

**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 544

**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:

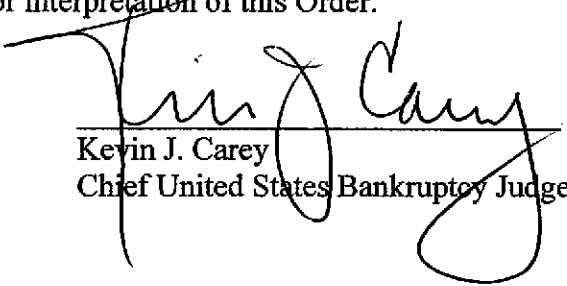
ORDERED that, pursuant to section 362(e)(1) of title 11 of the United States Code, 11 U.S.C. §§ 101 et seq. (the "Bankruptcy Code"), the automatic stay shall continue in effect pending the conclusion of, or as a result of, a hearing and determination under section 362(d) of the Bankruptcy Code with respect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

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.

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 1, 2009




Kevin J. Carey
Chief United States Bankruptcy Judge

[Parties' signature page follows]

STIPULATED AND AGREED:

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



Sean M. Beach (No. 4070)
Donald J. Bowman, Jr. (No. 4383)
Robert F. Poppiti, Jr. (No. 5052)
The Brandywine Building
1000 West Street, 17th Floor
P.O. Box 391
Wilmington, Delaware 19899-0391
Telephone: (302) 571-6600
Facsimile: (302) 571-1253



Sam J. Legate
109 N. Oregon, 12th Floor
El Paso, Texas 79901
Telephone: (915) 544-0100
Facsimile: (915) 532-1759

ATTORNEYS FOR MARIO CRUZ LUNA

- and -

GIBSON, DUNN & CRUTCHER LLP

Michael A. Rosenthal (admitted *pro hac vice*)
Matthew K. Kelsey (admitted *pro hac vice*)
Sacc M. Muzumdar (admitted *pro hac vice*)
200 Park Avenue, 47th Floor
New York, New York 10166-0193
Telephone: (212) 351-4000
Facsimile: (212) 351-4035

Aaron G. York (admitted *pro hac vice*)
Jeremy L. Graves (admitted *pro hac vice*)
2100 McKinney Avenue, Suite 1100
Dallas, Texas 75201-6911
Telephone: (214) 698-3100
Facsimile: (214) 571-2900

**ATTORNEYS FOR THE DEBTORS
AND DEBTORS IN POSSESSION**