

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. 543, 591, 593, 594, 646, 672 and <u>738</u>
)	

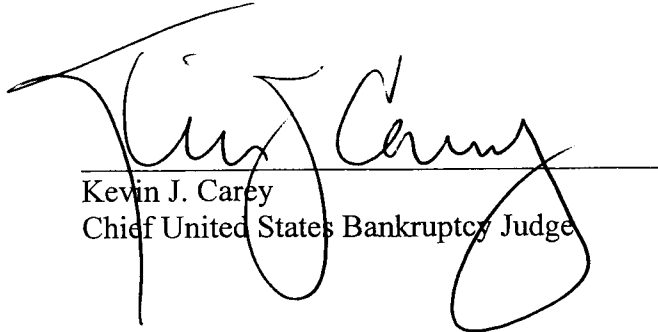
**ORDER (I) DENYING PEDRO ALVARADO'S MOTION AUTHORIZING CLASS
PROOF OF CLAIM OR, IN THE ALTERNATIVE, TO EXTEND TIME FOR
INDIVIDUAL CLASS MEMBERS TO FILE PROOFS OF CLAIM AND (II)
DISALLOWING CLAIM NUMBERS 2464, 2465, 2466, 2467, AND 2468 FILED BY
PEDRO ALVARADO ON BEHALF OF THE PROPOSED CLASS**

Upon consideration of Pedro Alvarado's Motion Authorizing Class Proof of Claim or, In the Alternative, To Extend Time For Individual Class Members To File Proofs of Claim [Docket No. 543] (the "***Motion***"), the Debtors' Objection to the Motion [Docket No. 591], the Official Committee of Unsecured Creditors' Joinder in the Debtors' objection [Docket No. 593], Wells Fargo Bank, National Association's Joinder in the Debtors' objection [Docket No. 594], Alvarado's Reply in support of the Motion [Docket No. 646], the Debtors' Surreply in opposition to the Motion [Docket No. 672], and the hearing on the Motion held on October 7, 2009 (the "***Hearing***"), and after due deliberation and for the reasons stated on the record at the Hearing, it is hereby ordered as follows:

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.

1. The Motion is denied in its entirety.
2. Claim numbers 2464, 2465, 2466, 2467 and 2468 (collectively, as modified by this Order, the “*Alvarado Claims*”) filed in the Debtors’ bankruptcy cases are disallowed to the extent they purport to be on behalf of proposed class members (and shall be marked by the Debtors’ claim agent accordingly); provided, however, that the Alvarado Claims are not disallowed to the extent that they are individual claims filed by Pedro Alvarado on behalf of himself; provided further, however, that nothing set forth in this Order or otherwise shall impair, prejudice, waive or otherwise affect the Debtors’ ability to object or otherwise respond to any and all of the Alvarado Claims.

Dated: Wilmington, Delaware
October 13, 2009



Kevin J. Carey
Chief United States Bankruptcy Judge