

1 JEFFREY H. BALLIN, ESQ.  
Nevada Bar No. 004913  
2 PARKER NELSON & ASSOCIATES, CHTD.  
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CLERK  
U.S. BANKRUPTCY COURT  
DISTRICT OF DELAWARE

5  
6 IN THE UNITED STATES BANKRUPTCY COURT  
7 FOR THE DISTRICT OF DELAWARE

8 IN RE: ) Chapter 11  
9 BUILDING MATERIALS HOLDING )  
CORPORATION, et al.,<sup>1</sup> ) Case No. 09-12074 (KJC)  
10 Debtors. ) Jointly Administered  
11 )  
12 )

13 **VERIFIED STATEMENTS OF CONNECTIONS**

14 I, JEFFREY H. BALLIN, ESQ., declare under penalty of perjury:

- 15 1. I am an attorney of Parker Nelson & Associates, Chtd., located at 2460 Professional  
16 Court, Suite 200, Las Vegas, Nevada 89128 (the "Firm").  
17 2. Building Materials Holding Corporation and its affiliates, as debtors and debtors in  
18 possession (collectively, the "Debtors") have requested that the Firm provide construction defense  
19 attorney services to the Debtors, and the Firm has consented to provide such services.  
20 3. If the Firm is a law firm, I state that the Firm did represent the Debtors prior to their  
21 bankruptcy filings.  
22 ...  
23

24  
25 1 The Debtors, along with the last four digits of each Debtor's tax identification number as are  
26 follows: Building Materials Holding Corporation (4269), BMC West Corporation (0454),  
27 SelectBuild Construction, Inc. (1340), SelectBuild Northern California, Inc. (7579), Illinois  
28 Framing, Inc. (4451), C Construction, Inc. (8206), TWF Construction, Inc. (3334), H.N.R.  
Framing Systems, Inc. (4329), SelectBuilding 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, Suit 200, Boise, Idaho  
83712.

1           4.     The Firm may have performed services in the past, may currently perform services and  
2 may perform services in the future, in matters unrelated to these Chapter 11 cases, for persons that are  
3 parties in interest in these Chapter 11 cases. The Firm does not perform services for any such person  
4 in connection with these Chapter 11 cases, or have any relationship with any such person, their attorneys  
5 or accountants that would be adverse to the Debtors or their estates. Furthermore, if the Firm is either  
6 (i) not a law firm or (ii) a law firm that did not represent the Debtors prior to their bankruptcy filings,  
7 the Firm is a "disinterested person" under 11 U.S.C. § 101(4), such that the Firm:

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

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

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

21           7.     In the ordinary course of its business, the Firm confirms conflicts by reviewing its client  
22 base. The Firm's database contains information regarding the Firm's present and past representations.  
23 Pursuant to Federal Rule of Bankruptcy Procedure 2014(a), I obtained a list of the entities identified in  
24 Rule 2014(a) from counsel to the Debtors for purposes of searching the aforementioned database and  
25 determining the connection(s) which the Firm has with such entities.

26 ...

27 ...

1           8.       The Firm's review identified the following connections:

2                   Wells Fargo Bank, Campbell Companies, City of North Las Vegas, American Specialty  
3 Lines Insurance Company, National Union Fire Insurance Company of Pittsburgh, PA, Arch Insurance  
4 Company, Zurich American Insurance Company, Swiss Re, Lexington Insurance Company, and AIG  
5 Excess Liability Insurance Company.

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

12           10.      The Debtors owe the Firm \$1,102.00 for prepetition services, the payment of which is  
13 subject to limitations contained in the United States Bankruptcy Code, 11 U.S.C. §§ 101-1532. If the  
14 Firm is either (i) not a law firm or (ii) a law firm that did not represent Debtors prior to their bankruptcy  
15 filings, my signature below acknowledges that the Firm understands that any and all prepetition claims  
16 that it has against the Debtors will be deemed waived if the Firm's employment is authorized.

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

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

21           13.      If the Firm is not a law firm, the following is a list of all payments which the Firm  
22 received from the Debtors during the year prior to the Debtors' bankruptcy filings:

23                   The Firm is a law firm.

24           ...

25           ...

26           ...

27           ...

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

DATED this 12 day of August, 2009.

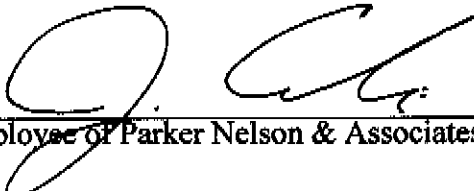
**DECLARANT**

**CERTIFICATE OF SERVICE**

I hereby certify that on the 12<sup>th</sup> day of August, 2009, I served a copy of the attached  
VERIFIED STATEMENTS OF CONNECTIONS, via U.S. mail, postage prepaid, on the following:

Clerk of the Court  
United States Bankruptcy Court for the District of Delaware  
824 North Market Street, 3<sup>rd</sup> Floor  
Wilmington, DE 19801

Paul S. Street  
Senior Vice President  
BMHC - Legal Department  
720 Park Blvd., Suite 200  
Boise, ID 83712

  
An Employee of Parker Nelson & Associates, Chtd.

K:\Personal Directories\Jeff\JHB\bmhc affidavit 08.13.09.wpd