

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

**In re:**

**BUILDING MATERIALS HOLDING  
CORPORATION, *et al.*,<sup>1</sup>**

**Debtors.**

**Chapter 11**

**Case No. 09-12074 (KJC)**

**Jointly Administered**

**NOTICE OF AGENDA OF MATTERS SCHEDULED  
FOR HEARING ON SEPTEMBER 10, 2009 AT 3:00 P.M. (ET)**

**ADJOURNED MATTERS**

1. Disclosure Statement With Respect to Joint Plan of Reorganization for the Debtors Under Chapter 11 of the Bankruptcy Code Amended July 27, 2009 [D.I. 316, 7/27/09]

Response Deadline: July 22, 2009 at 4:00 p.m. (ET); Extended to July 27, 2009 at 11:00 a.m. (ET) for ACE Insurance Company, to September 9, 2009 for the Securities and Exchange Commission, and to September 11, 2009 at 5:00 p.m. (ET) for the United States Trustee

Related Documents:

- A. Disclosure Statement With Respect to Joint Plan of Reorganization for the Debtors Under Chapter 11 of the Bankruptcy Code [D.I. 19, 6/16/09]
- B. Blackline of Disclosure Statement With Respect to Joint Plan of Reorganization for the Debtors Under Chapter 11 of the Bankruptcy Code Amended July 27, 2009 [D.I. 317, 7/27/09]
- C. Joint Plan of Reorganization for the Debtors Under Chapter 11 of the Bankruptcy Code [D.I. 18, 6/16/09]
- D. Joint Plan of Reorganization for the Debtors Under Chapter 11 of the Bankruptcy Code Amended July 27, 2009 [D.I. 314, 7/27/09]

<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.

- E. Blackline of Joint Plan of Reorganization for the Debtors Under Chapter 11 of the Bankruptcy Code Amended July 27, 2009 [D.I. 315, 7/27/09]
- F. Notice of Hearing to Consider Approval of the Disclosure Statement for Joint Plan of Reorganization for the Debtors [D.I. 120, 6/30/09]

Responses Received:

- G. Response of Vincent E. Rhynes [D.I. 253, 7/17/09]
- H. Response of William H. Milligan [D.I. 257, 7/20/09]
- I. Response of Dixon Big-O-Tires [D.I. 258, 7/20/09]
- J. Response of Steven H. Pearson [D.I. 302, 7/24/09]
- K. Response of Martin Uriarte [D.I. 307, 7/27/09]
- L. Objection of the Official Committee of Unsecured Creditors to the Disclosure Statement With Respect to Joint Plan of Reorganization for the Debtors Under Chapter 11 of the Bankruptcy Code Amended July 27, 2009 [D.I. 564, 9/4/09]

Status: This matter has been adjourned to September 18, 2009 at 1:00 p.m. (ET).

- 2. Debtors' Motion for an Order (I) Approving the Disclosure Statement; (II) Establishing Procedures for Solicitation and Tabulation of Votes to Accept or Reject the Plan, Including (A) Approving the Form and Manner of Solicitation Procedures, (B) Approving the Form and Manner of Notice of the Confirmation Hearing, (C) Establishing a Record Date and Approving Procedures for Distribution of Solicitation Packages, (D) Approving Forms of Ballots, (E) Establishing the Deadline for Receipt of Ballots, and (F) Approving the Procedures for Vote Tabulations; (III) Establishing the Deadline and Procedures for Filing Objections to (A) Confirmation of the Plan and (B) Proposed Cure Amounts Related to Contracts and Leases Assumed Under the Plan; and (IV) Granting Related Relief [D.I. 172, 7/13/09]

Response Deadline: July 22, 2009 at 4:00 p.m. (ET); Extended to September 11, 2009 at 5:00 p.m. (ET) for the United States Trustee

Responses Received: None.

Related Documents: None.

Status: This matter has been adjourned to September 18, 2009 at 1:00 p.m. (ET).

3. Debtors' Motion for an Order Authorizing Rejection of That Certain Unexpired Lease with Four Embarcadero Center Venture and the Associated Sublease with PCAP Managers, LLC [D.I. 164, 7/10/09]

Response Deadline: July 22, 2009 at 4:00 p.m. (ET); Extended to September 30, 2009 at 4:00 p.m. (ET) for PCAP Managers, LLC and the Official Committee of Unsecured Creditors

Responses Received: None.

Related Documents: None.

Status: This matter has been adjourned to October 7, 2009 at 11:00 a.m. (ET).

#### **UNCONTESTED MATTERS GOING FORWARD**

4. Motion of the Official Committee of Unsecured Creditors for Entry of an Order, *Nunc Pro Tunc* to the Date of the Appointment of the Committee, Pursuant to 11 U.S.C. Sections 105(a), 1102(b)(3)(A) and 1103(c), Clarifying the Requirement to Provide Access to Information and Setting and Fixing Creditor Information Sharing Procedures and Protocols [D.I. 169, 7/10/09]

Response Deadline: August 20, 2009 at 4:00 p.m. (ET)

Responses Received: None.

Related Documents: None.

Status: No objections have been received to this matter, and the Debtors have been advised that the Movant intends to file a certificate of no objection prior to the hearing.

5. Application for Order Authorizing the Employment and Retention of Executive Sounding Board Associates, Inc. as Financial Advisors to the Official Committee of Unsecured Creditors *Nunc Pro Tunc* to June 26, 2009 [D.I. 359, 8/3/09]

Response Deadline: September 3, 2009 at 4:00 p.m. (ET)

Responses Received: None.

Related Documents: None.

Status: To date, no objections have been received. However, pursuant to the Local Rules, the Movant is not able to file a certificate of no objection until 48 hours after the objection deadline, a time which is after the required time to file this Agenda. The Debtors have been advised that the Movant intends to file a certificate of no objection prior to the hearing.

6. Debtors' Motion for an Order Granting a Final Waiver of the Requirements of 11 U.S.C. Section 345(b) [D.I. 487, 8/17/09]

Response Deadline: September 3, 2009 at 4:00 p.m. (ET)

Responses Received: None.

Related Documents: None.

Status: To date, no objections have been received. However, pursuant to the Local Rules, the Debtors are not able to file a certificate of no objection until 48 hours after the objection deadline, a time which is after the required time to file this Agenda. The Debtors intend to file a certificate of no objection prior to the hearing.

7. Debtors' Supplemental Application Pursuant to Sections 327(a), 328(a), and 330 of the Bankruptcy Code and Bankruptcy Rules 2014(a) and 2016 Expanding the Scope of Employment and Retention of KPMG LLP to Include Further Audit Services, *Nunc Pro Tunc* to August 7, 2009 [D.I. 490, 8/18/09]

Response Deadline: September 3, 2009 at 4:00 p.m. (ET)

Responses Received: None.

Related Documents: None.

Status: To date, no objections have been received. However, pursuant to the Local Rules, the Debtors are not able to file a certificate of no objection until 48 hours after the objection deadline, a time which is after the required time to file this Agenda. The Debtors intend to file a certificate of no objection prior to the hearing.

#### **CONTESTED MATTERS GOING FORWARD**

8. Debtors' Motion for an Order Pursuant to Section 105(a) of the Bankruptcy Code and Bankruptcy Rule 9019, Authorizing and Approving the Settlement with the Acevedo Plaintiffs [D.I. 517, 8/21/09]

Response Deadline: September 3, 2009 at 4:00 p.m. (ET); Extended to September 8, 2009 at 12:00 p.m. (ET) for the Official Committee of Unsecured Creditors

Responses Received:

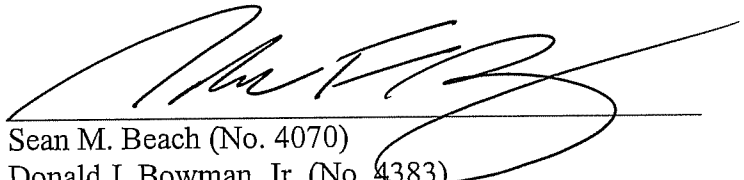
- A. Response of the Official Committee of Unsecured Creditors [To Be Filed, 9/8/09]

Related Documents: None.

Status: This matter will be going forward.

Dated: Wilmington, Delaware  
September 8, 2009

YOUNG CONAWAY STARGATT & TAYLOR, LLP



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

----and----

GIBSON, DUNN & CRUTCHER LLP  
Michael A. Rosenthal (admitted *pro hac vice*)  
Matthew K. Kelsey (admitted *pro hac vice*)  
Saeed 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