

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

In re:

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

Debtors.

Chapter 11

Case No. 09-12074 (KJC)

Jointly Administered

Ref. Docket Nos. 365 and 515

**CERTIFICATION OF COUNSEL REGARDING STIPULATED ORDER
BETWEEN THE DEBTORS AND MARIO CRUZ LUNA
REGARDING MOTION FOR RELIEF FROM STAY**

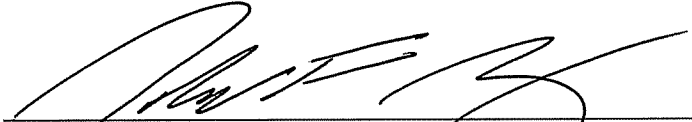
On August 4, 2009, Mario Cruz Luna (the “Movant”) filed the Motion for Relief from Stay [Docket No. 365] (the “Motion”). Thereafter, the above-captioned debtors and debtors in possession (collectively, the “Debtors,” and together with the Movant, the “Parties”) filed an objection [Docket No. 515] (the “Objection”) to the Motion on August 21, 2009. Subsequent to the filing of the Objection, counsel for the Parties engaged in discussions concerning the Motion and Objection. As a result of these discussions, an agreement was reached between the Parties, the terms and conditions of which are reflected in the proposed form of stipulated order attached hereto as Exhibit A (the “Proposed Order”). The Debtors submit that the Proposed Order is appropriate and consistent with the Parties’ discussions, and that entry of the order is in the best interests of the Debtors, their estates and creditors.

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.

Accordingly, the Debtors respectfully request the Court to enter the Proposed Order at its earliest convenience without further notice or a hearing.

Dated: Wilmington, Delaware
August 31, 2009

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ATTORNEYS FOR THE DEBTORS
AND DEBTORS-IN-POSSESSION

EXHIBIT A
Proposed Order

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

In re:

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

Debtors.

Chapter 11

Case No. 09-12074 (KJC)

Jointly Administered

Ref. Docket Nos. 365, 515 and _____

**STIPULATED ORDER BETWEEN THE DEBTORS AND
MARIO CRUZ LUNA REGARDING MOTION FOR RELIEF FROM STAY**

Upon the Motion for Relief from Stay [Docket No. 365] (the "Motion") filed by Mario Cruz Luna (the "Movant") on August 4, 2009 and the objection [Docket No. 515] of the above-captioned debtors and debtors in possession (collectively, the "Debtors," and together with the Movant, the "Parties") thereto filed on August 21, 2009; and upon the agreement of the Parties that a hearing on the Motion shall be held at the omnibus hearing currently scheduled in the Debtors' chapter 11 cases for October 7, 2009 at 11:00 a.m. (ET); and after due deliberation and sufficient cause appearing therefor, it is hereby:

ORDERED that, pursuant to section 362(e)(1) of title 11 of the United States Code, 11 U.S.C. §§ 101 et seq. (the "Bankruptcy Code"), the automatic stay shall continue in effect pending the conclusion of, or as a result of, a hearing and determination under section 362(d) of the Bankruptcy Code with respect to the relief requested in the Motion; and it is further

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ORDERED that this Order may be executed by the Parties in counterparts, each of which shall be an original, with the same effect as if the signatures thereto were on the same instrument, and such counterparts shall be construed together as one instrument, and that facsimile, pdf or other electronic signatures shall be deemed original signatures; and it is further

ORDERED that this Court shall retain jurisdiction with respect to all matters arising from or related to the implementation or interpretation of this Order.

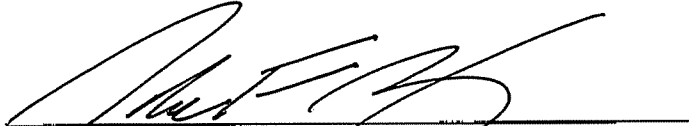
Dated: Wilmington, Delaware
September ____, 2009

Kevin J. Carey
Chief United States Bankruptcy Judge

[Parties' signature page follows]

STIPULATED AND AGREED:

YOUNG CONAWAY STARGATT & TAYLOR, LLP SCHERR & LEGATE, PLLC



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AND DEBTORS IN POSSESSION**