

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

<b>IN RE:</b>	)	
	)	
	)	<b>Chapter 11</b>
<b>BUILDING MATERIALS HOLDING CORPORATION, <i>et al.</i>,<sup>1</sup></b>	)	<b>Case No. 09-12074 (KJC)</b>
	)	
<b>Debtors.</b>	)	<b>Jointly Administered</b>
	)	
	)	

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US BANKRUPTCY COURT  
DISTRICT OF DELAWARE

**VERIFIED STATEMENTS OF CONNECTIONS**

I, Robyn S. McClain, declare under penalty of perjury:

1. I am a partner of Letofsky McClain, located at 3655 Nobel Dr. Ste. 400, San Diego, CA 92122 (the “**Firm**”).
2. Building Materials Holding Corporation and its affiliates, as debtors and debtors in possession (collectively, the “**Debtors**”) have requested that the Firm provide Construction Defense Attorney to the Debtors, and the Firm has consented to provide such services.
3. If the Firm is a law firm, I state that the Firm did represent the Debtors prior to their bankruptcy filings.
4. The Firm may have performed services in the past, may currently perform services and may perform services in the future, in matters unrelated to these chapter 11 cases, for persons that are parties in interest in these chapter 11 cases. The Firm does not perform

<sup>1</sup> 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.

services for any such person in connection with these chapter 11 cases, or have any relationship with any such person, their attorneys or accountants that would be adverse to the Debtors or their estates. Furthermore, if the Firm is either (i) not a law firm or (ii) a law firm that did not represent the Debtors prior to their bankruptcy filings, the Firm is a “disinterested person” under 11 U.S.C. § 101(14), such that the Firm:

- (a) is not a creditor, an equity security holder, or an insider of any of the Debtors;
- (b) is not and was not, within 2 years before the date of the filing of the petition, a director, officer, or employee of any of the Debtors; and
- (c) does not have an interest materially adverse to the interest of the estate or of any class of creditors or equity security holders, by reason of any direct or indirect relationship to, connection with, or interest in, the Debtors, or for any other reason.

5. As part of its customary practice, the Firm is retained in cases, proceedings, and transactions involving many different parties, some of whom may represent or be employed by the Debtors, claimants, and parties-in-interest in the Debtors’ chapter 11 cases.

6. Neither I nor any principal, partner, director, officer, etc. of, or professional employed by, the Firm has agreed to share or will share any portion of the compensation to be received from the Debtors with any other person other than the principal and regular employees of the Firm.

7. In the ordinary course of its business, the Firm maintains a database for purposes of performing “conflict checks.”[The Firm’s database contains information regarding the Firm’s present and past representations.] Pursuant to Federal Rule of Bankruptcy Procedure 2014(a), I obtained a list of the entities identified in Rule 2014(a) from counsel to the Debtors for purposes of searching the aforementioned database and determine the connection(s) which the

Firm has with such entities. The Firm's search of the database identified the following connections:

8. C Construction, Inc.  
SelectBuild Construction, Inc.  
BMC West Corporation  
Building Materials Holding Corporation

9. Neither I nor any partner of or professional employed by, the Firm, insofar as I have been able to ascertain, holds or represents any interest adverse to the Debtors or their estates with respect to the matter(s) upon which this Firm is to be employed. Furthermore, if the Firm is either (i) not a law firm or (ii) a law firm that did not represent the Debtors prior to their bankruptcy filings, I state that neither I nor any partner of or professional employed by, the Firm, insofar as I have been able to ascertain, holds or represents any interest adverse to the Debtors.

10. The Debtors owe the Firm \$322.26 for pre-petition services, the payment of which is subject to limitations contained in the United States Bankruptcy Code, 11 U.S.C. § 503(b)(6). If the Firm is either (i) not a law firm or (ii) a law firm that did not represent the Debtors prior to their bankruptcy filings, my signature below acknowledges that the Firm understands that any and all pre-petition claims that it has against the Debtors will be deemed waived if the Firm's employment is authorized.

11. As of June 16, 2009, which was the date on which the Debtors commenced these chapter 11 cases, the Firm was not party to an engagement or services agreement with the Debtors.

12. As of June 16, 2009, the Firm was not party to an agreement for indemnification with certain Debtors.

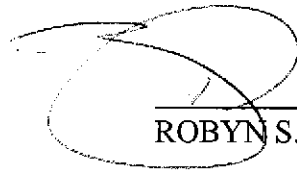
13. If the Firm is not a law firm, the following is a list of all payments which

the Firm received from the Debtors during the year prior to the Debtors' bankruptcy filings: N/A

14. The Firm is conducting further inquiries regarding its retention by any creditors of the Debtors, and upon conclusion of that inquiry, or at any time during the period of its employment, if the Firm should discover any facts bearing on the matters described herein, the Firm will supplement the information contained in this Declaration.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that foregoing is true and correct.

Date: 8/5, 2009

  
\_\_\_\_\_  
ROBYN S. MCCLAIN

1 LETOFSKY • McCLAIN  
LARRY D. LETOFSKY, ESQ. (#128863)  
2 ROBYN S. McCLAIN, ESQ. (#125098)  
3655 Nobel Drive, Suite 400  
3 San Diego, CA 92122  
(858) 642-1372\642-1379 (Fax)  
4

5 **SHORT TITLE: IN RE: BUILDING MATERIALS HOLDING CORPORATION, et al.**  
6 **UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF DELAWARE**  
**CHAPTER 11 - COURT CASE NO. 09-12074 (KJC)**

7 **UNITED STATE BANKRUPTCY COURT**  
8 **FOR THE DISTRICT OF DELAWARE**

9 **DECLARATION OF SERVICE BY MAIL**

10 I, the undersigned, declare:

11 I am, and was at the time of service of the papers herein referred to, over the age of eighteen  
12 (18) years, and not a party to the action; and I am employed in the County of San Diego, California,  
in which county the within-mentioned mailing occurred. My business address is 3655 Nobel Drive,  
Suite 400, San Diego, California 92122.

13 I am readily familiar with the business practice at my place of business for collection and  
14 processing of correspondence for mailing with the United States Postal Service. Correspondence  
so collected and processed is deposited with the United States Postal Service that same day in the  
15 ordinary course of business.

16 On August 7, 2009, at my place of business, the following document(s):

17 **VERIFIED STATEMENT OF CONNECTIONS**

18 were placed for deposit in the United States Postal Service in a sealed envelope, with postage fully  
prepaid, addressed to:

19 See attached Mailing List

20 Each envelope was then placed for collection and mailing on that date following ordinary  
21 business practices.

22 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 August 7, 2009, at San Diego,  
23 California.

24   
25 ERIN M. DUFFEY  
26  
27  
28

1 SHORT TITLE: IN RE: BUILDING MATERIALS HOLDING CORPORATION, et al.  
2 UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF DELAWARE  
3 CHAPTER 11 - COURT CASE NO. 09-12074 (KJC)

4  
5 Mailing List

6 United States Bankruptcy Court  
7 District of Delaware  
8 824 North Market Street, 3rd Floor  
9 Wilmington, Delaware 19801  
10 (302) 252-2900

11 Paul S. Street  
12 Senior Vice President, Chief Administrative Officer  
13 General Counsel and Corporate Secretary  
14 BMHC  
15 Legal Department  
16 720 Park Boulevard, Suite 200  
17 Boise, Idaho 83712  
18 (208) 331-4300/331-4477 (Fax)