

UNITED STATES BANKRUPTCY COURT
DISTRICT OF DELAWARE

In re:)	Chapter 11
)	
BUILDING MATERIAL HOLDING)	Case No. 09-12074 (KJC)
CORPORATION, <i>et al.</i> ,)	
)	
Debtors)	Objection Deadline: October 5, 2009 at 4:00
)	p.m. (ET)
)	

**SECOND APPLICATION OF BENESCH, FRIEDLANDER, COPLAN &
ARONOFF LLP FOR INTERIM COMPENSATION FOR SERVICES
RENDERED AND REIMBURSEMENT OF EXPENSES AS DELAWARE
COUNSEL TO THE OFFICIAL COMMITTEE OF UNSECURED CREDITORS
FOR THE PERIOD FROM AUGUST 1, 2009 THROUGH AUGUST 31, 2009**

Name of Applicant:	Benesch Friedlander Coplan & Aronoff LLP
Authorized to Provide Professional Services to:	The Official Committee of Unsecured Creditors
Date of Retention:	June 26, 2009
Period for which Compensation and Reimbursement of Expenses is Sought	August 1, 2009 through August 31, 2009
Amount of Compensation Sought as Actual, Reasonable, and Necessary	\$13,029.00
Amount of Expense Reimbursement Sought As Actual, Reasonable, and Necessary:	\$50.51

This is an interim application.

No time expended for preparation of this fee application is requested herein but will be requested in Applicant's subsequent fee applications.

TIMEKEEPER SUMMARY

Name of Professional	Position with the Applicant and Number of Years in that position	Hourly Billing Rate	Total Billed Hours	Total Compensation
Bradford J. Sandler, Esquire	Partner since 2007. Admitted to DE Bar in 2001, Member of PA Bar since 1996, Member of NJ Bar since 1995.	\$535.00	21.40	\$11,449.00
Kari Coniglio, Esquire	Associate since 2008. Member of OH bar since 2006.	\$230.00	1.60	\$368.00
Jennifer R. Hoover, Esquire	Associate since 2007. Member of the DE bar since 2007. Member of PA bar since 2001.	\$330.00	0.40	\$132.00
Jennifer E. Smith, Esquire	Associate since 2009. Member of DE bar since 2009.	\$210.00	1.10	\$231.00
Lisa M. Behra, Paralegal	N/A	\$175.00	3.40	\$595.00
Elizabeth Hein, Paralegal	N/A	\$220.00	0.20	\$44.00
Michelle Rennalls, Paralegal	N/A	\$175.00	1.20	\$210.00

TOTAL HOURS BILLED: 29.30

TOTAL COMPENSATION: \$13,029.00

BLENDED RATE: \$444.68

COMPENSATION BY PROJECT CATEGORY

PROJECT CATEGORY	Total Cumulative Hours 06/26/09 – 07/31/09	Total Hours 08/01/09 – 08/31/09	Total Cumulative Fees 06/26/09 – 07/31/09	Total Fees 08/01/09 – 08/31/09
02-Reclamation Claims	0.40	0.30	\$214.00	\$160.50
03-Case Administration	26.80	3.60	\$11,645.50	\$1,710.00
04-Financing	1.50	0.80	\$802.50	\$428.00

PROJECT CATEGORY	Total Cumulative Hours 06/26/09 – 07/31/09	Total Hours 08/01/09 – 08/31/09	Total Cumulative Fees 06/26/09 – 07/31/09	Total Fees 08/01/09 – 08/31/09
05-Firm Retention/Fees	4.80	5.30	\$1,463.00	\$1,600.00
06-Other Professionals Retention/Fees	4.00	6.30	\$1,832.50	\$2,745.50
07-Business Operations	0.80	4.60	\$428.00	\$2,461.00
08-Use/Adequate Protection/Relief from Stay	0.50	1.20	\$267.50	\$642.00
09-Executory Contracts/Unexpired Personal Property Leases	1.60	1.60	\$856.00	\$856.00
10-Real Estate Leases	1.20	0.00	\$642.00	\$0.00
11-Asset Disposition/Sale	1.30	0.70	\$695.50	\$374.50
12-Employee Issues	0.40	0.00	\$214.00	\$0.00
13-Tax	0.00	0.00	\$0.00	\$0.00
14-Environmental	0.00	0.00	\$0.00	\$0.00
15-General Claims Matters	2.30	0.40	\$1,100.50	\$214.00
16-Plan and Disclosure Statement	10.30	4.50	\$5,121.00	\$1,837.50
17-Travel	0.00	0.00	\$0.00	\$0.00
18-Litigation	0.00	0.00	\$0.00	\$0.00
19-Utilities	1.00	0.00	\$535.00	\$0.00
20-503(b)(9) Claims	1.10	0.00	\$588.50	\$0.00
Totals	58.00	29.30	\$26,405.50	\$13,029.00

EXPENSE SUMMARY

EXPENSE CATEGORY	SERVICE PROVIDER	CUMULATIVE TOTAL EXPENSES 06/26/09 – 07/31/09	TOTAL EXPENSES 08/01/09 – 08/31/09
Photocopying	In-house	\$190.08	\$44.46
Parcels, Inc. (Copy Service/Courier/E- filing)	Parcels, Inc.	\$60.00	\$5.00
Long Distance		\$0.00	\$1.05
Postage		\$0.00	\$0.00
Filing Fees		\$50.00	\$00.00
Computer Research	Westlaw/Pacer	\$0.00	\$0.00
Conference Calls		\$0.00	\$0.00
Transcripts		\$0.00	\$0.00
Facsimile		\$0.00	\$0.00
Total		\$300.08	\$50.51

UNITED STATES BANKRUPTCY COURT
DISTRICT OF DELAWARE

In re:)	Chapter 11
)	
BUILDING MATERIAL HOLDING CORPORATION, et al.,)	Case No. 09-12074 (KJC)
)	
Debtors)	Objection Deadline: October 5, 2009 at 4:00 p.m. (ET)
)	

SECOND APPLICATION OF BENESCH, FRIEDLANDER, COPLAN & ARONOFF LLP FOR INTERIM COMPENSATION FOR SERVICES RENDERED AND REIMBURSEMENT OF EXPENSES AS DELAWARE COUNSEL TO THE OFFICIAL COMMITTEE OF UNSECURED CREDITORS FOR THE PERIOD FROM AUGUST 1, 2009 THROUGH AUGUST 31, 2009

Pursuant to 11 U.S.C. §§ 327 and 1103 and Rule 2014 of the Federal Rules of Bankruptcy Procedure, the law firm of Benesch Friedlander Coplan & Aronoff LLP (hereinafter “BFCA”) hereby submits its Second Application for Interim Compensation for Services Rendered and Reimbursement of Expenses as Delaware Counsel to the Official Committee of Unsecured Creditors for the Period from August 1, 2009 through August 31, 2009 (the “Fee Period”) for professional legal services rendered as counsel to the Official Committee of Unsecured Creditors of Building Material Holding Corporation., *et al.* (the “Debtors”). In support of its application, BFCA respectfully represents as follows:

1. On June 16, 2009, the Debtors filed with this Court Voluntary Petitions for relief under Chapter 11 of the Bankruptcy Code. Pursuant to sections 1107(a) and 1108 of the Bankruptcy Code, the Debtors were operating their businesses and managing their properties as debtors-in-possession.

2. On June 26, 2009, the United States Trustee appointed the Official Committee of Unsecured Creditors in the Debtors' chapter 11 cases (the "Creditors' Committee" or "Committee").

3. On July 29, 2009, the Creditors' Committee filed an Application to employ BFCA as its Delaware counsel. The Bankruptcy Court entered an Order on August 11, 2009 employing BFCA as Delaware Counsel to the Creditors' Committee effective as of June 26, 2009.

SUMMARY OF SERVICES RENDERED

4. BFCA has rendered professional legal services to the Creditors' Committee on a regular basis during the Fee Period, including:

- (a) providing legal advice with respect to the Committee's powers and duties with respect to the management of properties of the Estates;
- (b) taking necessary action to protect and preserve the Debtors' Estates;
- (c) preparing, presenting and responding to, on behalf of the Committee, necessary applications, motions, answers, orders, reports and other legal papers in connection with the administration of the Debtors' Estates in these cases;
- (d) performing any other legal services for the Committee, in connection with these Chapter 11 cases, except those requiring specialized expertise that BFCA is not qualified to render and for which special counsel has been or will be retained.

SUMMARY OF SERVICES BY PROJECT

5. To assist the Court in its review of the fees sought by Applicant, BFCA has separated its time entries into the project categories set forth below. The attorneys and paraprofessionals that have rendered services relating to each category are identified, along with the number of hours for each individual and the total compensation sought for each category in attachments hereto.

(02) Reclamation Claims – (Fees: \$160.50 – Total Hours: 0.30)

This category represents time spent relating solely to reclamation claims, including review of reclamation claims and preparing objections thereto.

(03) Case Administration - (Fees: \$1,710.00 – Total Hours: 3.60)

This category represents time spent on ministerial matters arising in this case, such as file organization, notices of various events, scheduling hearings or conference calls. This category captures time spent updating dockets, calendars and files.

(04) Financing - (Fees: \$428.00 – Total Hours: 0.80)

This category represents time used regarding funding for post-petition or post-confirmation operations, such as, use of cash collateral, DIP financing, post-confirmation financing.

(05) Firm Retention/Fees – (Fees: \$1,600.00 -- Total Hours: 5.30)

This category represents time spent preparing and coordinating application for employment and fee applications for applicant.

(06) Other Professionals Retention/Fees - (Fees: \$2,745.50 – Total Hours: 6.30)

This category represents time spent preparing and coordinating applications for employment and fee applications for other professionals in these cases.

(07) Business Operations – (Fees: \$2,461.00 – Total Hours: 4.60)

This category represents time spent attending to matters relating to the operation of the Debtors' businesses, including due diligence, regulatory and license issues, insurance matters and ordinary course professional issues.

(08) Use/Adequate Protection/Relief from Stay – (Fees: \$642.00 – Total Hours: 1.20)

This category covers issues relative to Debtors' use of property in which other

parties have an interest, including adequate protection and relief from stay issues, recoupment and set off issues.

- (09) Executory Contracts/Unexpired Personal Property Leases – (Fees: \$856.00 – Total Hours: 1.60)

This category covers time used on issues regarding executory contracts, motions for assumption or rejection, any unexpired personal property leases, § 365(d)(4)(1) motions to extend time for performance of obligations thereunder, etc.

- (11) Asset Disposition/Sale – (Fees: \$374.50 – Total Hours: 0.70)

This category covers issues regarding sale or disposition of estate assets.

- (15) General Claims Matters – (Fees: \$214.00 – Total Hours: 0.40)

This category captures time spent in all other claims matters including review and objections thereto.

- (16) Plan and Disclosure Statement – (Fees: \$1,837.50 – Total Hours: 4.50)

This category involves all issues regarding plans of reorganization and disclosure statements.

DISBURSEMENTS

6. BFCA has incurred total out of pocket disbursements during the Fee Period in the amount of \$50.51. This disbursement sum is broken down into categories of charges and is included in attachments hereto.

7. BFCA represents as follows with regard to its charges for actual and necessary costs and expenses during the Fee Period:

(a) Copy charges are \$.10 per page, which charge is reasonable and customary in the legal industry representing costs of copy materials, outside service costs,

acquisition, maintenance, storage and operation of copy machines and copy center, together with a margin for recovery of lost expenditures.

(b) Incoming facsimiles are not billed.

(c) Outgoing facsimiles are billed at the rate of \$1.00 per page. The cost represents operator time, maintaining several dedicated facsimile telephone lines, supplies and equipment, and includes a margin for recovery of lost expenditures.

VALUATION OF SERVICES

8. Attorneys and paraprofessionals of BFCA have expended a total of 29.30 hours in connection with this matter during the Fee Period. A detailed breakdown of the hours spent and services performed by such attorneys and paraprofessionals is set forth in attachments hereto.

9. The nature of the work performed by these persons is fully set forth in the attachments contained in this Application. The rates charged are BFCA's normal hourly rates for work of this character. The reasonable value of the services rendered by BFCA to the Committee during the Fee Period is \$13,029.00.

10. At all relevant times, BFCA has been a disinterested person as that term is defined in § 101(14) of the Bankruptcy Code and has not represented nor held any interest adverse to the interest of the Creditors' Committee.

11. BFCA has reviewed the requirements of Local Bankruptcy Rule 2016-2 and believes that this Application complies with the requirements of same.

12. All services for which compensation is requested by BFCA were performed for or on behalf of the Creditors' Committee, and not on behalf of the Debtors or other persons. There is no agreement or understanding between BFCA and any other persons, other than members of the firm, for the sharing of compensation to be received

for services rendered in these cases.

13. In accordance with the factors enumerated in 11 U.S.C. § 330, the amount requested is fair and reasonable given (a) the complexity of this case, (b) the time expended, (c) the nature and extent of the services rendered, (d) the value of such services, and (e) the costs of comparable services other than in a case under this title.

WHEREFORE, BFCA respectfully requests compensation for professional services rendered to the Creditors' Committee in the sum of \$13,029.00 and reimbursement of actual and necessary expenses incurred in the sum of \$50.51 for the period from August 1, 2009 through August 31, 2009, and such other relief as this Court deems just and proper.

Dated: September 18, 2009

Respectfully submitted,

BENESCH, FRIEDLANDER, COPLAN &
ARONOFF LLP

By: /s/ Bradford J. Sandler

Bradford J. Sandler, Esq. (No.4142)

Jennifer R. Hoover (DE #5111)

222 Delaware Avenue, Suite 801

Wilmington, DE 19801

(302) 442-7010

(302) 442-7012

bsandler@beneschlaw.com

jhoover@beneschlaw.com

Counsel to the Official Committee of
Unsecured Creditors

CERTIFICATION OF RESPONSIBLE ATTORNEY

Pursuant to the Guidelines for Applications for Compensation and Reimbursement of Expenses Adopted by the Executive Office for the United States Trustees Pursuant to the Bankruptcy Reform Act 1994, effective January 30, 1996 (“U.S.T. Guidelines”) and Local Bankruptcy Rule 2016-2 (the “Local Bankruptcy Rules”), the undersigned, as responsible attorney, certifies (a) I have read the foregoing application, (b) to the best of my knowledge, information, and belief formed after reasonable inquiry, the compensation and expense reimbursement sought conforms with the U.S.T. Guidelines and the Local Bankruptcy Rules, and (c) the compensation and expense reimbursement requested are billed at rates and in accordance with practices no less favorable to the Debtor than those customarily employed by BFC&A generally.

/s/ Bradford J. Sandler

Bradford J. Sandler, Esq. (No.4142)

Jennifer R. Hoover (DE #5111)

222 Delaware Avenue, Suite 801

Wilmington, DE 19801

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bsandler@beneschlaw.com

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Counsel to the Official Committee of
Unsecured Creditors

UNITED STATES BANKRUPTCY COURT
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BUILDING MATERIAL HOLDING)	Case No. 09-12074 (KJC)
CORPORATION, et al.,)	
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Debtors)	Objection Deadline: October 5, 2009 at 4:00
)	p.m. (ET)
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NOTICE OF APPLICATION

TO: The Debtor, Office of the United States Trustee and Notice Parties

Benesch Friedlander Coplan & Aronoff LLP has filed its **Second Application for Interim Compensation for Services Rendered and Reimbursement of Expenses as Delaware Counsel to the Official Committee of Unsecured Creditors for the Period from August 1, 2009 through August 31, 2009** (the "Application") requesting compensation in the amount of \$13,029.00 and reimbursement of expenses in the amount of \$50.51.

You are required to file a response, if any, to the attached Application with the United States Bankruptcy Court for the District of Delaware, 824 Market Street, 3rd Floor, Wilmington, DE 19801 on or before **October 5, 2009 at 4:00 p.m. (ET)**.

At the same time, you must also serve a copy of any response upon:

Bradford J. Sandler, Esquire
Benesch, Friedlander, Coplan & Aronoff LLP
222 Delaware Ave., Suite 801
Wilmington, DE 19801

A HEARING ON THIS MATTER WILL BE HELD ON A DATE TO BE DETERMINED BY THE COURT, ONLY IF OBJECTIONS ARE FILED BY **OCTOBER 5, 2009 AT 4:00 P.M. (ET)**. IF YOU FAIL TO RESPOND IN ACCORDANCE WITH THIS NOTICE, THE DEBTORS ARE AUTHORIZED TO IMMEDIATELY PAY 80% OF THE COMPENSATION

AND 100% OF THE EXPENSES REQUESTED IN THE APPLICATION WITHOUT
FURTHER NOTICE OR HEARING.

BENESCH, FRIEDLANDER, COPLAN &
ARONOFF LLP

By: /s/ Bradford J. Sandler
Bradford J. Sandler, Esq. (No.4142)
Jennifer R. Hoover (DE #5111)
222 Delaware Avenue, Suite 801
Wilmington, DE 19801
(302) 442-7010
(302) 442-7012
bsandler@beneschlaw.com
jhoover@beneschlaw.com

Counsel to the Official Committee of Unsecured
Creditors

Dated: September 18, 2009

Reclamation Claims

FOR PROFESSIONAL SERVICES RENDERED THROUGH AUGUST 31, 2009

Date	Atty	Services	Hours
08/06/09	BJS	Review COC regarding El Paso Lumber	0.30

Reclamation Claims

<u>Attorney Name</u>		<u>Hourly Rate</u>	<u>Hours</u>	<u>Amount</u>
<u>PARTNER</u>				
BRADFORD J SANDLER	(BJS)	\$535.00	0.30	\$160.50
			0.30	\$160.50
	TOTAL:		0.30	\$160.50

Case Administration

FOR PROFESSIONAL SERVICES RENDERED THROUGH AUGUST 31, 2009

Date	Atty	Services	Hours
08/03/09	BJS	Review omnibus order regarding hearing dates and discuss with M. Rennalls	0.20
08/04/09	BJS	Review ESBA email to committee regarding ESBA site visits	0.10
08/04/09	BJS	Review ESBA summary of site visits	0.40
08/07/09	BJS	Review agenda and discuss with M. Rennalls	0.30
08/11/09	BJS	Various emails with committee from K. Lane regarding update	0.30
08/11/09	BJS	Review amended agenda and discuss with M. Rennalls	0.20
08/11/09	BJS	Various emails with K. Lane regarding omnibus hearing	0.30
08/11/09	BJS	Review NOA of Wilson Homes and discuss with M. Rennalls	0.10
08/11/09	MR	Finished Preparation of Hearing Binder	0.60
08/12/09	BJS	Review notice of withdrawal of BMHC	0.10
08/13/09	BJS	Review pro hac of T. Vincent and discuss with M. Rennalls 2002 list	0.10
08/17/09	BJS	Review NOA regarding Iron Mountain and discuss with M. Rennalls	0.10
08/17/09	BJS	Review NOA regarding IKON and discuss with M. Rennalls	0.10
08/18/09	BJS	Various emails with M. Mahre regarding status	0.30
08/18/09	BJS	Telephone call with K. Coniglio regarding unfavorable treatment	0.20
08/18/09	BJS	Review email from K. Lane regarding status	0.10
08/21/09	BJS	Review COC regarding hearing dates and discuss with M. Rennalls	0.10

Case Administration

<u>Attorney Name</u>		<u>Hourly Rate</u>	<u>Hours</u>	<u>Amount</u>
<u>PARTNER</u>				
BRADFORD J SANDLER	(BJS)	\$535.00	3.00	\$1,605.00
			<u>3.00</u>	<u>\$1,605.00</u>
<u>PARALEGAL</u>				
Michelle Rennalls	(MR)	\$175.00	0.60	\$105.00
			<u>0.60</u>	<u>\$105.00</u>
		TOTAL:	<u>3.60</u>	<u>\$1,710.00</u>

Financing

FOR PROFESSIONAL SERVICES RENDERED THROUGH AUGUST 31, 2009

Date	Atty	Services	Hours
08/17/09	BJS	Review motion regarding section 345 waiver	0.30
08/20/09	BJS	Review notice of lien regarding Travis	0.10
08/21/09	BJS	Review lien analysis	0.40

Financing

<u>Attorney Name</u>		<u>Hourly Rate</u>	<u>Hours</u>	<u>Amount</u>
<u>PARTNER</u>				
BRADFORD J SANDLER	(BJS)	\$535.00	0.80	\$428.00
			0.80	\$428.00
		TOTAL:	0.80	\$428.00

Firm Retention/Fees

FOR PROFESSIONAL SERVICES RENDERED THROUGH AUGUST 31, 2009

Date	Atty	Services	Hours
08/01/09	BJS	Review emails from J. Smith regarding BFCA employment	0.20
08/03/09	BJS	Various emails with M. Rennalls regarding BFCA employment applications	0.30
08/10/09	BJS	Review CNO regarding D1 328 and discuss with M. Rennalls	0.20
08/10/09	BJS	Various emails with J. Hoover regarding BFCA employment	0.20
08/10/09	BJS	Various emails with K. Lane regarding BFCA employment	0.20
08/10/09	JES	Filed Certificate of No Objection	0.30
08/10/09	JES	Drafted Certificate of No Objection to BFCA's employment application after review of docket	0.40
08/11/09	BJS	Review BFCA employment order	0.10
08/20/09	LMS	Email communication with B. Sandler regarding fee application	0.10
08/25/09	LMS	Preparation of BFCA First Monthly Fee Application	1.70
08/31/09	BJS	Review BFCA fee application	0.40
08/31/09	BJS	Various emails with L. Behra regarding fee application of BFCA	0.20
08/31/09	LMS	Preparation of BFCA First Monthly Fee Application	1.00

Firm Retention/Fees

<u>Attorney Name</u>		<u>Hourly Rate</u>	<u>Hours</u>	<u>Amount</u>
<u>PARTNER</u>				
BRADFORD J SANDLER	(BJS)	\$535.00	1.80	\$963.00
			<u>1.80</u>	<u>\$963.00</u>
<u>ASSOCIATE</u>				
JENNIFER E. SMITH	(JES)	\$210.00	0.70	\$147.00
			<u>0.70</u>	<u>\$147.00</u>
<u>PARALEGAL</u>				
LISA M BEHRA	(LMS)	\$175.00	2.80	\$490.00
			<u>2.80</u>	<u>\$490.00</u>
		TOTAL:	<u>5.30</u>	<u>\$1,600.00</u>

Other Professional Retention/Fees

FOR PROFESSIONAL SERVICES RENDERED THROUGH AUGUST 31, 2009

Date	Atty	Services	Hours
08/03/09	BJS	Review verified statement of K. Knochel	0.20
08/03/09	BJS	Review employment application of ESBA	0.30
08/03/09	MR	Prepared filing of ESBA retention application	0.60
08/05/09	BJS	Review verified statement of J. Alderman	0.10
08/05/09	BJS	Review verified statement of D. Claiborne and discuss with M. Rennalls	0.20
08/06/09	BJS	Various emails with K. Lane; C. Giaino regarding AF, BFCA employment	0.30
08/06/09	BJS	Various emails with R. Poppiti regarding BFCA, AF employment	0.30
08/06/09	BJS	Review supplemental declaration of KPMG	0.20
08/06/09	JES	Reviewed Certificate of No Objection Regarding Docket No. 301 and filed CNO	0.40
08/07/09	BJS	Review A&M's fee application	0.20
08/10/09	BJS	Review order approving AF retention and discuss with M. Rennalls	0.20
08/11/09	BJS	Review verified statement of K. Jones	0.20
08/13/09	BJS	Review CNO regarding D1 313 and discuss with M. Rennalls	0.20
08/14/09	BJS	Review CNO regarding D1 323 and discuss with M. Rennalls	0.20
08/14/09	BJS	Review fee application of A&M	0.30
08/18/09	BJS	Review supplemental application to employ KPMG	0.30
08/18/09	BJS	Review verified statement of J. Ballin	0.20
08/20/09	BJS	Review AF fee application	0.20
08/20/09	BJS	Various emails with A. Campbell regarding AF fee application	0.30

Date	Atty	Services	Hours
08/21/09	BJS	Review PJS fee application	0.20
08/21/09	BJS	Email from L. Behra regarding AF fees	0.10
08/21/09	LMS	Prepare Arent Fox First Monthly Fee Application for filing	0.60
08/31/09	BJS	Various emails with K. Lane regarding ESBA	0.30
08/31/09	EH	Review and reply to email from BJS regarding CNO deadline for ESBA employment application.	0.20

Other Professional Retention/Fees

<u>Attorney Name</u>		<u>Hourly Rate</u>	<u>Hours</u>	<u>Amount</u>
<u>PARTNER</u>				
BRADFORD J SANDLER	(BJS)	\$535.00	4.50	\$2,407.50
			<u>4.50</u>	<u>\$2,407.50</u>
<u>ASSOCIATE</u>				
JENNIFER E. SMITH	(JES)	\$210.00	0.40	\$84.00
			<u>0.40</u>	<u>\$84.00</u>
<u>PARALEGAL</u>				
LISA M BEHRA	(LMS)	\$175.00	0.60	\$105.00
ELIZABETH HEIN	(EH)	\$220.00	0.20	\$44.00
Michelle Rennalls	(MR)	\$175.00	0.60	\$105.00
			<u>1.40</u>	<u>\$254.00</u>
			<u>6.30</u>	<u>\$2,745.50</u>
		TOTAL:	<u>6.30</u>	<u>\$2,745.50</u>

Business Operations

FOR PROFESSIONAL SERVICES RENDERED THROUGH AUGUST 31, 2009

Date	Atty	Services	Hours
08/05/09	BJS	Review supplemental list of ordinary cause professionals	0.20
08/07/09	BJS	Review supplemental utility exhibit	0.20
08/13/09	BJS	Review 6 verified statements of connectors	3.00
08/13/09	BJS	Review declaration of disinterestedness of OCP	0.20
08/14/09	BJS	Review 2nd declaration of disinterestedness	0.20
08/14/09	BJS	Review 3 verified statements	0.20
08/14/09	BJS	Review verified statement of J. Seamons	0.10
08/14/09	BJS	Review verified statement of S. Kraemer	0.10
08/17/09	BJS	Review 3rd Dec. of disinterestedness of OCP	0.20
08/18/09	BJS	Review declaration of disinterestedness of OCP	0.20

Business Operations

<u>Attorney Name</u>		<u>Hourly Rate</u>	<u>Hours</u>	<u>Amount</u>
<u>PARTNER</u>				
BRADFORD J SANDLER	(BJS)	\$535.00	4.60	\$2,461.00
			<u>4.60</u>	<u>\$2,461.00</u>
		TOTAL:	<u>4.60</u>	<u>\$2,461.00</u>

Use/Adequate Protection/Relief from Stay

FOR PROFESSIONAL SERVICES RENDERED THROUGH AUGUST 31, 2009

Date	Atty	Services	Hours
08/04/09	BJS	Review motion for relief from stay regarding Luna	0.30
08/19/09	BJS	Review motion for relief regarding Greystone	0.30
08/21/09	BJS	Review objection to motion for relief from stay	0.30
08/31/09	BJS	Review motion for relief regarding Sun Trust	0.30

Use/Adequate Protection/Relief from Stay

<u>Attorney Name</u>		<u>Hourly Rate</u>	<u>Hours</u>	<u>Amount</u>
<u>PARTNER</u>				
BRADFORD J SANDLER	(BJS)	\$535.00	1.20	\$642.00
			<u>1.20</u>	<u>\$642.00</u>
		TOTAL:	<u>1.20</u>	<u>\$642.00</u>

Executory Contracts/Unexpired Personal Property Leases
FOR PROFESSIONAL SERVICES RENDERED THROUGH AUGUST 31, 2009

Date	Atty	Services	Hours
08/07/09	BJS	Various emails with committee regarding Davis Brothers	0.30
08/07/09	BJS	Review CNO regarding D1 165 and discuss with M. Rennalls	0.20
08/10/09	BJS	Review order regarding professional building solutions assignment and discuss with M. Rennalls	0.20
08/11/09	BJS	Review Davis Brothers order	0.10
08/11/09	BJS	Review motion to assume Davis Brothers	0.20
08/11/09	BJS	Various emails with K. Lane regarding Davis Brothers	0.30
08/11/09	BJS	Review COC regarding Davis Brothers and discuss with M. Rennalls	0.20
08/12/09	BJS	Review declaration of BMHC	0.10

Executory Contracts/Unexpired Personal Property Leases

<u>Attorney Name</u>		<u>Hourly Rate</u>	<u>Hours</u>	<u>Amount</u>
<u>PARTNER</u>				
BRADFORD J SANDLER	(BJS)	\$535.00	1.60	\$856.00
			<u>1.60</u>	<u>\$856.00</u>
	TOTAL:		<u>1.60</u>	<u>\$856.00</u>

Asset Disposition/Sale

FOR PROFESSIONAL SERVICES RENDERED THROUGH AUGUST 31, 2009

Date	Atty	Services	Hours
08/04/09	BJS	Various emails with H. Brodstein regarding property liens with virtual data room and sale process	0.40
08/05/09	BJS	Review various emails with committee regarding sale of AZ property	0.30

Asset Disposition/Sale

<u>Attorney Name</u>		<u>Hourly Rate</u>	<u>Hours</u>	<u>Amount</u>
<u>PARTNER</u>				
BRADFORD J SANDLER	(BJS)	\$535.00	0.70	\$374.50
			<u>0.70</u>	<u>\$374.50</u>
		TOTAL:	<u>0.70</u>	<u>\$374.50</u>

General Claims Matters

FOR PROFESSIONAL SERVICES RENDERED THROUGH AUGUST 31, 2009

Date	Atty	Services	Hours
08/04/09	BJS	Review cert of publication	0.10
08/31/09	BJS	Review class proof motion	0.30

General Claims Matters

<u>Attorney Name</u>		<u>Hourly Rate</u>	<u>Hours</u>	<u>Amount</u>
<u>PARTNER</u>				
BRADFORD J SANDLER	(BJS)	\$535.00	0.40	\$214.00
			<u>0.40</u>	<u>\$214.00</u>
		TOTAL:	<u>0.40</u>	<u>\$214.00</u>

Plan & Disclosure Statement

FOR PROFESSIONAL SERVICES RENDERED THROUGH AUGUST 31, 2009

Date	Atty	Services	Hours
08/04/09	BJS	Review draft disclosure statement objection	0.50
08/04/09	BJS	Various emails with K. Lane, C. Giaimo regarding objection to disclosure statement	0.50
08/05/09	BJS	Review draft objection to disclosure statement	0.50
08/05/09	BJS	Various emails with K. Lane regarding objection to disclosure statement	0.20
08/06/09	BJS	Various emails with K. Caruso regarding disclosure statement hearing	0.20
08/10/09	JRH	Review agenda and items for hearing regarding incentive plan	0.40
08/18/09	KC	Research ability to propose alternative treatment for creditors based upon vote on plan	1.60
08/20/09	BJS	Various emails with committee regarding plan issues	0.30
08/31/09	BJS	Review objection to confirmation	0.30

Plan & Disclosure Statement

<u>Attorney Name</u>		<u>Hourly Rate</u>	<u>Hours</u>	<u>Amount</u>
<u>PARTNER</u>				
BRADFORD J SANDLER	(BJS)	\$535.00	2.50	\$1,337.50
			<u>2.50</u>	<u>\$1,337.50</u>
<u>ASSOCIATE</u>				
KARI CONIGLIO	(KC)	\$230.00	1.60	\$368.00
JENNIFER R HOOVER	(JRH)	\$330.00	0.40	\$132.00
			<u>2.00</u>	<u>\$500.00</u>
			<u>TOTAL:</u>	
			<u>4.50</u>	<u>\$1,837.50</u>

Document Reproduction

<u>Date</u>	<u>User</u>	<u>Description</u>	<u>Amount</u>
08/03/09	RHL	Document Reproduction 22 copies	3.96
08/21/09	LMS	Document Reproduction 225 copies	40.50
		TOTAL:	<hr/> \$44.46

Delivery Fee - Outside

<u>Date</u>	<u>User</u>	<u>Description</u>	<u>Amount</u>
08/20/09	BJS	Delivery Fee - Outside - Vendor: PARCELS, INC 8/3 TO JUDGE K. J. CAREY	5.00
		TOTAL:	<u>\$5.00</u>

Long Distance Calls

<u>Date</u>	<u>User</u>	<u>Description</u>	<u>Amount</u>
08/06/09	XXX	Long Distance Calls PHILA PA - EXT7067 2152668904 Duration: 01:02:00	0.70
08/20/09	DRM	Long Distance Calls BOWIGLNN MD - EXT4647 3018055441 Duration: 00:01	0.35
		TOTAL:	<hr/> \$1.05

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF DELAWARE**

In re:)	Chapter 11
)	
BUILDING MATERIAL HOLDING)	Case No. 09-12074 (KJC)
CORPORATION, et al.,)	
)	
Debtors)	
)	

CERTIFICATE OF SERVICE

I, Bradford J. Sandler, Esquire, hereby certify that on September 18, 2009, a true and correct copy of the foregoing document was served via overnight delivery upon all parties on the attached list.

Dated: September 18, 2009

BENESCH, FRIEDLANDER, COPLAN &
ARONOFF LLP

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