

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

IN RE:)	Chapter 11
BUILDING MATERIALS HOLDING CORPORATION, <i>et al.</i>,¹)	Case No. 09-12074 (KJC)
Debtors.)	Jointly Administered
)	Ref. Docket Nos. 597 and 664

**NOTICE OF FILING OF CORRECTED EXHIBIT WITH RESPECT TO
DEBTORS' OBJECTION TO WEIS BUILDERS, INC.'S MOTION
FOR ORDER GRANTING MODIFICATION OF THE AUTOMATIC STAY**


PLEASE TAKE NOTICE that on September 25, 2009, Building Materials Holding Corporation and its affiliates, as debtors and debtors in possession (collectively, the "Debtors"), filed their Objection to Weis Builders, Inc.'s Motion for Order Granting Modification of the Automatic Stay [Docket No. 664] (the "Objection"). In support of the Objection, the Debtors filed the Declaration of Martin Diamond (the "Declaration"), a copy of which was attached as Exhibit B to the Objection. Inadvertently omitted from the Declaration, however, were Attachments 1 through 3 (collectively, the "Attachments") referenced in the Declaration. A copy of the Declaration together with the Attachments is attached hereto as

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.

Exhibit 1, and shall supersede and replace, in its entirety, the version of the Declaration attached to the Objection.

Dated: Wilmington, Delaware
September 28, 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 St., 17th Floor
Wilmington, DE 19801
Telephone: 302.571.6600
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---- and ----

GIBSON, DUNN & CRUTCHER LLP
Michael A. Rosenthal (admitted *pro hac vice*)
Matthew K. Kelsey (admitted *pro hac vice*)
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ATTORNEYS FOR DEBTORS
AND DEBTORS IN POSSESSION

EXHIBIT 1

**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

DECLARATION OF MARTIN DIAMOND

I, Martin Diamond, declare and state as follows:

1. I am an attorney with the law firm of Butt Thorton & Baehr PC. I am counsel of record for BMC West Corporation² in the Santa Fe, New Mexico state court action titled Rainbow Vision Santa Fe, LLC v. Weis Builders, Inc. (No. D-0101-CV-2007-00010) (the "*RainbowVision Action*"). See Docket Sheet (attached hereto as *Attachment I*).

2. According to the RainbowVision Action docket sheet entry dated November 14, 2008, the summons issued on September 9, 2008 to BMCW Southcentral L.P. and BBD Construction L.P. were served on "Tammy Cheshire."

3. According to the RainbowVision Action docket sheet entry dated March 19, 2009, "Len Baumann" was served with a summons on March 4, 2009.

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.

² Weis Builders, Inc. misidentified BMC West Corporation as BMCW Southcentral L.P., d/b/a/ BMC Construction and BBD Construction L.P. in its filings in the RainbowVision Action.

4. I first entered a notice of appearance in the RainbowVision Action on April 10, 2009. I filed an answer in the RainbowVision Action on behalf of BMC West Corporation on April 24, 2009 (attached hereto as *Attachment 2*)

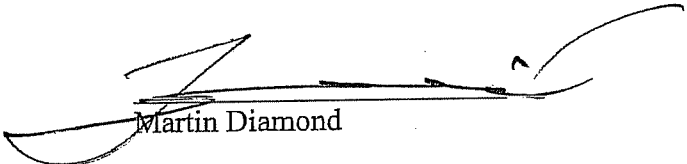
5. On June 23, 2009, I filed a Notice of Bankruptcy Filing on behalf of the Debtors in the RainbowVision Action (attached hereto as *Attachment 3*).

6. Other than the actions recounted above, I have engaged in no other litigation activity of substance on behalf of BMC West Corporation in the RainbowVision Action. No discovery requests have been exchanged by BMC West Corporation with any other party in the RainbowVision Action. No depositions have been taken or defended by BMC West Corporation. No experts have been hired or witnesses interviewed.

7. Litigating the RainbowVision Action on behalf of BMC West Corporation would be an extensive and time-consuming undertaking. Cross-claims would likely be filed against BMC West Corporation by other subcontractor third-party defendants, and BMC West Corporation would likely be required to file cross-claims of its own. Multiple consulting and testifying experts would need to be hired, prepared, and deposed, and the many experts hired by other parties would need to be deposed. Many witnesses—including suppliers, managers, and employees of both BMC West Corporation and other parties to the case—would need to be interviewed and deposed. Extensive written discovery would be exchanged with Weis Builders, Inc. and other parties. Summary judgment motions would likely be filed by both BMC West Corporation and other parties. Finally, a trial in the RainbowVision Action would be exceedingly complicated, given the number of parties and issues involved.

8. Pursuant to 28 U.S.C. §1746, I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information, and belief.

Executed on September 23, 2009.



Martin Diamond

Attachment 1

RAINBOWVISION SANTA FE V PCI C

CASE DETAIL

CASE #	CURRENT JUDGE	FILING DATE	COURT
D-101-CV-200700010	JAMES A HALL	01/03/2007	SANTA FE District

PARTIES TO THIS CASE

PARTY TYPE	PARTY DESCRIPTION	PARTY #	PARTY NAME
D	DEFENDANT	10	LLOYD & ASSOCIATES ARCHITECTS PA
D	DEFENDANT	11	MOREY WALKER & ASSOCIATES ENGINEERING INC
P	PLAINTIFF	2	WES BUILDERS INC
TD	3RD PARTY DEF	1	EMCO INC
TD	3RD PARTY DEF	2	RODGERS PLUMBING AND HEATING CO INC
TD	3RD PARTY DEF	3	DOMINGUEZ CARPET AND TILE INC
TD	3RD PARTY DEF	4	EKER BROTHERS INC
TD	3RD PARTY DEF	5	T L C COMPANY INC
TD	3RD PARTY DEF	6	SUPERJOR CONTRACTING CORPORATION
TD	3RD PARTY DEF	7	INSULATION AND SEALANTS
TD	3RD PARTY DEF	9	BBD CONSTRUCTION LP
	ATTORNEY: MARTIN DIAMOND		
TD	3RD PARTY DEF	10	BMC CONSTRUCTION
TD	3RD PARTY DEF	11	MAVERICK FRAMING INC
D	DEFENDANT	3	JOHN DEER LANDSCAPING INC
D	DEFENDANT	1	PCI CONTRACTORS INC
	ATTORNEY: EVA K RAPPAPORT		
TD	3RD PARTY DEF	8	BMCW SOUTHCENTRAL LP
	ATTORNEY: MARTIN DIAMOND		
D	DEFENDANT	2	RLA INC
P	PLAINTIFF	1	RAINBOWVISION SANTA FE LLC
	ATTORNEY: JACK N. HARDWICK		
D	DEFENDANT	5	LES FILE DRYWALL INC
D	DEFENDANT	6	HSH NORDBANK AB
D	DEFENDANT	7	SIMS RAINBOWVISION LLC
D	DEFENDANT	8	LOS ALAMOS NATIONAL BANK
D	DEFENDANT	9	VALLEY NATIONAL BANK
D	DEFENDANT	4	WEIS BUILDERS INC
	ATTORNEY: CARL A CALVERT		
IT	INTERESTED PRTY	1	NEW MEXICO STATE TREASURER
D3	DEFENDANT	1	HSH NORDBANK AG
P3	PLAINTIFF	1	WEIS BUILDERS INC
	ATTORNEY: CARL A CALVERT		
D3	DEFENDANT	2	SIMS RAINBOWVISION LLC
D3	DEFENDANT	3	LOS ALAMOS NATIONAL BANK
D3	DEFENDANT	4	VALLEY NATIONAL BANK
D3	DEFENDANT	5	LES FILE DRYWALL INC.
TD	3RD PARTY DEF	12	WESTERN TECHNOLOGIES INC
TD	3RD PARTY DEF	13	VALLEY FIRE PROTECTION INC
TD	3RD PARTY DEF	14	STORM WATER CONTROL INC
TD	3RD PARTY DEF	15	PINON WINDOW AND DOOR INC
TD	3RD PARTY DEF	16	MICHAEL HUNTER PAINTING INC
TD	3RD PARTY DEF	17	MESA ERECTORS INC
TD	3RD PARTY DEF	18	LOPEZ ROOFING SERVICE INC
TD	3RD PARTY DEF	19	KOCH MECHANICAL
TD	3RD PARTY DEF	20	KLEIN ENTERPRISES LLC
TD	3RD PARTY DEF	21	HUGHES AND ASSOCIATES INC
TD	3RD PARTY DEF	22	GEO TEST INC
TD	3RD PARTY DEF	23	F & J HOMEBUILDERS INC
TD	3RD PARTY DEF	24	DAWSON SURVEYS INC
TD	3RD PARTY DEF	25	BOHANNAH HUSTON INC

CIVIL COMPLAINT DETAIL

COMPLAINT DATE	COMPLAINT SEQ#	COMPLAINT DESCRIPTION	DISP	DISP DATE
01/03/2007	1	OPN: PETITION	CVB: DEFAULT FOR PLAINTIFF	01/02/2008

COA SEQ#	COA DESCRIPTION
1	MISCELLANEOUS

PARTY NAME	PARTY TYPE	PARTY #
PCI CONTRACTORS INC	D	1
RLA INC	D	2
JOHN DEER LANDSCAPING INC	D	3
RAINBOWVISION SANTA FE LLC	P	1

REGISTER OF ACTIONS ACTIVITY

EVENT DATE	EVENT DESCRIPTION	EVENT RESULT	PARTY TYPE	PARTY #	AMOUNT
08/30/2010	CAL: JURY SELECTION				
	JURY SELECTION SCHEDULED AT 8:30 A.M. ON AUGUST 30, 2010				
07/30/2010	CAL: AMENDED SETTING				
	PRE-TRIAL CONFERENCE RESCHEDULED AT 1:30 P.M. ON JULY 30, 2010				
09/16/2009	CERTIFICATE OF SERVICE				
09/01/2009	ORD: STIPULATED				
	STIPULATED ORDER OF DISMISSAL WITH PREJUDICE AS TO THIRD PARTY DEFENDANT LOPEZ ROOFING, INC.				
08/28/2009	ORD: OF DISMISSAL				
	STIPULATED ORDER OF DISMISSAL WITHOUT PREJUDICE OF THIRD AMENDED THIRD-PARTY COMPLAINT OF WEIS BUILDERS INC AGAINST MICHAEL HUNTER PAINTING				
08/18/2009	ORD: ORDER				
	ORDER ON AMERICAN NATNIONAL INSULATION AND SEALANT'S MOTION TO COMPEL WEIS BUILDERS, INC. TO RESPOND TO DISCOVERY				
08/17/2009	CAL: HEARING				
	MOTION FOR STATUS CONFERENCE AND EXTENSION OF DEADLINES SCHEDULED AT 10:15 A.M. ON AUGUST 17, 2009				
08/11/2009	NTC: NOTICE				
	NOTICE OF COMPLETION OF BRIEFING FILED BY DEFENDANT				
08/10/2009	REPLY				
	LLOYD & ASSOCIATES ARCHITECTS, P.A.'S REPLY IN SUPPORT OF MOTION TO DISMISS PLAINTIFF'S COMPLAINT FOR PROPORTIONAL INDEMNIFICATION AND DAMAGES				
08/10/2009	CAL: AMENDED SETTING				
	DOCKET CALL RESCHEDULED AT 8:30 A.M. ON AUGUST 10, 2009				
08/07/2009	CERTIFICATE OF SERVICE				
08/05/2009	CAL: MTN HEARING				
	THIRD-PARTY DEFENDANTS' MOTION TO COMPEL WEIS BUILDERS, INC. TO RESPOND TO AMERICAN NATIONAL'S FIRST SET OF DISCOVERY SCHEDULED AT 2:00 P.M. ON AUGUST 5, 2009				
08/04/2009	NTC: HEARING (CIVIL)				
	AUG 17, 2009 AT 10:15 AM				
	MOTION FOR STATUS CONFERENCE AND EXTENSION OF DEADLINES				
07/24/2009	MTN: MOTION				
	WEIS BUILDERS, INC.'S MOTION FOR STATUS CONFERENCE AND EXTENSION OF DEADLINES				
07/24/2009	REQUEST FOR				
	HEARING/SETTING				
	MATTER: MOTION FOR STATUS CONFERENCE AND EXTENSION OF DEADLINES				
07/24/2009	NTC: NOTICE				
	NOTICE OF UNAVAILABILITY				
	ATTORNEY: WILLIAM C. SALMON				
	COUNSEL FOR: WEIS BUILDERS, INC.				

DATES UNAVAILABLE:
JULY 23,24,27,28, 2009
JULY 31 THROUGH AUGUST 3, 2009
AUGUST 10, 13, 19, 2009
AUGUST 21 TO AUGUST 25, 2009
SEPTEMBER 10 TO SEPTEMBER 22, 2009
SEPTEMBER 18, 2009
SEPTEMBER 29, 2009 TO SEPTEMBER 30, 2009
07/23/2009 CERTIFICATE OF SERVICE
07/21/2009 ORD: OF DISMISSAL
ORDER OF DISMISSAL
VALLEY FIRE PROTECTION INC. IS HEREBY DISMISSED FROM THIS
ACTION WITHOUT PREJUDICE
07/21/2009 MTN: TO DISMISS
STIPULATED MOTION TO DISMISS
07/17/2009 CERTIFICATE OF SERVICE
07/17/2009 CERTIFICATE OF SERVICE
07/13/2009 NTC: OF NON-
AVAILABILITY
NOTICE OF UNAVAILABILITY
ATTORNEY: TONYA MACBETH
COUNSEL FOR: WEIS BUILDERS
DATES UNAVAILABLE: 8/11/09 9/14/09
07/10/2009 ORD: STIPULATED
STIPULATED ORDER OF DISMISSAL WITHOUT PREJUDICE OF
THIRD AMENDED THIRD PARTY COMPLAINT OF WEIS BUILDERS
INC AGAINST WESTERN TECHNOLOGIES INC
07/10/2009 NTC: HEARING (CIVIL)
AUGUST 5, 2009
2 PM
RE: THIRD PARTY DEFENDANTS' MOTION TO COMPEL WEIS
BUILDERS, INC. TO RESPOND TO AMERICAN NATIONAL'S
FIRST SET OF DISCOVERY
07/10/2009 CAL: AMENDED SETTING
PRE-TRIAL CONFERENCE RESCHEDULED AT 1:30 P.M. ON
JULY 10, 2009
07/09/2009 NTC: NOTICE
NOTICE OF COMPLETION OF BRIEFING
07/09/2009 REPLY
REPLY IN SUPPORT OF DEFENDANT MORE WALKER'S MOTION TO
DISMISS PLAINTIFF'S COMPLAINT FOR PROPORTIONAL INDEMNIFI-
CATION AND DAMAGES
07/09/2009 ORD: FOR CONSOLIDATION
Consolidated From D-0101-CV-0200901344
ORDER GRANTING WEIS BUILDERS, INC.'S MOTION FOR
CONSOLIDATION
07/09/2009 NTC: OF NON-
AVAILABILITY
NOTICE OF NON-AVAILABILITY
ATTORNEY: TONYA MACBETH
COUNSEL FOR: WEIS BUILDERS INC
DATES UNAVAILABLE: AUG 11, 2009 TO SEPT 14, 2009
07/09/2009 NTC: OF FILING
NOTICE OF FILING OF NON-AVAILABILITY
07/08/2009 NTC: OF FILING
NOTICE OF FILING OF STIPULATED ORDER OF DISMISSAL
WITHOUT PREJUDICE OF THE THIRD AMENDED THIRD PARTY
COMPLAINT OF WEIS BUILDERS, INC. AGAINST WESTERN
TECHNOLOGIES, INC.
07/06/2009 REQUEST FOR
HEARING/SETTING
REQUEST FOR HEARING
THIRD-PARTY DEFENDANT'S MOTION TO COMPEL WEIS BUILDERS, INC.

07/06/2009	TO RESPOND TO AMERICAN NATIONAL'S FIRST SET OF DISCOVERY REPLY
06/29/2009	REPLY IN SUPPORT OF AMERICAN NATIONAL'S MOTION TO COMPEL CAL: MTN HEARING MOTION TO CONSOLIDATE SCHEDULED AT 1:00 P.M. ON JUNE 29, 2009
06/25/2009	RESPONSE RESPONSE TO AMERICAN NATIONAL'S MOTION TO COMPEL RESPONSE TO ANIS FIRST SET OF DISCOVERY
06/25/2009	NTC: OF FILING NOTICE OF FILING OF WEIS BUILDERS, INC.'S RESPONSE TO AMERICAN NATIONAL'S MOTION TO COMPEL RESPONSE TO ANIS FIRST SET OF DISCOVERY
06/25/2009	NTC: NOTICE NOTICE OF UNAVAILABILITY ATTORNEY: WILLIAM C. SALMON COUNSEL FOR: WEIS BUILDERS, INC. DATES UNAVAILABLE: JUNE 23, 29, 2009, JULY 1, 9-10, 20, 23, 2009, JULY 31 THROUGH AUGUST 3, 2009, SEPTEMBER 11-22, 2009, SEPTEMBER 29-30, 2009 AND OCTOBER 9, 2009
06/25/2009	REPLY REPLY OF WEIS BUILDERS, INC. TO RESPONSE TO DEFENDANT LLOYD & ASSOCIATES ARCHITECTS, P.A. TO MOTION TO CONSOLIDATE
06/23/2009	NOTICE OF BANKRUPTCY NOTICE OF BANKRUPTCY FILING (ON JUNE 16, 2009, THIRD PARTY DEFENDANTS FILED FOR CHAPTER 11 PROTECTION IN THE UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF DELAWARE UNDER THE CAPTION OF: BUILDING MATERIALS HOLDING CORPORATION, ET AL. CASE NO. 09-12074
06/22/2009	NTC: NOTICE NOTICE OF UNAVAILABILITY ATTORNEY: TONYA K. MACBETH COUNSEL FOR: WEIS BUILDERS DATES UNAVAILABLE: JULY 20, 2009 THROUGH JULY 31, 2009
06/22/2009	RESPONSE RESPONSE TO AMERICAN NATIONAL'S MOTION TO COMPEL RESPONSE TO ANIS FIRST SET DISCOVERY
06/19/2009	REPLY REPLY OF WEIS BUILDERS, INC. TO RESPONSE TO DEFENDANT MOREY WALKER & ASSOCIATES ENGINEERING, INC. TO MOTION TO CONSOLIDATE
06/11/2009	NTC: HEARING (CIVIL) 6-29-09 AT 1:00PM MATTER: MOTION TO CONSOLIDATE
06/08/2009	RESPONSE RESPONSE OF LLOYD & ASSOCIATED ARCHITECTS, P.A. IN OPPOSITION TO MOTION TO CONSOLIDATE
06/08/2009	REQUEST FOR HEARING/SETTING REQUEST FOR HEARING MOTION TO CONSOLIDATE
06/08/2009	MTN: TO CONSOLIDATE MOTION TO CONSOLIDATE FILED BY WEIS BUILDERS, INC. D-101-CV-2009-01344 WITH THIS CASE
06/02/2009	RESPONSE RESPONSE IN OPPOSITION TO MOTION TO CONSOLIDATE
06/01/2009	ORD: OF DISMISSAL STIPULATION TO DISMISS WITHOUT PREJUDICE THE PARTIES STIPULATED THAT THIRD PARTY DEFENDANT PINON WINDOW & DOOR INC BE DISMISSED WITHHOUT PREJUDICE

05/22/2009	MTN: TO COMPEL MOTION TO COMPEL WEIS BUILDERS INC TO RESPOND TO AMERICAN NATIONAL'S FIRST SET OF DISCOVERY				
05/19/2009	NTC: NOTICE NOTICE OF UNAVAILABILITY ATTORNEY: WILLIAM C. MADISON COUNSEL FOR: VALLEY FIRE PROTECTION INC DATES UNAVAILABLE: JUNE 15, 2009 THROUGH JUNE 19, 2009				
05/08/2009	CERTIFICATE OF SERVICE				
05/06/2009	NCJ: DISMISSAL BY PARTY NOTICE OF VOLUNTARY DISMISSAL OF STORM WATER CONTROL INC WITHOUT PREJUDICE FROM THE THIRD AMENDED THIRD-PARTY COMPLAINT OF WEIS BUILDERS INC				
05/06/2009	NCJ: DISMISSAL BY PARTY NOTICE OF VOLUNTARY DISMISSAL OF DAWSON SURVEYS INC WITHOUT PREJUDICE FROM THE THIRD AMENDED THIRD-PARTY COMPLAINT OF WEIS BUILDERS INC				
04/27/2009	CERTIFICATE OF SERVICE				
04/24/2009	ANSWER THIRD-PARTY DEFENDANT BMC WEST CORPORATION'S ANSWER TO THIRD-PARTY PLAINTIFF'S THIRD AMENDED THIRD-PARTY COMPLAINT				
04/23/2009	CERTIFICATE OF SERVICE				
04/21/2009	ORD: RULE 16B SCHEDULING/FORM THIRD AMENDED SCHEDULING ORDER				
04/16/2009	ACCEPTANCE OF SERVICE ACCEPTANCE OF SERVICE CERTIFICATE MARY HERRERA SECRETARY OF STATE ACKNOWLEDGES RECEIPT OF SUMMONS AND COMPLAINT ON BEHALF OF KLEIN ENTERPRISES LLC C/O DAVID G KLEIN ON FEBRUARY 17, 2009				
04/14/2009	REPLY WEIS BUILDERS INC.'S REPLY TO PCI CONTRACTORS INC'S COUNTERCLAIM				
04/10/2009	ENTRY OF APPEARANCE MARTIN DIAMOND FOR DEFENDANT BMCW SOUTH CENTRAL LP AND BBD CONSTRUCTION LP				
04/08/2009	CERTIFICATE OF SERVICE				
04/01/2009	JURY DEMAND 12 PERSON THIRD-PARTY DEFENDANT HUGHES AND ASSOCIATES, INC.'S JURY DEMAND 12 PERSON RECEIPT #134716				
04/01/2009	ASM: JURY 12 PERSON	TD	21		300.00
03/30/2009	ANSWER THIRD-PARTY DEFENDANT HUGHES AND ASSOCIATES, INC.'S ANSWER TO THIRD AMENDED THIRD-PARTY COMPLAINT				
03/23/2009	SUMMONS RETURN SERVED MARCH 6, 2009 TO ROBERT V QUINAN FOR STORM WATER CONTROL INC				
03/19/2009	SUMMONS RETURN SERVED TO LEN BAUMANN ON 3-4-09				
03/10/2009	ENTRY OF APPEARANCE NOTICE OF SUBSTITUTION OF COUNSEL AND ENTRY OF APPEARANCE EVA RAPPAPORT ENTERS ON BEHALF OF DEFENDANT PCI CONTRACTORS, INC.				
03/10/2009	ANSWER WESTERN TECHNOLOGIES, INC.'S ANSWER TO THIRD AMENDED THIRD PARTY COMPLAINT				
03/10/2009	CAL: MTN HEARING WEIS BUILDERS, INC.'S MOTION FOR RULE 1-016 SCHEDULING CONFERENCE SCHEDULED AT 10:45 A.M. ON MARCH 10, 2009				
03/04/2009	CERTIFICATE OF SERVICE				
03/03/2009	SUMMONS RETURN				

CHRISTINA ESPINOZA, SERVICE OF PROCESS PARTNERSHIPS,
SEC OF STATE, SERVED FEBRUARY 13, 2009, FOR KLEIN
ENTERPRISES

03/03/2009 SUMMONS RETURN
CHRISTINA ESPINOZA, SERVICE OF PROCESS AND PARTERSHIP,
NM SECRETARY OF STATE SERVED FEBRUARY 13, 2009,
FOR MESA ERECTORS

03/03/2009 SUMMONS RETURN
CLIFFORD HUGH, OWNER, SERVED FEBRUARY 22, 2009, FOR
HUGHES AND ASSOCIATES INC

02/27/2009 ANSWER
THIRD-PARTY DEFENDANT, BOHANNAN-HUSTON INC'S ANSWER TO
THIRD AMENDED THIRD-PARTY COMPLAINT

02/27/2009 NTC: HEARING (CIVIL)
MARCH 10, 2009
10:45 A.M.
WEIS BUILDERS, INC., MOTION FOR RULE 1-016 SCHEDULING
CONFERENCE

02/24/2009 MTN: MOTION
THIRD PARTY PLAINTIFF'S MOTION FOR RULE 16 SCHEDULING
CONFERENCE

02/24/2009 REQUEST FOR
HEARING/SETTING
MATTER: NONE SPECIFIED

02/20/2009 ANSWER TO 3RD PARTY
COMPLAINT
ANSWER OF THIRD PARTY DEFENDANT LOPEZ ROOFING SERVICE,
INC TO THIRD PARTY PLAINTIFF'S THIRD AMENDED THIRD-PARTY
COMPLAINT

02/19/2009 ANSWER
THIRD-PARTY DEFENDANT, GEO TEST INC'S ANSWER
TO THIRD AMENDED THIRD-PARTY COMPLAINT

02/17/2009 ANSWER
DEFENDANT PINON WINDOW & DOOR'S ANSWER TO COMPLAINT

02/13/2009 ENTRY OF APPEARANCE
GERALD DIXON ON BEHALF OF DEFENDANT WESTERN TECHNOLOGIES INC

02/13/2009 ENTRY OF APPEARANCE
JOHNSON LAW FIRM ENTERS FOR LOPEZ ROOFING

02/12/2009 SUMMONS RETURN
CHRISTINEA FELIX, SECRETARY, SERVED JANUARY 16, 2009,
FOR F & J HOME BUILDERS INC

02/12/2009 SUMMONS RETURN
MARJORIE DOMINGUEZ, OFFICE MANAGER, SERVED JANUARY 14, 2009,
FOR VALLEY FIRE PROTECTION

02/12/2009 SUMMONS RETURN
TRISH GONZALES, SECRETARY, SERVED JANUARY 23, 2009, FOR
GEO-TEST INC

02/12/2009 SUMMONS RETURN
LIZ CRUZ, ADMINISTRATIVE ASSISTANT, SERVED JANUARY 21, 2009,
FOR LOPEZ ROOFING SERVICE INC

02/12/2009 SUMMONS RETURN
GARY DAWSON, REGISTERED AGENT, SERVED JANUARY 20, 2009,
FOR DAWSON SURVEYS INC

02/12/2009 SUMMONS RETURN
PAULINE DURAN, OFFICER, SERVED JANUARY 20, 2009,
FOR PCI CONTRACTORS INC

02/12/2009 SUMMONS RETURN
LEABBE MARTONY, PROCESS SPECIALIST AT CT CORP, SERVED
JANUARY 20, 2009, FOR WESTERN TECHNOLOGIES INC

02/12/2009 SUMMONS RETURN
MICHAEL L HUNTER, REGISTERED AGENT, SERVED FOR MICHAEL
HUNTER PAINTING INC ON JANUARY 20, 2009

02/11/2009 ANSWER

02/11/2009	THIRD-PARTY DEFENDANT KOCH MECHANICAL'S ANSWER TO THIRD AMENDED THIRD-PARTY COMPLAINT (FILED TWICE) ANSWER THIRD-PARTY DEFENDANT MICHAEL HUNTER PAINTING, INC.'S ANSWER TO THIRD AMENDED THIRD-PARTY COMPLAINT (FILED TWICE)
02/06/2009	ANSWER VALLEY FIRE PROTECTION, INC.'S ANSWER TO THIRD AMENDED THIRD-PARTY COMPLAINT
02/06/2009	ANSWER THIRD-PARTY DEFENDANT TLC COMPANY, INC.'S ANSWER TO WEIS BUILDERS, INC.'S THIRD AMENDED THIRD-PARTY COMPLAINT
02/03/2009	ANSWER ANSWER OF PCI CONTRACTORS, INC. TO THIRD AMENDED THIRD PARTY COMPLAINT AND COUNTERCLAIM
01/30/2009	AMENDED ANSWER THIRD-PARTY DEFENDANT SUPERIOR CONTRACTING CORPORATION, D/B/A AMERICAN NATIONAL INSULATION AND SEALANT'S AMENDED ANSWER TO THIRD AMENDED THIRD-PARTY COMPLAINT AND COUNTERCLAIM FOR BREACH OF CONTRACT, COLLECTION ON OPEN ACCOUNT, BREACH OF THE COVENANT OF GOOD FAITH AND FAIR DEALING, AND VIOLATION OF THE RETAINAGE ACT AGAINST WEIS BUILDERS, INC.
01/30/2009	ANSWER ANSWER OF THIRD PARTY DEFENDANT MAVERICK FRAMING INC TO THIRD PARTY PLAINTIFF'S THIRD AMENDED THIRD PARTY COMPLAINT (MAVERICK FRAMING INC)
01/29/2009	ENTRY OF APPEARANCE WILLIAM C. MADISON ENTERS FOR DEFENDANT VALLEY FIRE PROTECTION, INC.
01/27/2009	ANSWER ANSWER OF EMCO, INC. TO THIRD AMENDED THIRD-PARTY COMPLAINT
01/23/2009	SUMMONS RETURN SERVED JANUARY 15, 2009 TO HOWARD STONE FOR BOHANNAH HOUSTON
01/23/2009	SUMMONS RETURN SERVED JANUARY 15, 2009 TO MACCINI FOR PINON WINDOW & DOOR
01/23/2009	SUMMONS RETURN SERVED JANUARY 15, 2009 TO DUANE KOCH
01/15/2009	ANSWER THIRD PARTY DEFENDANT RODGERS PLUMBING AND HEATING CO., INC.'S ANSWER TO THIRD PARTY PLAINTIFF'S THIRD AMENDED THIRD PARTY COMPLAINT
01/08/2009	CERTIFICATE/PROOF OF MAILING THIRD PARTY THIRD AMENDED COMPLAINT OF WEIS BUILDERS, INC. SERVED BY MAIL ON DECEMBER 31, 2008 TO COUNSEL OF RECORD
01/06/2009	ORD: ORDER ORDER AND CONSENT FOR WITHDRAWAL CARL A. CALVERT ON BEHALF OF WEIS BUILDERS, INC.
01/06/2009	MTN: TO WITHDRAW MOTION TO WITHDRAW FILED BY CARL A. CALVERT AS COUNSEL FOR WEIS BUILDERS, INC.
12/29/2008	SUMMONS ISSUED SUMMONS ISSUED ON THIRD AMENDED THIRD PARTY COMPLAINT OF WEIS BUILDERS, INC, THIRD PARTY PLAINTIFF THE STATE OF NEW MEXICO DAWSON SURVEYS, INC
12/29/2008	SUMMONS ISSUED SUMMONS ISSUED ON THIRD AMENDED THIRD PARTY COMPLAINT OF WEIS BUILDERS, INC, THIRD PARTY PLAINTIFF THE STATE OF NEW MEXICO Koch Mechanical
12/29/2008	SUMMONS ISSUED SUMMONS ISSUED ON THIRD AMENDED THIRD PARTY COMPLAINT OF

	WEIS BUILDERS, INC, THIRD PARTY PLAINTIFF THE STATE OF NEW MEXICO
	LOPEZ ROOFING SERVICE, INC
12/29/2008	SUMMONS ISSUED SUMMONS ISSUED ON THIRD AMENDED THIRD PARTY COMPLAINT OF WEIS BUILDERS, INC, THIRD PARTY PLAINTIFF THE STATE OF NEW MEXICO
	KLEIN ENTERPRISES, LLC
12/29/2008	SUMMONS ISSUED SUMMONS ISSUED ON THIRD AMENDED THIRD PARTY COMPLAINT OF WEIS BUILDERS, INC, THIRD PARTY PLAINTIFF THE STATE OF NEW MEXICO
	F & J HOME BUILDERS, INC
12/29/2008	SUMMONS ISSUED SUMMONS ISSUED ON THIRD AMENDED THIRD PARTY COMPLAINT OF WEIS BUILDERS, INC, THIRD PARTY PLAINTIFF THE STATE OF NEW MEXICO
	GEO TEST, INC
12/29/2008	SUMMONS ISSUED SUMMONS ISSUED ON THIRD AMENDED THIRD PARTY COMPLAINT OF WEIS BUILDERS, INC, THIRD PARTY PLAINTIFF THE STATE OF NEW MEXICO
	HUGHES AND ASSOCIATES, INC
12/29/2008	SUMMONS ISSUED SUMMONS ISSUED ON THIRD AMENDED THIRD PARTY COMPLAINT OF WEIS BUILDERS, INC, THIRD PARTY PLAINTIFF THE STATE OF NEW MEXICO
	BOHANNAH HUSTON, INC
12/29/2008	SUMMONS ISSUED SUMMONS ISSUED ON THIRD AMENDED THIRD PARTY COMPLAINT OF WEIS BUILDERS, INC, THIRD PARTY PLAINTIFF THE STATE OF NEW MEXICO
	MESA ERECTORS, INC
12/29/2008	SUMMONS ISSUED SUMMONS ISSUED ON THIRD AMENDED THIRD PARTY COMPLAINT OF WEIS BUILDERS, INC, THIRD PARTY PLAINTIFF THE STATE OF NEW MEXICO
	STORM WATER CONTROL, INC
12/29/2008	SUMMONS ISSUED SUMMONS ISSUED ON THIRD AMENDED THIRD PARTY COMPLAINT OF WEIS BUILDERS, INC, THIRD PARTY PLAINTIFF THE STATE OF NEW MEXICO
	PCI CONTRACTORS, INC
12/29/2008	SUMMONS ISSUED SUMMONS ISSUED ON THIRD AMENDED THIRD PARTY COMPLAINT OF WEIS BUILDERS, INC, THIRD PARTY PLAINTIFF THE STATE OF NEW MEXICO
	WESTERN TECHNOLOGIES, INC
12/29/2008	SUMMONS ISSUED SUMMONS ISSUED ON THIRD AMENDED THIRD PARTY COMPLAINT OF WEIS BUILDERS, INC, THIRD PARTY PLAINTIFF THE STATE OF NEW MEXICO
	VALLEY FIRE PROTECTION, INC
12/29/2008	SUMMONS ISSUED SUMMONS ISSUED ON THIRD AMENDED THIRD PARTY COMPLAINT OF WEIS BUILDERS, INC, THIRD PARTY PLAINTIFF THE STATE OF NEW MEXICO
	MICHAEL HUNTER PAINTING, INC
12/29/2008	SUMMONS ISSUED SUMMONS ISSUED ON THIRD AMENDED THIRD PARTY COMPLAINT OF WEIS BUILDERS, INC, THIRD PARTY PLAINTIFF THE STATE OF NEW MEXICO
	PINION WINDOW & DOOR, INC

12/29/2008	NCJ: AMENDED COMPLAINT THIRD AMENDED THIRD PARTY COMPLAINT
12/19/2008	ORD: ORDER ORDER APPROVING MOTION TO FILE THIRD PARTY COMPLAINT AND ADD PARTIES
12/18/2008	ORD: VACATING HEARING ORDER VACATING SECOND AMENDED SCHEDULING ORDER AND VACATING HEARINGS AND TRIAL SETTING SET FORTH IN THE SECOND AMENDED SCHEDULING ORDER
12/05/2008	CAL: MTN HEARING MOTION FOR LEAVE TO FILE THIRD AMENDED COMPLAINT AND ADD PARTIES SCHEDULED AT 11:00 A.M. ON DECEMBER 5, 2008
12/04/2008	REQUEST FOR HEARING/SETTING MATTER: JOINT MOTION TO CONTINUE AND AMENDED SCHEDULING ORDER
12/04/2008	MTN: FOR CONTINUANCE JOINT MOTION TO CONTINUE AND APPROVE SECOND AMENDED SCHEDULING ORDER
12/01/2008	AFFIDAVIT AFFIDAVIT OF NON-ADMITTED LAWYER (TONYA K. MACBETH)
11/24/2008	INTERROGATORIES CERT CERTIFICATE OF SERVICE
11/24/2008	INTERROGATORIES CERT CERTIFICATE OF SERVICE
11/24/2008	INTERROGATORIES CERT CERTIFICATE OF SERVICE
11/24/2008	INTERROGATORIES CERT CERTIFICATE OF SERVICE
11/24/2008	INTERROGATORIES CERT CERTIFICATE OF SERVICE
11/24/2008	INTERROGATORIES CERT CERTIFICATE OF SERVICE
11/24/2008	INTERROGATORIES CERT CERTIFICATE OF SERVICE
11/24/2008	INTERROGATORIES CERT CERTIFICATE OF SERVICE
11/14/2008	SUMMONS RETURN SUMMONS ISSUED TO BBD CONSTRUCTION LP SERVED UPON TAMMY CHESHIRE ON SEPTEMBER 9, 2008 WITH SECOND AMENDED COMPLAINT
11/14/2008	SUMMONS RETURN SUMMONS ISSUED TO BMCW SOUTHCENTRAL LP SERVED UPON TAMMY CHESHIRE ON SEPTEMBER 9, 2008 WITH SECOND AMENDED COMPLAINT
11/06/2008	WITNESS LIST THIRD PARTY DEFENDANT EKER BROTHERS, INC. AND TLC PLUMBING INC.'S PRELIMINARY LIST OF EXPERT WITNESSES
11/06/2008	ORD: STIPULATED STIPULATED ORDER-RELEASE OF MONEY
10/31/2008	WITNESS LIST THIRD-PARTY DEFENDANT RODGERS PLUMBING AND HEATING CO., INC.'S PRELIMINARY LIST OF EXPERT WITNESSES
10/22/2008	NTC: HEARING (CIVIL) ON MOTION FOR LEAVE TO FILE THIRD AMENDED COMPLAINT AND ADD PARTIES 12/05/08 @ 11:00 AM
10/08/2008	MTN: FOR LEAVE UNOPPOSED MOTION FOR LEAVE TO FILE AMENDED ANSWER AND COUNTERCLAIM FILED BY THIRD-PARTY DEFENDANTS AMERICAN NATIONAL INSULATION AND SEALANTS
09/30/2008	REQUEST FOR HEARING/SETTING REQUEST FOR HEARING MOTION FOR LEAVE TO FILE THIRD AMENDED COMPLAINT AND ADD PARTIES
09/30/2008	MTN: FOR LEAVE MOTION TO FOR LEAVE TO FILE THIRD AMENDED COMPLAINT AND

09/30/2008	ADD PARTIES JURY DEMAND 12 PERSON JURY DEMAND FILED BY DEFENDANT EMCO INC. 12 PERSON RECEIPT # 128591				
09/30/2008	ASM: JURY 12 PERSON	TD	1	200.00	
09/19/2008	ANSWER ANSWER OF EMCO, INC. TO SECOND AMENDED THIRD PARTY COMPLAINT				
09/12/2008	CERTIFICATE OF SERVICE SUBMITTED BY MARK D. JARMIE				
09/03/2008	SUMMONS RETURN SUMMONS ON SECOND AMENDED THIRD PARTY COMPLAINT ISSUED TO EMCO, INC. SERVED UPON TRISA ARCHULETA, OFFICE MANAGER, ON AUGUST 15, 2008 WITH SECOND AMENDED COMPLAINT				
08/29/2008	WITNESS LIST THIRD PARTY PLAINTIFF WEIS BUILDERS, INC., LIST OF EXPERT WITNESSES AND OPINIONS				
08/29/2008	CERTIFICATE OF SERVICE				
08/27/2008	ENTRY OF APPEARANCE PAUL S. GRAND ENTERS FOR DEFENDANT NAUTILUS INS CO.				
08/08/2008	ANSWER ANSWER OF THIRD PARTY DEFENDANT MAVERICK FRAMING, INC. TO THIRD PARTY PLAINTIFF'S SECOND AMENDED THIRD PARTY COMPLAINT				
08/08/2008	ENTRY OF APPEARANCE JARMIE & ASSOCIATES BY MARK JARMIE ON BEHALF OF DEFENDANT MAVERICK FRAMING				
08/06/2008	ANSWER THIRD-PARTY DEFENDANT SUPERIR CONTRACTING CORPORATION, D/B/A AMERICAN NATINOAL INSULATION AND SEALANT'S ANSWER TO SECOND AMENDED THIRD-PARTY COMPLAINT				
07/16/2008	SUMMONS RETURN SERVED TO LEANNE MARTORY, CT CORP. REP. ON 7-8-08				
07/16/2008	SUMMONS RETURN SERVED TO LOIS CAROLINE PEDRO, NAT'L REG. AGENTS REP. ON 7-8-08				
07/02/2008	ORD: ORDER ORDER TO EXTEND PRELIMINARY MEDIATION DEADLINE EXTENDED TO AUGUST 29, 2008				
06/23/2008	MTN: MOTION JOINT MOTION TO EXTEND PRELIMINARY MEDIATION (THIRD PARTY PLAINTIFF, WEIS BUILDERS; THIRD PARTY DEFENDANTS, EKER BROTHERS' INC, TLC COMPANY INC AND AIR ENGINEERING)				
06/09/2008	RELEASED RELEASE OF NOTICE OF LIS PENDENS				
06/02/2008	CAL: AMENDED SETTING DOCKET CALL RESCHEDULED AT 8:30 A.M. ON JUNE 2, 2008				
05/02/2008	CAL: AMENDED SETTING PRE-TRIAL CONFERENCE RESCHEDULED AT 1:30 P.M. ON MAY 2, 2008				
04/17/2008	ORD: RULE 16B SCHEDULING/FORM SECOND AMENDED SCHEDULING ORDER AND ORDER CONTINUING AND VACATING HEARINGS HEARINGS FOR 5-2-08 AND 6-2-08 ARE VACATED AND RESCHEDULED FOR 7-10-09 AT 1:30PM (PTC) AND 8-10-09 AT 8:30AM (NON- JURY TRIAL)				
04/14/2008	CERTIFICATE OF SERVICE				
03/26/2008	ANSWER				

	THIRD PARTY DEFENDANT RODGER'S PLUMBING AND HEETING CO INC'S ANSWER TO THIRD-PARTY PLAINTFF'S SECOND AMENDED THIRD PARTY COMPLAINT
03/26/2008	ORD: OF DISMISSAL STIPULATED ORDER OF DISMISSAL OF WEIS BUILDERS INC AND LES FILE DRYWALL INC
03/24/2008	ANSWER THIRD PARTY DEFENDANT TLC COMPANY, INC.'S ANSWER TO SECOND AMENDED COMPLAINT
03/24/2008	ANSWER THIRD PARTY DEFENDANT EKER BROTHERS, INC.'S ANSWER TO SECOND AMENDED COMPLAINT
03/14/2008	ORD: STIPULATED STIPULATED ORDER OF DISMISSAL OF CERTAIN CLAIMS AND PARTIES
03/12/2008	CERTIFICATE OF SERVICE
03/07/2008	AMENDED COMPLAINT SECOND AMENDED THIRD PARTY COMPLAINT
03/07/2008	SUMMONS ISSUED SUMMONS ON SECOND AMENDED THIRD PARTY COMPLAINT THE STATE OF NEW MEXICO
03/07/2008	ISSUED TO: HSD NORDBANK AG SUMMONS ISSUED SUMMONS ON SECOND AMENDED THIRD PARTY COMPLAINT THE STATE OF NEW MEXICO
03/07/2008	ISSUED TO: SIMS RAINBOW LLC SUMMONS ISSUED SUMMONS ON SECOND AMENDED THIRD PARTY COMPLAINT THE STATE OF NEW MEXICO
03/07/2008	ISSUED TO: LOS ALAMOS NATIONAL BANK SUMMONS ISSUED SUMMONS ON SECOND AMENDED THIRD PARTY COMPLAINT THE STATE OF NEW MEXICO
03/07/2008	ISSUED TO: LES FILE DRYWALL INC SUMMONS ISSUED SUMMONS ON SECOND AMENDED THIRD PARTY COMPLAINT THE STATE OF NEW MEXICO
03/07/2008	ISSUED TO: VALLEY NATIONAL BANK SUMMONS ISSUED SUMMONS ON SECOND AMENDED THIRD PARTY COMPLAINT THE STATE OF NEW MEXICO
03/07/2008	ISSUED TO: RODGERS PLUMBING AND HEATING INC SUMMONS ISSUED SUMMONS ON SECOND AMENDED THIRD PARTY COMPLAINT THE STATE OF NEW MEXICO
03/07/2008	ISSUED TO: DOMINGUEZ CARPET AND TILE INC SUMMONS ISSUED SUMMONS ON SECOND AMENDED THIRD PARTY COMPLAINT THE STATE OF NEW MEXICO
03/07/2008	ISSUED TO: EKER BROTHERS INC SUMMONS ISSUED SUMMONS ON SECOND AMENDED THIRD PARTY COMPLAINT THE STATE OF NEW MEXICO
03/07/2008	ISSUED TO: EMCO INC SUMMONS ISSUED SUMMONS ON SECOND AMENDED THIRD PARTY COMPLAINT THE STATE OF NEW MEXICO
03/07/2008	ISSUED TO: TLC COMPANY SUMMONS ISSUED SUMMONS ON SECOND AMENDED THIRD PARTY COMPLAINT THE STATE OF NEW MEXICO
03/07/2008	ISSUED TO: BMCS SOUTHLAND CENTRAL LP SUMMONS ISSUED SUPERIOR CONTRACTING CORP

03/07/2008 SUMMONS ISSUED
SUMMONS ON SECOND AMENDED THIRD PARTY COMPLAINT THE STATE OF
NEW MEXICO
ISSUED TO: BBD CONSTRUCTION

03/07/2008 SUMMONS ISSUED
SUMMONS ON SECOND AMENDED THIRD PARTY COMPLAINT THE STATE OF
NEW MEXICO
ISSUED TO: RLA

03/07/2008 SUMMONS ISSUED
SUMMONS ON SECOND AMENDED THIRD PARTY COMPLAINT THE STATE OF
NEW MEXICO
ISSUED TO: MAVERICK FRAMING

03/03/2008 ORD: STIPULATED
STIPULATED ORDER OF DISMISSAL DOMINGUEZ CARPET
AND TILE INC
(WEIS BUILDERS INC AND DOMINGUEZ CARPET & TILE HAVE
REACHED A SETTLEMENT OF THEIR DISPUTE AND HAVE STIPULATED
IN THIS ORDER)

02/25/2008 ANSWER
THIRD PARTY DEFENDANT AIR ENGINEERING COMPANY INC'S
ANSWER TO RODGERS PLUMBING AND HEATING COMPANY INC'S
THIRD PARTY COMPLAINT

02/25/2008 ANSWER
THIRD PARTY DEFENDANT AIR ENGINEERING COMPANY INC'S
ANSWER TO RODGERS PLUMBING AND HEATING COMPANY INC'S
THIRD PARTY COMPLAINT

02/21/2008 CAL: MTN HEARING
DEFENDANT RODGERS PLUMBING AND HEATING CO., INC.'S MOTION
FOR SUMMARY JUDGMENT SCHEDULED AT 9:00 A.M. ON
FEBRUARY 21, 2008

02/21/2008 CAL: MTN HEARING
MOTION TO AMEND THIRD-PARTY COMPLAINT // THIRD PARTY
DEFENDANTS LOS ALAMOS NATIONAL BANK'S AND VALLEY NATIONAL
BANK'S MOTION FOR SUMMARY JUDGMENT ON THEIR COUNTERCLAIM
AGAINST THIRD PARTY PLAINTIFF WEIS BUILDERS, INC. AND
ON WEIS BUILDERS, INC.'S AMENDED THIRD PARTY COMPLAINT
SCHEDULED AT 9:00 A.M. ON FEBRUARY 21, 2008

02/14/2008 ENTRY OF APPEARANCE
RHODES AND SALMON PC AS NEW MEXICO LOCAL COUNSEL AND
BURCH AND CRACCHIOLO PA AS PRO HAC VICE COUNSEL ENTER
FOR DEFENDANT WEIS BUILDERS, INC AND AS CO-COUNSEL
FOR DEFENDANT CALVER MENICUCCI PC

02/13/2008 ORD: ORDER
ORDER ALLOWING WEIS BUILDERS INC. TO FILE ITS SECOND
AMENDED THIRD PARTY COMPLAINT

02/07/2008 NTC: HEARING (CIVIL)
2-21-08 AT 9:00AM
MATTER: DEFENDANT ROGERS PLUMBING AND HEATING CO., INC'S
MOTION FOR SUMMARY JUDGMENT ALONG WITH MATTERS PREVIOUSLY
SCHEDULED

01/31/2008 SUMMONS RETURN
TONY MONTOYA, SUPERVISOR, SERVED FOR GILBERT VALDEZ,
AIR ENGINEERING COMPANY ON JANUARY 24, 2008

01/29/2008 CERTIFICATE OF SERVICE
CERTIFICATE OF SERVICE FOR RESPONSES OF WEIS BUILDERS INC.
TO 1ST REQUEST FOR PRODUCTION OF DOCUMENTS AND 1ST SET
OF INTERROGATORIES OF 3RD PARTY DEFENDANT RODGERS PLUMBING
AND HEATING CO, INC.

01/28/2008 REQUEST FOR
HEARING/SETTING
MATTER: DEFENDANT RODGERS PLUMBING AND HEATING CO., INC.'S
MOTION FOR SUMMARY JUDGMENT

01/28/2008 CAL: DOCKET CALL

01/17/2008 DOCKET CALL SCHEDULED AT 8:30 A.M. ON JANUARY 28, 2008
NTC: HEARING (CIVIL)
2-21-08 AT 9:00AM
MATTER: 3RD PARTY DEFENDANT'S LOS ALAMOS NATIONAL BANK'S AND
VALLEY NATIONAL BANK'S MOTION FOR SUMMARY JUDGMENT ON THEIR
COUNTERCLAIM AGAINST 3RD PARTY PLAINTIFF'S WEIS BUILDERS INC
AND ON WEIS BUILDERS INC'S 3RD PARTY COMPLAINT

01/17/2008 NTC: HEARING (CIVIL)
2-21-08 AT 9:00AM
MATTER: MOTION TO AMEND 3RD PARTY COMPLAINT AND MEMORANDUM
IN SUPPORT OF MOTION TO AMEND 3RD PARTY COMPLAINT

01/15/2008 ORD: ORDER
ORDER ON PLAINTIFF'S MOTION FOR PARTIAL SUMMARY JUDGMENT
REGARDING CALCULATION OF LIQUIDATED DAMAGES CLAIM AND WEIS'
MOTION FOR STAY

01/14/2008 REPLY
REPLY IN SUPPORT OF 3RD PARTY DEFENDANT ROGERS PLUMBING
AND HEATING CO., INC'S MOTION FOR SUMMARY JUDGMENT

01/10/2008 SUMMONS ISSUED
SUMMONS ON THIRD-PARTY COMPLAINT
ISSUED TO GILBERT VALDEZ

01/10/2008 3RD PARTY COMPLAINT
THIRD-PARTY DEFENDANT/THIRD-PARTY PLAINTIFF RODGERS
PLUMBING AND HEATING CO, INC'S PARTY COMPLAINT

01/10/2008 CERTIFICATE
COURT-ANNEXED ARBITRATION CERTIFICATE

01/10/2008 NTC: NOTICE
NOTICE OF NAME CHANGE
STURGES, HOUSTON, AND SEXTON PC HAS MERGED WITH
MONTGOMERY AND ANDREWS PA AND WILL BE KNOWN AS MONTGOMERY &
ANDREWS PA

01/08/2008 ORD: RULE 16B
SCHEDULING/FORM
5/2/08 AT 1:30 PM : PRE-TRIAL
6/2/08 AT 8:30 AM : TRIAL SET FOR DOCKET CALL
*** FIRST AMENDED RULE 16(B) SCHEDULING ORDER****

01/02/2008 ORD: ORDER
RODGERS PLUMBING AND HEATING CO, INC. SHALL BE PERMITTED
TO FILE A THIRD-PARTY COMPLAINT

01/02/2008 NCJ: DEFAULT JUDGMENT
DEFAULT JUDGMENT AGAINST THIRD PARTY DEFENDANT SIMS
RAINBOWVISION LLC

01/02/2008 CAL: PRE-TRIAL
CONFERENCE
PRE-TRIAL CONFERENCE SCHEDULED AT 1:30 P.M. ON
JANUARY 2, 2008

12/27/2007 ATTORNEY'S AFFIDAVIT
OF NON-ADMITTED LAWYER
(MITCHELL J. RESNICK)

12/27/2007 NTC: NOTICE
OF ASSOCIATION OF COUNSEL

12/26/2007 CERT STATE OF THE
RECORD
CERTIFICATE AS TO THE STATE OF THE RECORD AND NON-APPEARANCE
RE SIMS RAINBOWVISION LLC

12/26/2007 CERTIFICATE OF SERVICE
FOR RESPONSES OF WEIS BUILDERS INC TO THIRD SET OF REQUESTS
FOR PRODUCTION OF DOCUMENTS OF THIRD PARTY DEFENDANT
TLC COMPANY INC

12/26/2007 OBJECTION/OPPOSITION
WEIS BUILDERS INC'S OBJECTION TO EKER BROTHERS INC'S
PROPOSED ORDER AND ALTERNATIVE ORDER

12/26/2007 CERTIFICATE OF SERVICE

	CERTIFICATE OF SERVICE FOR RESPONSES OF WEIS BUILDERS, INC. TO SECOND SET OF INTERROGATORIES FOR PRODUCTION OF DOCUMENTS OF THIRD PARTY DEFENDANT LES FILE DRYWALL, INC.
12/26/2007	CERTIFICATE OF SERVICE CERTIFICATE OF SERVICE FOR RESPONSES OF WEIS BUILDERS, INC. TO FIRST SET OF INTERROGATORIES AND REQUESTS FOR PRODUCTION OF DOCUMENTS OF DOMINGUEZ CARPET & TILE, INC.
12/21/2007	REQUEST FOR HEARING/SETTING MATTER: THIRD PARTY DEFENDANT'S LOS ALAMOS NATIONAL BANK'S AND VALLEY NATIONAL BANK'S MOTION FOR SUMMARY JUDGMENT ON THEIR COUNTERCLAIM AGAINST THIRD PARTY PLAINTIFF WEIS BUILDERS INC. AND ON WEIS BUILDERS INC.'S AMENDED THIRD PARTY COMPLAINT
12/21/2007	RESPONSE THIRD PARTY DEFENDANTS LOS ALAMOS NATIONAL BANK'S AND VALLEY NATIONAL BANK'S REPLY TO THIRD PARTY PLAINTIFF WEIS BUILDER'S INC'S RESPONSE TO MOTION FOR SUMMARY JUDGMENT
12/21/2007	OBJECTION/OPPOSITION WEIS BUILDERS INC'S OBJECTION TO EKER BROTHERS, INC'S PROPOSED ORDER AND ALTERNATIVE ORDER
12/21/2007	RESPONSE THIRD PARTY PLAINTIFF WEIS BUILDERS INC'S RESPONSE TO RODGERS PLUMBING AND HEATING CO INC'S MOTION FOR SUMMARY JUDGMENT
12/20/2007	MTN: FOR LEAVE THIRD-PARTY DEFENDANT RODGERS PLUMBING AND HEATING CO., INC.'S UNOPPOSED MOTION FOR LEAVE TO FILE THIRD-PARTY COMPLAINT
12/19/2007	RESPONSE RAINBOWVISION'S RESPONSE TO WEIS'S MOTION TO COMPEL
12/17/2007	REQUEST FOR HEARING/SETTING MOTION TO AMEND THIRD PARTY COMPLAINT
12/17/2007	CERTIFICATE OF SERVICE
12/17/2007	AFFIDAVIT AFFIDAVIT OF KRISTINE KROENKE
12/17/2007	MTN: MOTION TO AMEND/MODIFY MOTION TO AMEND THIRD-PARTY COMPLAINT AND MEMORANDUM IN SUPPORT OF MOTION TO AMEND THIRD-PARTY COMPLAINT
12/17/2007	CAL: MTN HEARING MOTION FOR STAY OF PLAINTIFF'S MOTION FOR PARTIAL SUMMARY JUDGMENT ON CALCULATION OF LIQUIDATED DAMAGES SCHEDULED AT 1:00 P.M. ON DECEMBER 17, 2007
12/17/2007	CAL: MTN HEARING MOTION TO REVISE SCHEDULING ORDER SCHEDULED AT 1:00 P.M. ON DECEMBER 17, 2007
12/17/2007	CAL: MTN HEARING EKER BROTHERS, INC.'S FIRST MOTION TO COMPEL RESPONSES TO THEIR FIRST SET OF INTERROGATORIES TO WEIS BUILDERS, INC. SCHEDULED AT 1:00 P.M. ON DECEMBER 17, 2007
12/11/2007	CERTIFICATE OF SERVICE
12/11/2007	CERTIFICATE OF SERVICE
12/07/2007	MTN: TO COMPEL RAINBOWVISION'S FIRST MOTION TO COMPEL AND STATEMENT OF SUPPORTING POINTS AND AUTHORITIES
12/06/2007	WITNESS LIST PLAINTIFF'S FIRST SUPPLEMENTAL LIST OF WITNESSES AND EXHIBITS
12/05/2007	WITNESS LIST WITNESS LIST OF WEIS BUILDERS INC
12/05/2007	EXHIBIT LIST

	EXHIBIT LIST OF WEIS BUILDERS INC
12/04/2007	REPLY EKER BROTHERS, INC.'S REPLY TO RAINBOW VISION'S, LOS ALAMOS NATIONAL BANK'S AND VALLEY NATIONAL BANK'S RESPONSE TO MOTION TO REVISE SCHEDULING ORDER
12/04/2007	MEMORANDUM IN SUPPORT MEMORANDUM IN SUPPORT THIRD-PARTY DEFENDANT RODGERS PLUMBING AND HEATING CO INC'S MOTION FOR SUMMARY JUDGMENT
12/04/2007	MTN: FOR SUMMARY JUDGMT THIRD-PARTY DEFENDANT RODGERS PLUMBING AND HEATING COMPANY INC'S MOTION FOR SUMMARY JUDGMENT
12/03/2007	REPLY EKER BROTHERS INC'S REPLY TO WEIS BUILDER'S RESPONSE TO EKER BROTHERS INC'S MOTION TO COMPEL RESPONSES TO THEIR FIRST SET OF INTERROGATORIES TO WEIS BUILDERS INC
12/03/2007	WITNESS LIST THIRD-PARTY DEFENDANT RODGERS PLUMBING AND HEATING CO., INC.'S WITNESS LIST
12/03/2007	EXHIBIT LIST THIRD-PARTY DEFENDANT RODGERS PLUMBING AND HEATING CO., INC.'S EXHIBIT LIST
11/30/2007	WITNESS LIST PLAINTIFF'S WITNESSES AND EXHIBITS
11/30/2007	EXHIBIT LIST EXHIBIT LIST OF WEIS BUILDERS, INC
11/29/2007	WITNESS LIST THIRD PARTY DEFENDANT'S EKER BROTHERS, INC.'S WITNESS LIST
11/29/2007	WITNESS LIST THIRD PARTY DEFENDANT'S LES FILE DRYWALL INC.'S WITNESS LIST
11/29/2007	EXHIBIT LIST THIRD PARTY DEFENDANT EKER BROTHER'S INC.'S EXHIBIT LIST
11/29/2007	EXHIBIT LIST THIRD PARTY DEFENDANT LES FILE DRYWALL, INC.'S EXHIBIT LIST
11/29/2007	EXHIBIT LIST THIRD PARTY DEFENDANT TLC COMPANY, INC.'S EXHIBIT LIST
11/29/2007	WITNESS LIST THIRD PARTY DEFENDANT'S TLC COMPANY, INC.'S WITNESS LIST
11/29/2007	WITNESS LIST WITNESS LIST OF WEIS BUILDERS, INC.
11/29/2007	NTC: NOTICE NOTICE OF ADDRESS CORRECTION: AARON BARTELS, ESQ. P.O. BOX 4621 SANTA FE, NM 87502
11/29/2007	CERTIFICATE OF SERVICE CERTIFICATE OF SERVICE FOR DOMINGUEZ CARPET & TILE, INC. FIRST SET OF INTERROGATORIES AND REQUESTS FOR PRODUCTION OF DOCUMENTS TO WEIS BUILDERS, INC.
11/29/2007	WITNESS LIST DOMINGUEZ CARPET & TILE, INC.'S WITNESS AND EXHIBIT LISTS
11/29/2007	EXHIBIT LIST THIRD PARTY DEFENDANTS LOS ALAMOS NATIONAL BANK'S AND VALLEY NATIONAL BANK'S PRELIMINARY EXHIBIT LIST
11/29/2007	WITNESS LIST THIRD PARTY DEFENDANTS LOS ALAMOS NATIONAL BANK'S AND VALLEY NATIONAL BANK'S PRELIMINARY WITNESS LIST
11/29/2007	REPLY REPLY TO RESPONSES OF PLAINTIFF AND THIRD PARTY DEFENDANTS LOS ALAMOS NATIONAL BANK AND VALLEY NATIONAL BANK ON MOTION TO REVISE SCHEDULING ORDER
11/29/2007	REQUEST FOR HEARING/SETTING

11/29/2007	MOTION TO REVISE SCHEDULING ORDER REQUEST FOR HEARING/SETTING MOTION TO COMPEL RAINBOWVISION SANTA FE LLC TO PRODUCE DOCUMENTS
11/29/2007	RESPONSE THIRD PARTY PLAINTIFF WEIS BUILDERS, INC.'S RESPONSE TO LOS ALAMOS NATIONAL BANK AND VALLEY NATIONAL BANK'S MOTION FOR SUMMARY JUDGMENT
11/29/2007	MTN: TO COMPEL MOTION TO COMPEL RAINBOWVISION SANTA FE LLC TO PRODUCE DOCUMENTS
11/28/2007	MTN: FOR DEFAULT JUDGMT
11/26/2007	CERTIFICATE OF SERVICE
11/21/2007	CERTIFICATE OF SERVICE
11/21/2007	CERTIFICATE OF SERVICE
11/20/2007	AFFIDAVIT AFFIDAVIT OF JUDITH A. WAGNER CPA/ABV, CVA
11/20/2007	AFFIDAVIT REVISED RULE 1-056 F AFFIDAVIT
11/20/2007	RESPONSE WEIS BUILDERS, INC.'S RESPONSE TO PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT ON CALCULATION OF LIQUIDATED DAMAGES
11/20/2007	AFFIDAVIT AFFIDAVIT OF PETER WORTHINGTON
11/20/2007	CERTIFICATE OF SERVICE
11/19/2007	RESPONSE THIRD PARTY DEFENDANTS LOS ALAMOS NATIONAL BANK'S AND VALLEY NATIONAL BANK'S RESPONSE TO MOTION TO REVISE SCHEDULING ORDER
11/19/2007	RESPONSE PLAINTIFF'S RESPONSE TO MOTION TO REVISE SCHEDULING ORDER
11/19/2007	CERTIFICATE OF SERVICE
11/15/2007	NTC: HEARING (CIVIL) DECEMBER 17, 2007 1:00 P.M. MOTION FOR STAY OF PLAINTIFF'S MOTION FOR PARTIAL SUMMARY JUDGMENT ON CALCULATION OF LIQUIDATED DAMAGES
11/15/2007	AFFIDAVIT AFFIDAVIT OF KRISTINE KROENKE
11/15/2007	MEMORANDUM WEIS BUILDERS, INC.'S MEMORANDUM OF LAW IN OPPOSITION TO EKER BROTHERS, INC.'S MOTION TO COMPEL DISCOVERY TO ITS FIRST SET OF INTERROGATORIES TO WEIS BUILDERS, INC.
11/14/2007	CERTIFICATE OF SERVICE
11/14/2007	CERTIFICATE OF SERVICE
11/13/2007	CERTIFICATE OF SERVICE
11/09/2007	CERTIFICATE OF SERVICE
11/08/2007	CERTIFICATE OF SERVICE
11/07/2007	CERTIFICATE OF SERVICE
11/07/2007	MEMORANDUM IN SUPPORT MEMORANDUM IN SUPPORT OF THIRD PARTY DEFENDANTS LOS ALAMOS NATIONAL BANK'S & VALLEY NATIONAL BANK'S MOTION FOR SUMAMRY JUDGEMENT ON THEIR COUNTERCLAIM AGAINST THIRD PARTY PLAINTFF WEIS BUILDERS INC AND ON WEIS BUILDER INC'S AMENDED THIRD PARTY COMPLAINT
11/07/2007	MTN: MOTION THIRD PARTY DEFENDANTS LOS ALAMOS NATIONAL BANK'S AND VALLEY NATIONAL BANK'S MOTION FOR SUMAMRY JUDGMENT ON THEIR COUNTERCLAIM AGAINST THIRD PARTY PLAINTIFF WEIS BUILDERS INC AND ON WEIS BUILDER INC'S AMENDED THIRD PARTY COMPLAINT

11/07/2007	NTC: HEARING (CIVIL) DECEMBER 17, 2007 AT 1:00 PM MOTION TO REVISE SCHEDULING ORDER ALONG WITH MATTER PREVIOUSLY SCHEDULED
11/07/2007	NTC: HEARING (CIVIL) DECEMBER 17, 2007 AT 1:00 PM EKER BROTHERS, INC.'S FIRST MOTION TO COMPEL RESPONSES TO THEIR FIRST SET OF INTERROGATORIES TO WEIS BUILDERS, INC.
11/06/2007	CERTIFICATE OF SERVICE
11/05/2007	REQUEST FOR HEARING/SETTING REQUEST FOR EXPEDITED SETTING MOTION FOR STAY OF PLAINTIFF'S MOTION FOR PARTIAL SUMMARY JUDGMENT ON CALCULATION OF LIQUIDATED DAMAGES
11/05/2007	MTN: MOTION MOTION FOR STAY OF PLAINTIFF'S MOTION FOR PARTIAL SUMMARY JUDGMENT ON CALCULATION OF LIQUIDATED DAMAGES
11/01/2007	REQUEST FOR HEARING/SETTING RE: MOTION TO REVISE SCHEDULING ORDER
11/01/2007	MTN: MOTION MOTION TO REVISE SCHEDULING ORDER
10/30/2007	REQUEST FOR HEARING/SETTING MATTER:EKER BROTHERS, INC.'S FIRST MOTION TO COMPEL RESPONSES TO THEIR FIRST SET OF INTERROGATORIES TO WEIS BUILDERS, INC.
10/30/2007	MTN: TO COMPEL EKER BROTHERS, INC.'S MOTION TO COMPEL RESPONSES TO THEIR FIRST SET OF INTERROGATORIES TO WEIS BUILDERS, INC.
10/25/2007	CERTIFICATE OF SERVICE CERTIFICATE OF SERVICE FOR WEISS BUILDERS, INC. INTERROGATORIES AND REQUESTS FOR PRODUCTION OF DOCUMENTS AND THINGS TO RAINBOWVISION SANTA FE, LLC (SET II)
10/25/2007	CERTIFICATE OF SERVICE CERTIFICATE OF SERVICE FOR WEIS BUILDERS, INC. ANSWERS TO FIRST SET OF REQUESTS FOR ADMISSIONS OF THIRD PARTY DEFENDANT LES FILE DRYWALL, INC.
10/25/2007	CERTIFICATE OF SERVICE CERTIFICATE OF SERVICE FOR WEIS BUILDERS, INC. ANSWERS TO FIRST SET OF REQUESTS FOR ADMISSIONS OF THIRD PARTY DEFENDANT TLC COMPANY, INC.
10/17/2007	CERTIFICATE OF SERVICE
10/17/2007	CERTIFICATE OF SERVICE
10/17/2007	CERTIFICATE OF SERVICE
10/11/2007	CERTIFICATE OF SERVICE BY ATTORNEY
10/10/2007	MTN: FOR SUMMARY JUDGMT PLAINTIFF'S MOTION FOR PARTIAL SUMMARY JUDGMENT REGARDING THE CALCULATION OF LIQUIDATED DAMAGES AND STATEMENT OF SUPPORTING POINTS AND AUTHORITIES
10/09/2007	CERTIFICATE OF SERVICE
09/28/2007	ORD: ORDER ORDER ON PLAINTIFF'S MOTION FOR PARTIALLY SUMMARY JUDGMENT REGARIDNG LIQUIDATED DAMAGES CLAIM
09/28/2007	CAL: PRESENTMENT PRESENTMENT OF ORDER ON PLAINTIFF'S MOTION FOR PARTIAL SUMMARY JUDGMENT REGARDING LIQUIDATED DAMAGES CLAIM SCHEDULED AT 8:30 A.M. ON SEPTEMBER 28, 2007
09/26/2007	OBJECTION/OPPOSITION OBJECTIONS TO PLAINTIFF'S PROPOSED ORDE - LRI-304(C)
09/26/2007	CERTIFICATE OF SERVICE

	FRO WEIS BUILDERS, INC ANSWERS TO INTERROGATORIES OF THIRD PARTY DEFENDANT EKER BROTHERS INC AND RESPONSES TO REQUESTS FOR PRODUCTION OF THIRD PARTY DEFENDANT EKER BROTHERS INC
09/21/2007	CERTIFICATE OF SERVICE
09/17/2007	CERTIFICATE OF SERVICE
09/17/2007	CERTIFICATE OF SERVICE
08/31/2007	NTC: HEARING (CIVIL) SEPTEMBER 28, 2007 AT 8:30 AM PRESENTMENT OF ORDER ON PLAINTIFF'S MOTION FOR PARTIAL SUMMARY JUDGMENT
08/22/2007	REQUEST FOR HEARING/SETTING PRESENTMENT OF ORDER ON PLAINTIFF'S MOTION FOR PARTIAL SUMMARY JUDGMENT
08/17/2007	CERTIFICATE OF SERVICE
08/17/2007	CAL: MTN HEARING PLAINTIFF'S MOTION FOR PARTIAL SUMMARY JUDGMENT REGARDING LIQUIDATED DAMAGES CLAIM SCHEDULED AT 2:30 P.M. ON AUGUST 17, 2007
07/30/2007	CERTIFICATE OF SERVICE
07/30/2007	CERTIFICATE OF SERVICE
07/30/2007	CERTIFICATE OF SERVICE
07/30/2007	CERTIFICATE OF SERVICE
07/20/2007	CERTIFICATE OF SERVICE CERTIFICATE OF SERVICE FOR WEISS BUILDERS, INC. INTERROGATORIES, REQUESTS FOR PRODUCTION OF DOCUMENTS AND THINGS, AND REQUESTS FOR ADMISSION TO RAINBOWVISION SANTA FE, LLC
06/29/2007	ANSWER THIRD PARTY DEFENDANT EKER BROTHERS, INC.'S ANSWER TO AMENDED THIRD PARTY COMPLAINT
06/29/2007	ANSWER THIRD PARTY DEFENDANT TLC COMPANY, INC.'S ANSWER TO THIRD PARTY COMPLAINT
06/28/2007	NTC: NOTICE NOTICE OF DISMISSAL WITHOUT PREJUDICE OF HSH NORDBANK AG
06/26/2007	SUMMONS RETURN SERVED TO BRIAN BAUSHMAN, DISTRICT MANAGER ON 05-07-07
06/14/2007	ANSWER TO COUNTERCLAIM THIRD-PARTY PLAINTIFF WEISS BUILDERS, INC.'S ANSWER TO THE COUNTERCLAIM OF LOS ALAMOS NATIONAL BANK AND VALLEY NATIONAL BANK
06/12/2007	ANSWER DEFENDANT COUNTERCLAIMANT AND THIRD-PARTY PLAINTIFF WEIS BUILDERS INC'S ANSWER TO LES FILE DRYWALL INC'S COUNTERCLAIM AND CROSS-CLAIM
06/08/2007	ANSWER DEFENDANT, COUNTERCLAIMANT, AND THIRD-PARTY PLAINTIFF WEIS BUILDERS, INC.'S ANSWER TO LES FILE DRYWALL, INC.'S COUNTERCLAIM AND CROSS-CLAIM
06/08/2007	ORD: STIPULATED STIPULATED ORDER OF DISMISSAL WITH PREJUDICE-(RLA, INC.)
06/08/2007	ORD: STIPULATED STIPULATED ORDER-RELEASE OF MONEY
06/08/2007	XC: BONDS
06/08/2007	ANSWER THIRD-PARTY DEFENDANT RODGERS PLUMBING AND HEATING CO., INC.'S ANSWER TO THIRD-PARTY PLAINTIFF'S AMENDED THIRD PARTY COMPLAINT
06/08/2007	NTC: NOTICE NOTICE OF CORRECTION

06/07/2007 ANSWER
ANSWER TO AMENDED THIRD PARTY COMPLAINT BY THIRD
PARTY DEFENDANT DOMINGUEZ CARPET AND TILE INC

06/06/2007 REPLY
PLAINTIFFS REPLY TO DEFENDANT WEIS'S RESPONSE TO MOTION
FOR PARTIAL SUMMARY JUDGMENT REGARDING LIQUIDATED DAMAGES
CLAIM

06/06/2007 NTC: HEARING (CIVIL)
RE: PLAINTIFF'S MOTION FOR PARTIAL SUMMARY JUDGMENT
AUG 17, 2007 @ 2:30 PM

06/05/2007 ENTRY OF APPEARANCE
PAUL E. HOUSTON ENTERS ON BEHALF OF DEFENDANT RODGERS
PLUMBING AND HEARING CO. INC

05/30/2007 REQUEST FOR
HEARING/SETTING
MATTER:PLAINTIFF'S MOTION FOR PARTIAL SUMMARY JUDGMENT
REGARDING LIQUIDATED DAMAGES CLAIM

05/25/2007 ANSWER
ANSWER TO COUNTERCLAIM AND CROSSCLAIM OF LFDI
BY RAINBOW VISION

05/21/2007 SUMMONS RETURN
SERVED TO PHIL RODGERS, MANAGER ON 05-07-07

05/18/2007 PETITION (NON-OPENING)
DEFENDANT, COUNTERCLAIMANT, AND THIRD PARTY PLAINTIFF WEIS
BUILDERS, INC'S MEMORANDUM OF LAW IN OPPOSITION TO
PLAINTIFF'S MOTION FOR PARTIAL SUMMARY JUDGMENT
REGARDING LIQUIDATED DAMAGES CLAIM

05/18/2007 ANSWER TO CROSSCLAIM
THIRD PARTY DEFENDANTS LOS ALAMOS NATIONAL BANK AND VALLEY
NATIONAL BANK'S ANSWER TO CROSS-CLAIM BY THIRD PARTY
DEFENDANT LES FILE DRYWALL, INC.

05/15/2007 SUMMONS RETURN
SUMMONS RETURN
ISSUED TO: EKER BROTHERS, INC, DEFENDANT C/O DON EKER

05/11/2007 CERTIFICATE OF SERVICE

05/11/2007 CERTIFICATE OF SERVICE

05/10/2007 COUNTERCLAIM
THIRD PARTY DEFENDANTS LOS ALAMOS NATIONAL BANK AND VALLEY
NATIONAL BANK'S COUNTERCLAIM AGAINST WEIS BUILDERS, INC. AMN
CROSS CLAIMS FOR DECLARATORY JUDGMENT AGAINST THIRD PARTY
DEFENDANTS HSH NORDBANK AG, SIMS RAINBOWVISION LLC, AND
LES FILE DRYWALL, INC.

05/10/2007 ANSWER
PCT'S ANSWER TO CROSS-CLAIM OF WIES BUILDERS, INC

05/10/2007 SUMMONS RETURN
SERVED TO HELEN DOMINGUEZ FOR DOMINGUEZ CARPET AND TILE
ON MAY 4, 2007

05/10/2007 ANSWER
ANSWER TO AMENDED THIRD PARTY COMPLAINT,
COUNTERCLAIM AND CROSSCLAIM BY THIRD PARTY DEFENDANT
LES FILE DRYWALL, INC

05/07/2007 AMENDED/MODIFIED
AMENDED SUBSTITUTION OF COUNSEL
SIMON AND SLATERY SUBSTITUTES FOR JURGEN AND WITH PA
ON BEHALF OF THIRD PARTY DEFENDANTS LOS ALAMOS NATIONAL BANK

05/04/2007 NTC: OF LIS PENDENS
NOTICE OF LIS PENDENS

05/04/2007 ANSWER
THIRD PARTY DEFENDANTS LOS ALAMOS NATIONAL BANK AND
VALLEY NATIONAL BANK'S ANSWER TO AMENDED THIRD
PARTY COMPLAINT

05/02/2007 AFFIDAVIT OF SERVICE
AFFIDAVIT OF SERVICE OF THIRD PARTY SUMMONS THIRD PARTY

	COMPLAINT EXHIBITS
	DATED 04-17-07 AT 4:25PM JOHN KARNOAKY GENERAL COUNSEL FOR
	HSB NORDBANK AD NEW YORK BRANCH WAS SERVED
05/02/2007	AFFIDAVIT OF SERVICE
	AFFIDAVIT OF SERVICE OF
	THIRD PARTY SUMMONS THIRD PARTY COMPLAINT EXHIBITS
	DATED 04-04-07 AT 12:43PM JEFFERY SANDS EXECUTIVE VICE
	PRESIDENT/GENERAL COUNSEL OF RAINBOWVISION LLC WAS
	PERSONALLY SERVED
04/30/2007	SUMMONS ISSUED
	THIRD-PARTY SUMMONS ISSUED TO DOMINGUEZ CARPET AND TILE,
	INC.
04/30/2007	SUMMONS ISSUED
	THIRD-PARTY SUMMONS ISSUED TO RODGERS PLUMBING & HEATING CO
04/30/2007	SUMMONS ISSUED
	THIRD-PARTY SUMMONS ISSUED TO TLC COMPANY INC
04/30/2007	SUMMONS ISSUED
	THIRD-PARTY SUMMONS ISSUED TO EKER BROTHERS, INC.
04/30/2007	NCJ: AMENDED COMPLAINT
	AMENDED THIRD PARTY COMPLAINT
04/30/2007	CROSSCLAIM
	WEIS BUILDERS, INC'S CROSS-CLAIM AGAINST RLA INC
04/27/2007	MTN: FOR SUMMARY
	JUDGMENT
	PLAINTIFF'S MOTION FOR PARTIAL SUMMARY JUDGMENT REGARDING
	LIQUIDATED DAMAGES CLAIM AND STATEMENT OF SUPPORTING
	POINTS AND AUTHORITIES
04/26/2007	ORD: WITHDRAWAL/SUB OF
	COUNSEL
	WITHDRAWAL AND SUBSTITUTION OF COUNSEL
	JURGENS & WITH PA WITHDRAWS AND SIMONS & SLATTERY
	SUBSTITUTES FOR THIRD PARTY DEFENDANTS LOS ALAMOS
	NATIONAL BANK
04/26/2007	ENTRY OF APPEARANCE
	BY ALEXIA CONSTANTARAS ON BEHALF OF THE THIRD PART DEFENDANT
	LOS ALAMOS NATIONAL BANK AND VALLEY NATIONAL BANK
04/25/2007	ANSWER
	PLAINTIFF'S ANSWER TO COUNTERCLAIM
04/23/2007	SUMMONS RETURN
	JEANNIE GIBSON WAS PERSONALLY SERVED ON BEHALF OF LOS ALAMOS
	BANK ON 04-03-07
04/23/2007	SUMMONS RETURN
	JASON FILE MANAGER FOR LES FILE DRYWALL WAS PERSONALLY
	SERVED ON 04-10-07
04/23/2007	AFFIDAVIT OF SERVICE
	A COPY OF THIRD PARTY SUMMONS AND COMPLAINT WAS SERVED
	UPON VALLEY NATIONAL BANK BY HAND DELIVERING THE SAME TO
	NICK VIGIL, EXECUTIVE VICE PRESIDENT ON APRIL 2, 2007
04/12/2007	ANSWER & CROSSCLAIM
	WEIS BUILDERS INC REPLU TO DEFENDANT PCI CONTRACTORS INC
	CROSS-CLAIM AND CROSS-CLAIM
04/05/2007	STATEMENT
	APPELLEES STATEMENT OF APPELLATE ISSUES
	FILED BY NATHAN ADAMS ATTORNEY FOR THE APPELLEE
04/05/2007	ENTRY OF APPEARANCE
	ENTRY OF APPEARANCE FILED BY JAMES JURGENS ON BEHALF OF
	THE THIRD PARTY DEFENDANTS LOS ALAMOS NATIONAL BANK AND
	VALLEY NATIONAL BANK
03/30/2007	ANSWER & COUNTERCLAIM
	WEIS BUILDERS INC'A ANSWER TO PLAINTIFF'S FIRST AMENDED
	PETITION TO CANCEL LIENS AND COMPLAINT TO RECOVER
	DAMAGES, AND DEFENDANT WEIS BUILDERS INC'S COUNTERCLAIM
03/27/2007	SUMMONS ISSUED

03/27/2007	ISSUED TO VALLEY NATIONAL BANK SUMMONS ISSUED			
03/27/2007	ISSUED TO LOS ALAMOS NATIONAL BANK SUMMONS ISSUED			
03/27/2007	ISSUED TO SIMS RAINBOWVISION LLC SUMMONS ISSUED			
03/27/2007	ISSUED TO HSH NORDBANK AG NEW YORK BRANCH SUMMONS ISSUED			
03/27/2007	ISSUED TO LES FILE DRYWALL, INC 3RD PARTY COMPLAINT			
03/16/2007	ANSWER ANSWER TO COUNTERCLAIM OF RLA INC			
03/14/2007	ORD: RULE 16B SCHEDULING/FORM JAN 2, 2008 @ 1:30 PM : PRE-TRIAL JAN 28, 2008 @ 8:30 AM : TRIAL SET FOR DOCKET CALL			
03/02/2007	ANSWER ANSWER TO FIRST AMENDED PETITION TO CANCEL LIENS AND COMPLAINT TO RECOVER DAMAGES, COUNTERCLAIM AND CROSS-CLAIM FILED BY PCI CONTRACTORS, INC			
02/28/2007	ANSWER ANSWER TO FIRST AMENDED PETITION TO CANCEL LIENS AND COMPLAINT TO RECOVER DAMAGES BY DEFENDANT RLA, INC. AND COUTNERCLAIM TO FORECLOSE LIEN			
02/28/2007	ENTRY OF APPEARANCE FOR WEIS BUILDERS, INC. ATTORNEY CARL A CALVERT			
02/06/2007	AMENDED PETITION AMENDED PETITION TO CANCEL LIENS AND COMPLAINT TO RECOVER DAMAGES			
02/05/2007	DBS: CASH BOND	P	1	19396.00
02/05/2007	DISBURSED \$19,396.61 CK #183 TO P-1			
02/05/2007	DBS: CASH BOND	P	1	92303.00
02/05/2007	DISBURSED \$92,303.75 CK #182 TO P-1			
01/29/2007	SUMMONS RETURN SERVED TO SYLVIA CAMPBELL OFFICE MANAGER FOR RLA INC ON JAN 4, 2007			
01/29/2007	SUMMONS RETURN SERVED TO PAULINE DURAN FOR PCI CONTRACTORS INC			
01/05/2007	ORD: ORDER ORDER CANCELING LIENS, APPROVING SECURITY, AND APPROVING DEPOSIT OF CASH INTO COURT REGISTRY			
01/04/2007	NTC: JUDGE ASSIGNMENT NOTICE OF JUDGE ASSIGNMENT THIS CAUSE HAS BEEN REASSIGNED TO JUDGE JAMES HALL, DIV II DUE TO THE EXCUSAL OF JUDGE DANIEL SANCHEZ, DIV VII, EFFECTIVE JANUARY 3, 2007			
01/03/2007	JDG: JUDGE ASSIGN EXCUSAL/CHAL THIS CASE HAS BEEN REASSIGNED TO JUDGE JAMES HALL DUE TO THE EXCUSAL OF JUDGE DANIEL SANCHEZ BY PLAINTIFF			
01/03/2007	SUMMONS ISSUED JOHN DEERE LANDSCAPING, INC			
01/03/2007	SUMMONS ISSUED PCI CONTRACTORS INC			
01/03/2007	SUMMONS ISSUED RLA, INC.			
01/03/2007	OPN: PETITION PETITION TO CANCEL LIENS			
01/03/2007	ASM: CIVIL FILING W/ ARBITRAT	P	1	122.00

JUDGE ASSIGNMENT HISTORY

ASSIGNMENT DATE	JUDGE NAME	SEQ #	ASSIGNMENT EVENT DESCRIPTION
01/03/2007	DANIEL A SANCHEZ	1	INITIAL ASSIGNMENT
01/03/2007	JAMES A HALL	2	JDG: JUDGE ASSIGN EXCUSAL/CHAL

Attachment 2

ENDORSED
First Judicial District Court

APR 24 2009



STATE OF NEW MEXICO
COUNTY OF SANTA FE
FIRST JUDICIAL DISTRICT COURT

Santa Fe, Rio Arriba &
Los Alamos Counties
PO Box 2268
Santa Fe, NM 87504-2268

No. D 0101 CV 2007-00010

RAINBOW VISION SANTA FE, LLC,

Plaintiff,

vs.

**WEIS BUILDERS, INC.,
PCI CONTRACTORS, INC., and
RLA, INC.,**

Defendants,

WEIS BUILDERS, INC.,

Third-Party Plaintiffs,

vs.

**RODGERS PLUMBING AND HEATING, INC.,
et al.**

Third-Party Defendants.

**THIRD-PARTY DEFENDANT BMC WEST CORPORATION'S ANSWER
TO THIRD-PARTY PLAINTIFF'S
THIRD AMENDED THIRD-PARTY COMPLAINT**

COMES NOW the Third-Party Defendant, BMC West Corporation (heretofore misidentified as BMCW Southcentral L.P., d/b/a BMC Construction, BBD Construction, L.P., as successor in interest to or assignee of BMC Construction and hereinafter "Defendant"), by and through its attorneys of record, Butt Thornton & Baehr PC (Martin Diamond), and hereby answers the Third-Party Plaintiff's Third Amended Third-Party Complaint ("Complaint"), as follows:

1. Defendant is without sufficient knowledge or information to form a belief as to the truth or falsity of the allegations contained in Paragraph 1 of the Complaint and, therefore, denies the same.

2. Defendant is without sufficient knowledge or information to form a belief as to the truth or falsity of the allegations contained in Paragraph 2 of the Complaint and, therefore, denies the same.

3. Defendant is without sufficient knowledge or information to form a belief as to the truth or falsity of the allegations contained in Paragraph 3 of the Complaint and, therefore, denies the same.

4. Defendant is without sufficient knowledge or information to form a belief as to the truth or falsity of the allegations contained in Paragraph 4 of the Complaint and, therefore, denies the same.

5. Defendant is without sufficient knowledge or information to form a belief as to the truth or falsity of the allegations contained in Paragraph 5 of the Complaint and, therefore, denies the same.

6. Defendant is without sufficient knowledge or information to form a belief as to the truth or falsity of the allegations contained in Paragraph 6 of the Complaint and, therefore, denies the same.

7. Defendant is without sufficient knowledge or information to form a belief as to the truth or falsity of the allegations contained in Paragraph 7 of the Complaint and, therefore, denies the same.

8. Defendant denies the allegations contained in Paragraph 8 of the Complaint.

9. Defendant denies the allegations contained in Paragraph 9 of the Complaint.

10. Defendant is without sufficient knowledge or information to form a belief as to the truth or falsity of the allegations contained in Paragraph 10 of the Complaint and, therefore, denies the same.

11. Defendant is without sufficient knowledge or information to form a belief as to the truth or falsity of the allegations contained in Paragraph 11 of the Complaint and, therefore, denies the same.

12. Defendant is without sufficient knowledge or information to form a belief as to the truth or falsity of the allegations contained in Paragraph 12 of the Complaint and, therefore, denies the same.

13. Defendant is without sufficient knowledge or information to form a belief as to the truth or falsity of the allegations contained in Paragraph 13 of the Complaint and, therefore, denies the same.

14. Defendant is without sufficient knowledge or information to form a belief as to the truth or falsity of the allegations contained in Paragraph 14 of the Complaint and, therefore, denies the same.

15. Defendant is without sufficient knowledge or information to form a belief as to the truth or falsity of the allegations contained in Paragraph 15 of the Complaint and, therefore, denies the same.

16. Defendant is without sufficient knowledge or information to form a belief as to the truth or falsity of the allegations contained in Paragraph 16 of the Complaint and, therefore, denies the same.

17. Defendant is without sufficient knowledge or information to form a belief as to the truth or falsity of the allegations contained in Paragraph 17 of the Complaint and, therefore, denies the same.

18. Defendant is without sufficient knowledge or information to form a belief as to the truth or falsity of the allegations contained in Paragraph 18 of the Complaint and, therefore, denies the same.

19. Defendant is without sufficient knowledge or information to form a belief as to the truth or falsity of the allegations contained in Paragraph 19 of the Complaint and, therefore, denies the same.

20. Defendant is without sufficient knowledge or information to form a belief as to the truth or falsity of the allegations contained in Paragraph 20 of the Complaint and, therefore, denies the same.

21. Defendant is without sufficient knowledge or information to form a belief as to the truth or falsity of the allegations contained in Paragraph 21 of the Complaint and, therefore, denies the same.

22. Defendant is without sufficient knowledge or information to form a belief as to the truth or falsity of the allegations contained in Paragraph 22 of the Complaint and, therefore, denies the same.

23. Defendant is without sufficient knowledge or information to form a belief as to the truth or falsity of the allegations contained in Paragraph 23 of the Complaint and, therefore, denies the same.

24. Defendant is without sufficient knowledge or information to form a belief as to the truth or falsity of the allegations contained in Paragraph 24 of the Complaint and, therefore, denies the same.

25. Defendant admits the allegations contained in Paragraph 25 of the Complaint.

26. Defendant is without sufficient knowledge or information to form a belief as to the truth or falsity of the allegations contained in Paragraph 26 of the Complaint and, therefore, denies the same.

27. Defendant is without sufficient knowledge or information to form a belief as to the truth or falsity of the allegations contained in Paragraph 27 of the Complaint and, therefore, denies the same.

28. Defendant is without sufficient knowledge or information to form a belief as to the truth or falsity of the allegations contained in Paragraph 28 of the Complaint and, therefore, denies the same.

29. Defendant is without sufficient knowledge or information to form a belief as to the truth or falsity of the allegations contained in Paragraph 29 of the Complaint and, therefore, denies the same.

30. Defendant is without sufficient knowledge or information to form a belief as to the truth or falsity of the allegations contained in Paragraph 30 of the Complaint and, therefore, denies the same.

31. Defendant is without sufficient knowledge or information to form a belief as to the truth or falsity of the allegations contained in Paragraph 31 of the Complaint and, therefore, denies the same.

32. Defendant is without sufficient knowledge or information to form a belief as to the truth or falsity of the allegations contained in Paragraph 32 of the Complaint and, therefore, denies the same.

33. Defendant is without sufficient knowledge or information to form a belief as to the truth or falsity of the allegations contained in Paragraph 33 of the Complaint and, therefore, denies the same.

COUNT I
EXPRESS INDEMNIFICATION

34. In response to the allegations contained in Paragraph 34 of the Complaint, Defendant restates its answers to Paragraphs 1 through 33 as though fully set forth herein.

35. Defendant denies the allegations contained in Paragraph 35 of the Complaint.

36. Defendant denies the allegations contained in Paragraph 36 of the Complaint.

37. Defendant denies the allegations contained in Paragraph 37 of the Complaint.

38. Defendant denies the allegations contained in Paragraph 38 of the Complaint.

39. Defendant is without sufficient knowledge or information to form a belief as to the truth or falsity of the allegations contained in Paragraph 39 of the Complaint and, therefore, denies the same.

40. Defendant is without sufficient knowledge or information to form a belief as to the truth or falsity of the allegations contained in Paragraph 40 of the Complaint and, therefore, denies the same.

41. Defendant is without sufficient knowledge or information to form a belief as to the truth or falsity of the allegations contained in Paragraph 41 of the Complaint and, therefore, denies the same.

42. Defendant is without sufficient knowledge or information to form a belief as to the truth or falsity of the allegations contained in Paragraph 42 of the Complaint and, therefore, denies the same.

43. Defendant is without sufficient knowledge or information to form a belief as to the truth or falsity of the allegations contained in Paragraph 43 of the Complaint and, therefore, denies the same.

44. Defendant is without sufficient knowledge or information to form a belief as to the truth or falsity of the allegations contained in Paragraph 44 of the Complaint and, therefore, denies the same.

45. Defendant denies the allegations contained in Paragraph 45 of the Complaint.

46. Defendant denies the allegations contained in Paragraph 46 of the Complaint.

COUNT II
ALLEGED BREACH OF CONTRACT

47. In response to the allegations contained in Paragraph 47 of the Complaint, Defendant restates its answers to Paragraphs 1 through 46 as though fully set forth herein.

48. Defendant denies the allegations contained in Paragraph 48 of the Complaint.

49. Defendant is without sufficient knowledge or information to form a belief as to the truth or falsity of the allegations contained in Paragraph 49 of the Complaint and, therefore, denies the same.

50. Defendant is without sufficient knowledge or information to form a belief as to the truth or falsity of the allegations contained in Paragraph 50 of the Complaint and, therefore, denies the same.

51. Defendant denies the allegations contained in Paragraph 51 of the Complaint.

52. Defendant denies the allegations contained in Paragraph 52 of the Complaint.

53. Defendant denies the allegations contained in Paragraph 53 of the Complaint.

54. Defendant denies the allegations contained in Paragraph 54 of the Complaint.

55. Defendant denies the allegations contained in Paragraph 55 of the Complaint.

56. Defendant denies the allegations contained in Paragraph 56 of the Complaint.

57. Defendant denies the allegations contained in Paragraph 57 of the Complaint.

58. Defendant denies the allegations contained in Paragraph 58 of the Complaint.

59. Defendant denies the allegations contained in Paragraph 59 of the Complaint.

60. Defendant denies the allegations contained in Paragraph 60 of the Complaint.

61. Defendant denies the allegations contained in Paragraph 61 of the Complaint.

COUNT III
IMPLIED/COMMON LAW/EQUITABLE INDEMNIFICATION

62. In response to the allegations contained in Paragraph 62 of the Complaint, Defendant restates its answers to Paragraphs 1 through 61 as though fully set forth herein.

63. Defendant denies the allegations contained in Paragraph 63 of the Complaint.

64. Defendant denies the allegations contained in Paragraph 64 of the Complaint.

65. Defendant denies the allegations contained in Paragraph 65 of the Complaint.

COUNT IV
ALLEGED BREACH OF EXPRESS/IMPLIED WARRANTY

66. In response to the allegations contained in Paragraph 66 of the Complaint, Defendant restates its answers to Paragraphs 1 through 65 as though fully set forth herein.

67. Defendant denies the allegations contained in Paragraph 67 of the Complaint.

68. Defendant denies the allegations contained in Paragraph 68 of the Complaint.

69. Defendant denies the allegations contained in Paragraph 69 of the Complaint.

70. Defendant denies the allegations contained in Paragraph 70 of the Complaint.

COUNT V
ALLEGED NEGLIGENCE

71. In response to the allegations contained in Paragraph 71 of the Complaint, Defendant restates its answers to Paragraphs 1 through 70 as though fully set forth herein.

72. Defendant denies the allegations contained in Paragraph 72 of the Complaint.

73. Defendant denies the allegations contained in Paragraph 73 of the Complaint.

74. Defendant denies the allegations contained in Paragraph 74 of the Complaint.

All allegations made in the Third-Party Plaintiff's Third Amended Third-Party Complaint not expressly admitted herein are denied.

AFFIRMATIVE DEFENSES

As and for separate and alternative affirmative defenses, Defendant states:

1. The Complaint fails to state a cause of action upon which relief may be granted.
2. If this Defendant or its predecessors were negligent, which is specifically denied, then said negligence should be compared to the conduct of the Third-Party Plaintiff and others, so as to bar or reduce recovery herein.
3. Any defects or deficiencies in the work performed by this Defendant or its predecessors were the result of the negligence and/or breach of contract by the Third-Party Plaintiff.
4. The Third-Party Complaint is barred by the provisions of NMSA 1978, §56-7-1.
5. The Third-Party Plaintiff's claims are barred by the doctrine of unclean hands.
6. The Third-Party Plaintiff's claims are barred due to its failure to provide timely and adequate notice to this Defendant or its predecessors.
7. The Third-Party Plaintiff has failed to mitigate those damages prayed for in the Complaint, thereby barring or reducing recovery herein.

8. The Defendant expressly reserves the right to add such additional affirmative defenses as are necessary and appropriate.

WHEREFORE, the Third-Party Defendant, BMC West Corporation (heretofore misidentified as BMCW Southcentral L.P., d/b/a BMC Construction, BBD Construction, L.P., as successor in interest to or assignee of BMC Construction), prays that the Third-Party Plaintiff's Third Amended Third-Party Complaint against it be dismissed with prejudice, for its fees and costs, and for such other relief as this Court deems just and proper.

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Attachment 3

STATE OF NEW MEXICO
COUNTY OF SANTA FE
FIRST JUDICIAL DISTRICT COURT

No. D 0101 CV 2007-00010

RAINBOW VISION SANTA FE, LLC,

Plaintiff,

v.

WEIS BUILDERS, INC.
PCI CONTRACTORS, INC. AND
RLA, INC.

Defendants,

v.

RODGERS PLUMBING AND HEATING, INC.,
et al.

Third Party Defendants.

NOTICE OF BANKRUPTCY FILING

COMES NOW TPD Building Materials Holding Corporation, and all of its subsidiaries (and entities described in the Third Amended Third-Party Complaint filed on September 8, 2008), and does hereby provide notice that on June 16, 2009 said TPD filed for Chapter 11 protection in the United States Bankruptcy Court for the District of Delaware under the caption of:

Building Materials Holding Corporation, et al.
Case No. 09-12074

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Martin Diamond

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

In re:

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

Debtors.

Chapter 11

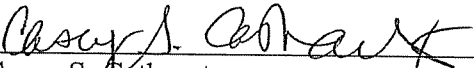
Case No. 09-12074 (KJC)

Jointly Administered


AFFIDAVIT OF SERVICE

STATE OF DELAWARE)
) SS
NEW CASTLE COUNTY)

Casey S. Cathcart, an employee of the law firm of Young Conaway Stargatt & Taylor, LLP, co-counsel to the above-captioned debtors, being duly sworn according to law, deposes and says that on September 28, 2009, she caused a copy of the **Notice of Filing of Corrected Exhibit With Respect to Debtors' Objection to Weis Builders, Inc.'s Motion for Order Granting Modification of the Automatic Stay** to be served as indicated upon the parties identified on the attached service lists.


Casey S. Cathcart

SWORN TO AND SUBSCRIBED before me this 28th day of September, 2009.


Notary Public
My Commission Expires:



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.

**BUILDING MATERIALS HOLDING CORPORATION
SPECIAL SERVICE LIST RE: DEBTORS' OBJECTION TO MOTION OF
WEIS BUILDERS, INC. TO MODIFY THE AUTOMATIC STAY
9/28/2009**

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