

**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
)	

**NOTICE OF AGENDA OF MATTERS SCHEDULED
FOR HEARING ON JULY 29, 2009 AT 10:00 A.M. (ET)**

WITHDRAWN, RESOLVED, AND ADJOURNED MATTERS

1. Motion of Atrium Companies, Inc. for Allowance of Administrative Expense Claim and Notice of and Demand for Return of Reclamation Product [D.I. 140, 7/6/09]

Response Deadline: July 22, 2009 at 4:00 p.m. (ET); Extended to July 24, 2009 for the Debtors

Responses Received: None.

Related Documents:

- A. Notice of Withdrawal [D.I. 299, 7/24/09]

Status: This matter has been withdrawn.

2. Debtors' Motion for an Order Pursuant to Section 363(b) of the Bankruptcy Code and Bankruptcy Rule 6004 Authorizing the Reimbursement of Certain Due Diligence Expenses [D.I. 174, 7/13/09]

Response Deadline: July 24, 2009 at 12:00 p.m. (ET)

Responses Received: None.

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.

Related Documents:

- A. Debtors' Motion Pursuant to Local Rule 9006-1(e) for an Order Shortening the Time for Notice of the Hearing to Consider Debtors' Motion for an Order Pursuant to Section 363(b) of the Bankruptcy Code and Bankruptcy Rule 6004 Authorizing the Reimbursement of Certain Due Diligence Expenses [D.I. 175, 7/13/09]
- B. Order Shortening the Time for Notice of the Hearing to Consider Debtors' Motion for an Order Pursuant to Section 363(b) of the Bankruptcy Code and Bankruptcy Rule 6004 Authorizing the Reimbursement of Certain Due Diligence Expenses [D.I. 191, 7/14/09]
- C. Notice of Withdrawal [D.I. 284, 7/21/09]

Status: This matter has been withdrawn.

- 3. Motion of Jonathan Lee Riches d/b/a Bernard Madoff to Intervene as a Plaintiff Creditor Under Rule 7024 and Under Fed. R. Civ. P. Rule 24(a) & 24(b) [D.I. 145, 7/6/09]

Response Deadline: July 22, 2009 at 4:00 p.m. (ET)

Responses Received:

- A. Debtors' Response to the Motion to Intervene as a Plaintiff Creditor Under Rule 7024 and Under Fed. R. Civ. P. Rule 24(a) & 24(b) [D.I. 285, 7/21/09]

Related Documents: None.

Status: As set forth in the Debtors' response (Item A above), the Debtors have treated this motion as a notice of appearance and request for service of documents in these cases. The Debtors have added the Movant to the Bankruptcy Rule 2002 service list and therefore believe that this matter has been resolved.

- 4. Disclosure Statement With Respect to Joint Plan of Reorganization for the Debtors Under Chapter 11 of the Bankruptcy Code [D.I. 19, 6/16/09]

Response Deadline: July 22, 2009 at 4:00 p.m. (ET); Extended to July 27, 2009 at 11:00 a.m. (ET) for ACE Insurance Company and to August 4, 2009 at 4:00 p.m. (ET) for the Official Committee of Unsecured Creditors, the Securities and Exchange Commission, and the United States Trustee

Related Documents:

- A. Joint Plan of Reorganization for the Debtors Under Chapter 11 of the Bankruptcy Code [D.I. 18, 6/16/09]
- B. Notice of Hearing to Consider Approval of the Disclosure Statement for Joint Plan of Reorganization for the Debtors [D.I. 120, 6/30/09]

Responses Received:

- C. Response of Vincent E. Rhynes [D.I. 253, 7/17/09]
- D. Response of William H. Milligan [D.I. 257, 7/20/09]
- E. Response of Dixon Big-O-Tires [D.I. 258, 7/20/09]
- F. Response of Steven H. Pearson [D.I. 302, 7/24/09]

Status: This matter has been adjourned to August 11, 2009 at 2:30 p.m. (ET).

- 5. Debtors' Motion for an Order Authorizing Rejection of That Certain Unexpired Lease with Four Embarcadero Center Venture and the Associated Sublease with PCAP Managers, LLC [D.I. 164, 7/10/09]

Response Deadline: July 22, 2009 at 4:00 p.m. (ET); Extended to August 20, 2009 at 4:00 p.m. (ET) for PCAP Managers, LLC and the Official Committee of Unsecured Creditors

Responses Received: None.

Related Documents: None.

Status: This matter has been adjourned to September 4, 2009 at 2:00 p.m. (ET).

- 6. Debtors' Motion for an Order Authorizing Assumption of the Assignment Agreement with Professional Building Solutions, LLC and Scott Axelrod [D.I. 165, 7/10/09]

Response Deadline: July 22, 2009 at 4:00 p.m. (ET); Extended to August 4, 2009 at 4:00 p.m. (ET) for the Official Committee of Unsecured Creditors

Responses Received: None.

Related Documents: None.

Status: This matter has been adjourned to August 11, 2009 at 2:30 p.m. (ET).

7. Debtors' Motion for an Order Authorizing Assumption of the Purchase Agreement with Davis Brothers Framing, Inc., *et al.* [D.I. 168, 7/10/09]

Response Deadline: July 22, 2009 at 4:00 p.m. (ET); Extended to August 4, 2009 at 4:00 p.m. (ET) for the Official Committee of Unsecured Creditors

Responses Received: None.

Related Documents: None.

Status: This matter has been adjourned to August 11, 2009 at 2:30 p.m. (ET).

8. Debtors' Motion for an Order (I) Approving the Disclosure Statement; (II) Establishing Procedures for Solicitation and Tabulation of Votes to Accept or Reject the Plan, Including (A) Approving the Form and Manner of Solicitation Procedures, (B) Approving the Form and Manner of Notice of the Confirmation Hearing, (C) Establishing a Record Date and Approving Procedures for Distribution of Solicitation Packages, (D) Approving Forms of Ballots, (E) Establishing the Deadline for Receipt of Ballots, and (F) Approving the Procedures for Vote Tabulations; (III) Establishing the Deadline and Procedures for Filing Objections to (A) Confirmation of the Plan and (B) Proposed Cure Amounts Related to Contracts and Leases Assumed Under the Plan; and (IV) Granting Related Relief [D.I. 172, 7/13/09]

Response Deadline: July 22, 2009 at 4:00 p.m. (ET); Extended to August 4, 2009 at 4:00 p.m. (ET) for the Official Committee of Unsecured Creditors and the United States Trustee

Responses Received: None.

Related Documents: None.

Status: This matter has been adjourned to August 11, 2009 at 2:30 p.m. (ET).

**UNCONTESTED MATTERS WITH A CERTIFICATE OF NO OBJECTION OR
CERTIFICATION OF COUNSEL**

9. Debtors' Motion for an Order Authorizing (A) Rejection of That Certain Lease With Union Pacific Railroad Company and (B) Abandonment of Certain Related Property, *Nunc Pro Tunc* to the Rejection Effective Date [D.I. 113, 6/29/09]

Response Deadline: July 22, 2009 at 4:00 p.m. (ET); Extended to July 24, 2009 for the Official Committee of Unsecured Creditors

Responses Received: None.

Related Documents:

A. Certificate of No Objection [D.I. 303, 7/27/09]

Status: A certificate of no objection has been filed. Accordingly, no hearing is required.

10. Debtors' Sixth Omnibus Motion for an Order Authorizing Rejection of Certain Unexpired Leases and Executory Contracts, *Nunc Pro Tunc* to the Rejection Effective Date [D.I. 157, 7/10/09]

Response Deadline: July 22, 2009 at 4:00 p.m. (ET); Extended to July 24, 2009 for the Official Committee of Unsecured Creditors

Responses Received: None.

Related Documents:

A. Certification of Counsel [D.I. 304, 7/27/09]

Status: A certification of counsel has been filed. Accordingly, no hearing is required.

11. Motion of All Coast Forest Products, Inc. for Allowance and Payment of Administrative Expense Under 11 U.S.C. Section 503(b)(9) [D.I. 166, 7/10/09]

Response Deadline: July 22, 2009 at 4:00 p.m. (ET); Extended to July 24, 2009 for the Debtors

Responses Received: None.

Related Documents:

A. Certification of Counsel [D.I. 300, 7/24/09]

Status: This matter has been resolved through a stipulation between the Debtors and the Movant, and a proposed order approving the stipulation has been filed under certification of counsel. Accordingly, no hearing is required.

UNCONTESTED MATTERS GOING FORWARD

12. Debtors' Application Pursuant to Sections 327(a) and 328(a) of the Bankruptcy Code for an Order Authorizing the Debtors to Retain and Employ KPMG LLP as Auditors and Tax Consultants *Nunc Pro Tunc* to the Petition Date, and Waiving Certain Requirements of Local Rule 2016-2 [D.I. 104, 6/26/09]

Response Deadline: July 9, 2009 at 4:00 p.m. (ET); Extended to July 14, 2009 for the United States Trustee

Responses Received:

A. Informal Response of the United States Trustee

Related Documents: None.

Status: This matter is going forward. The Debtors are continuing to work with the United States Trustee to resolve its concerns and have reached an agreement in principle, subject to documentation. The Debtors anticipate submitting a consensual form of order at or prior to the hearing resolving this matter.

Dated: Wilmington, Delaware
July 27, 2009

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