California, Inc., Case No. 09-12082 (KJC);
- I. SelectBuild Nevada, Inc., Case No. 09-12083 (KJC);
- J. SelectBuild Arizona, LLC, Case No. 09-12084 (KJC); and
- K. SelectBuild Illinois, LLC, Case No. 09-12085 (KJC);

and it is further

¹ The Reorganized Debtor in this proceeding, along with the last four digits of its tax identification number, is as follows: Building Materials Holding Corporation (4269), with a mailing address of 720 Park Boulevard, Suite 200, Boise, Idaho 83712.

ORDERED, that a docket entry shall be made in each of the Closing Cases that reflects the entry of this Order; and it is further

ORDERED, that all motions, contested matters, and adversary proceedings that remain open as of the date hereof, or that are opened in the future, with respect to the Reorganized Debtors will be administered under the Remaining Case; and it is further

ORDERED, that the entry of this final decree is without prejudice to the rights of any party to seek to reopen the Closing Cases pursuant to section 350(b) of the Bankruptcy Code; and it is further

ORDERED, that the Reorganized Debtors shall complete any remaining quarterly reports and pay any quarterly fees due and owing in the Closing Cases on or before August 1, 2011.

Dated: Wilmington, Delaware
June __, 2011

Kevin J. Carey
Chief United States Bankruptcy Judge