IN THE UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF DELAWARE

IN RE:) Chapter 11
BUILDING MATERIALS HOLDING CORPORATION, et al.,1) Case No. 09-12074 (KJC)
Debtors.	Jointly Administered
	Ref. Docket Nos. 157 and 304

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 determined that the legal and factual bases set forth in the Motion establish 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,

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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.

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 A* annexed hereto. 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 that certain Order Pursuant to Sections 501, 502, and 1111(a) of the Bankruptcy Code, Bankruptcy Rules 2002 and 3003(c)(3), and Local Rule 2002-1(e) Establishing Bar Dates for Filings Proofs of Claim and Approving the Form and Manner of Notice Thereof [Docket No. 248] 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.

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 1, 2009

Kevin J. Carey

Chief United States Bankruptcy Judge

EXHIBIT A

Leases to be Rejected

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Losse	Taska.]	Lessor - Physical Address	100	NS	Leave Start Date	Leave End Date	Equipment Address
Building Materials Holding Corporation	De Lags Landen	1111 Old Emje School Rd., Wayne, PA 19067-1453	09-2705	31728841	10/6/05	4/5/10	2260 Cooper Street, Suite B. Merecd, CA 95348
BMC West Comoration	De Lage Landen	1111 Old Eagle Echool Rd. Wayne, PA. 19087-1453	8730-121407	FBG-480325	12/3 [/07	5/30/12	49G3 E Ingram, Mesa, AZ, 15205
	De Loge Landen	1111 Old Engle School Rd., Wayne, PA. 19087-1453	704121-0ETB	WTM-759599	12/27/07	626/12	4163 E Ingram, Mesa AZ 85205
1	Ricah Corporation		9994-047507	C8175300816		21/8/12	6840 West Fiter Drive, Clendule, AZ 85303
Building Malerials Holding Corporation Building Malerials Holding Corporation	Ricah Corporation	5 Dedrick Place, West Caldwell, NJ 97006 5 Dedrick Place, West Caldwell, NJ 97006	T	K.5845900372	(7) 0/05		2724 Nathan Ave., Modesto, CA 95354 2724 Nathan Ave., Modesto, CA 95334
j	IXON Flamelel Services	70 Velley Stream Parkway, Maivern, PA 19355-0989			12/7/06	12/4/10	6255 Ranne Rood, Las Veins, NV 89115
Polanti Monado Isa	Toshiba Financial Services/Zoom Imaging	DOI CO. C.		77033358	et salaz	8/18/13	CASE Desira Dani Les Venne MV 90110
10.5	Tochiba Financial Services/Zoom Imaging Solutions: Inc.	9816 Business Park Drive 8A. Sacramento, CA 95827	12-150518	CD(513217	5	0/17/10	1100 Business Park Drive Sule A. Diven. CA 95020
Select Build Construction	Toshiba Financial Services/Zoom Imaging Solutions, Inc.	9816 Business Park Drive AA, Sacramento, CA 95827		CQC719336		פונפבש	1855 N. 151 Street Strife C, Dixon, CA 95620
Bนปิสัทยู Materials Holding Corpuration	Хепах Сограгайая	Olice of General Coursel, Xerox Corporation, 800 Lang. Ridge Road PO Box 1600, Stanford, CT 06904	CMasolodel	MTE-028229	סזיוביו	271/06	48G E Ingrum, Mass AZ 852D3
Building Malerbas Holding Corporation	Kerox Copporation	Office of General Coursel, Xerox Corporation, 900 Long Ridge Road PO Box 1688, Storeford, CT 06904		ህገር ዓመደን፣	0,725/10	673,610	48G3 E Algram, Mesa AZ, 15205
Building Materials Holding Corporation	Хетож Сагроля Івп	Office of General Coursel, Xerox Compossion, 800 Long Ridge Rond PO Box (400, Stanford, CT 96904	EXC-8242	UTU-926263	10/27/46	476/11	Q255 Range Ropel, Les Veges, NV 19115
Building Materials Holding Corporation	Xerox Corporation	Office of General Counsel, Xerox Corporation, 100 Long Ridge Road PO Box 1600, Standord, CT 06994	17791	UTV-805918	4/13/06	10/17/10	0255 Range Road, Las Vegas, NV 89115
Bullding Materials Holding Corporation	Xerex Corporation	Office of General Coursel, Xterus Corporation, 100 Long Note Road PO Box 1000, Stamford, CT 05904	17309	UTV-401432	2/2/06	מניוש	0255 Range Road, Las Vegas, NV 89113
Buliding Materials Holding Corporation	Xerex Corpaniion	Office of General Coursel, Xerax Corporation, 800 Long Ridge Road PO Box 1600, Stanford, CT 06904		URA-894028	1/19/07	7/18/11	0255 Range Road, Las Vegas, NV 89115
Building Malerials Molding Corporation	Xerax Corporation	Ollice of General Coursel, Xerox Corporadon, 800 Long. Plyles Road PO Box 1600, Stanford, CT 06904	17349	9/9908-ALA	272/06	01/1/8	GZSS Range, Houd, Las Vegas, NV 89115
Building Materials Holding Copporation	Хегах Саррагабав	Office of General Coursel, Nerox Comprovior, 860 Long Ridge Road PO Bex 1600, Stanford, CT 06304	1782	UTV-810666	3/17/06	9/30/10	6225 Range Read, Les Veffas, NV 39115.
Building Materials Holding Corporation	Xerx Corporation	Office of Ceneral Coursel, Xerax Corporation, BDB Long. Ridge Road FO Box 1600, Standord, CT 16964	CM06010401	MTE-026298	7,18/06	01/1/1/1	7777 N. 70th Avenue, Glendsle, AZ, 83303
Building Moterials Holding Corporation	Xerx Comernion	Office of General Councel, Xerax Companium, 200 Long Ridge Rand PO Sex 1690, Signifect, CT 06904	CM06010401	UTU-101668	3/1/46	01/32/72	48G3 E lagrun, Mess AZ 8320S
MWB Building Contractors, Inc. SelectBuild Nernals, L.L.C.	Conen Financial Services, Inc. XIP America	14904 Collections Center Drive, Chicago, 11, 60693-0149 39575 13 Mile Road, Nort, MI, 48377		KHTU0499 7707041196	11/2/07	21/6/11	1825 N. 1st Street, Suile C. Dixon, CA 95620 6255 Ronge Road, Las Vogos, NV 89115
HALHC Limed Capler Maintenance Americal	lion			, ·			
Lessee	Lessor	Lessor - Physical Address		š	Lease Stort Date	Lease End Date	Equipment Address
SelectBuild	Elan Office Systems	6131 S. Melezad Dr., Lar Vegas, NV 89126		7707041196	11/9/07	11/9/12	6255 Range Road, Les Vegas, NV 89115

Letter	Lessor	Leant - Physical Address	#0#	SN	Lease Start Date Lease End Date	Lease End Dale	Equipment Address
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2527	Lesser	Lessor - Physical Address	Merchandise/ Service Hems	Account#	Leave Start Date Leave End Date	Leare End Date	Equipment Address
	T BY Carriers	17754 Sauch 175ft Feet Dreese, UT 84730	R. 10 track proy/4x6 track groy/3x4 track proy/serapper mats		4714707	G14/14	7132 N. Silver Greek Road, Ste. C. & D. Park City, UT 88938
ion two	GAKSrotiere	12354 South 125th East, Draper, UT 84020		143B0-01 & 142B0-02	10/2G/05	11/90/01	7902 South 1410 West, West Jordon, UT 64088
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Leasne	Lusser	Lesson - Physical Address			핅	Lease End Dale	
SeleciBuild Arizana, LLC	Covates Hackey, L.L.C.	6751 N. Sunsel Biyd, Glendale, AZ 85305			471/06	01/1/0	