

**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)
MARSELLE HARRIS, VANCE)	
GETTIS, JACARRE WILLIAMS,)	
MAURICE HENDERSON,)	
MARSHAE PETER AND KAMERON)	
KOUNTZ)	
)	
Movants,)	
v.)	Objection Deadline: TBD
)	Hearing Date: TBD
)	
SELECTBUILD NORTHERN)	
CALIFORNIA, BMC CONSTRUCTION,)	
INC., BUILDING MATERIALS)	
HOLDING CORPORATION, AND)	
JOHN DOES 1-20)	
)	
Respondents.)	

**MOTION TO SHORTEN NOTICE FOR MOTION OF
MARSELLE HARRIS, VANCE GETTIS, JACARRE WILLIAMS, MAURICE
HENDERSON, MARSHAE PETER AND KAMERON
KOUNTZ FOR RELIEF FROM THE AUTOMATIC STAY**

Marshelle Harris, Vance Gettis, Jacarre Williams, Maurice Henderson, Marshae Peter and Kameron Kountz (collectively, the “Movants”), by and through undersigned counsel, and hereby submits its *Motion to Shorten Notice* (the “Motion to Shorten”) *for Motion of Marshelle Harris,*

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 (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).

Vance Gettis, Jacarre Williams, Maurice Henderson, Marshae Peter and Kameron Kountz for Relief from the Automatic Stay (the “Stay Relief Motion”) and in support of its Motion to Shorten respectfully states as follows:

Background

1. Movants are filing their Stay Relief Motion to request relief from their automatic stay to allow the State Court Action² to proceed to judgment or other resolution.

Relief Requested; Basis Therefore

2. Del. Bankr. LR 9001-1 (c) states that “[u]nless the Fed. R. Bankr. P. or these Local Rules State otherwise, all motion papers shall be filed and served in accordance with Local Rule 2002-4(b) at least fifteen (15) days . . . prior to the hearing date.” (Emphasis added.)

3. The Relief Motion is being filed November 4, 2009, which is fifteen days from the hearing scheduled for November 19, 2009, counting the date of the hearing, but not the date of filing. While Movants are uncertain as to whether they need to shorten the time at all, out of an abundance of caution they are bringing this Motion to Shorten by one day, to the extent needed.

4. Movants believe shortening the notice period by one day will not prejudice the debtors in any meaningful way.

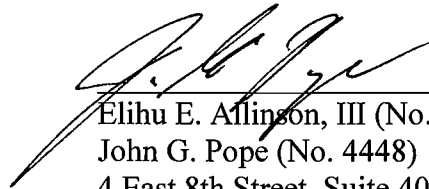
Conclusion

Accordingly, for the foregoing reasons, the Movants respectfully request that the Motion to Shorten be granted and that an order in substantial conformity with the proposed form of order attached hereto as Exhibit A be entered at the earliest convenience of the Court.

² Capitalized terms not otherwise defined herein shall have the meanings ascribed to such terms in the Stay Relief Motion.

Date: November 4, 2009
Wilmington, Delaware

SULLIVAN • HAZELTINE • ALLINSON LLC

A handwritten signature in black ink, appearing to read 'E. Allinson, III', is written over a horizontal line.

Elihu E. Allinson, III (No. 3476)

John G. Pope (No. 4448)

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*Attorneys for Marshelle Harris, Vance Gettis,
Jacarre Williams, Maurice Henderson, Marshae
Peter and Kameron Kountz*

Exhibit A

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

In re)	Chapter 11
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BUILDING MATERIALS HOLDING CORPORATION, <i>et al.</i> , ¹)	Case No. 09-12074 (KJC)
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Debtors.)	
)	(Jointly Administered)
MARSELLE HARRIS, VANCE)	
GETTIS, JACARRE WILLIAMS,)	
MAURICE HENDERSON,)	
MARSHAE PETER AND KAMERON)	
KOUNTZ)	
)	
Movants,)	
v.)	Objection Deadline: TBD
)	Hearing Date: TBD
)	
SELECTBUILD NORTHERN)	
CALIFORNIA, BMC CONSTRUCTION,)	
INC., BUILDING MATERIALS)	
HOLDING CORPORATION, AND)	Relate Docket Item _____
JOHN DOES 1-20)	
)	
Respondents.)	

**ORDER SHORTENING NOTICE ON
MOTION OF MARSELLE HARRIS, VANCE GETTIS, JACARRE WILLIAMS,
MAURICE HENDERSON, MARSHAE PETER AND KAMERON
KOUNTZ FOR RELIEF FROM THE AUTOMATIC STAY**

Upon consideration of the *Motion to Shorten Notice* (the “Motion to Shorten”) *for Motion of Marshelle Harris, Vance Gettis, Jacarre Williams, Maurice Henderson, Marshae Peter and*

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 (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).

Kameron Kountz for Relief from the Automatic Stay (the “Continuance Motion”); and finding just cause for the relief granted therein;

IT IS HEREBY ORDERED THAT:

1. The Motion to Shorten is GRANTED.
2. A hearing on the Stay Relief Motion will be held on November 19, 2009 at 11:00 a.m.
3. Objections will be due by November 12, 2009, at 11:00 a.m.

Dated: November ___, 2009

Kevin J. Carey, Chief Judge
United States Bankruptcy Court

CERTIFICATE OF SERVICE

I, Elihu E. Allinson, III, do hereby certify I am not less than 18 years of age and that on this 4th day of November, 2009, I caused a copy of the foregoing *Motion to Shorten* to be served upon the parties listed below in the manner indicated:

Facsimile

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Under penalty of perjury, I declare that the foregoing is true and correct.

November 4, 2009
Date

/s/ E.E. Allinson III
Elihu E. Allinson, III