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

))

)

)

In re

BUILDING MATERIALS HOLDING CORPORATION, *et al.*,

Debtors.

Chapter 11 Case No. 09-12074 (KJC) Jointly Administered

## AMENDED NOTICE OF ENTRY OF APPEARANCE AND REQUEST FOR SPECIAL NOTICE AND SERVICE OF PAPERS

PLEASE TAKE NOTICE that Kessler & Collins, P.C., and Werb & Sullivan, as counsel for CRP Holdings B, L.P.,<sup>1</sup> hereby enter their appearance pursuant to Section 1109(b) of the Bankruptcy Code and Bankruptcy Rule 9010-1(b); and such counsel hereby request, pursuant to bankruptcy Rules 2002, 9007 and 9010 of the Federal Rules of Bankruptcy Procedure (collectively, the "Rules"), that copies of all notices given or required to be given in this case, and all papers served or required to be served in this case, be given to and served upon the following:

Howard C. Rubin, Esq. **KESSLER & COLLINS, P.C.** 2100 Ross Avenue Suite 750 Dallas TX 75201 Telephone: (214)379-0722 Facsimile: (214)373-4714 hrubin@kesslercollins.com Duane D. Werb, Esq. Julia B. Klein, Esq. **WERB & SULLIVAN** 300 Delaware Ave., Suite 1300 P.O. Box 25046 Wilmington, DE 19899 Telephone: (302) 652-1100 Facsimile: (302) 652-1111 dwerb@werbsullivan.com jklein@werbsullivan.com

<sup>&</sup>lt;sup>1</sup> CRP Holdings B, L.P., is successor in interest to Parker Metropolitan, L.P.

PLEASE TAKE FURTHER NOTICE that, pursuant to Section 1109(b) of the Bankruptcy Code, the foregoing request also includes, without limitation, notices of any application, complaint, demand, hearing, motion, order, pleading, disclosure statement, plan of organization, or request, whether formal or informal, written or oral, and whether transmitted or conveyed by mail, hand delivery, telephone, telegraph, telex, telecopy, or otherwise filed with regard to the above case or proceedings therein.

PLEASE TAKE FURTHER NOTICE that this Notice of Entry of Appearance and Request for Special Notice and Service of Papers, or any subsequent appearance, pleading or claim, does not waive any rights to which the subject party is entitled, including but not limited to: (i) its right to have final orders in non-core matters entered only after *de novo* review by a District Judge, (ii) right to trial by jury, (iii) right to have the District Court withdraw the reference in any matter subject to mandatory or discretionary withdrawal, or (iv) any rights, claims, actions, defenses, setoffs, or recoupment to which it is or may be entitled to under agreements or in law or in equity, all of which are expressly reserved.

Dated: November 9, 2009

<u>/s/ Duane Werb</u> Duane D. Werb (No. 1042) Julia B. Klein (No. 5198) **WERB & SULLIVAN** 300 Delaware Avenue, Suite 1300 P.O. Box 25046 Wilmington, DE 19899 Telephone: (302) 652-1100 Facsimile: (302) 652-1111

-and -

Howard C. Rubin, Esq. **KESSLER & COLLINS, P.C.** 2100 Ross Avenue Suite 750 Dallas TX 75201 Telephone: (214)379-0722 Facsimile: (214)373-4714 hrubin@kesslercollins.com

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

) )

)

))

)

In re

BUILDING MATERIALS HOLDING CORPORATION, *et al.*,

Chapter 11

Case No. 09-12074 (KJC)

Jointly Administered

Debtors.

## **CERTIFICATE OF SERVICE**

On this 9th day of November, 2009, I caused a copy of the foregoing Amended Notice of Appearance and Request for Service of Papers to be served upon the following counsel of record via the CM/ECF filing system and by United States mail, first class, postage prepaid.

Sean M. Beach, Esq. Donald Bowman, Jr., Esq. Robert Poppiti, Esq. YOUNG CONAWAY STARGATT & TAYLOR LLP 1000 West Street, 17<sup>th</sup> Floor Wilmington DE 19801

Office of the United States Trustee 844 King Street, Suite 2207 Lockbox 35 Wilmington DE 19801

Michael A. Rosenthal, Esq. Matthew K. Kelsey, Esq. Saee M. Muzumdar, Esq. GIBSON DUNN & CRUTCHER LLP 200 Park Avenue, 47<sup>th</sup> Floor New York NY 10166

> <u>/s/ Julia Klein</u> Duane D. Werb (No. 1042) Julia B. Klein (No. 5198) WERB & SULLIVAN 300 Delaware Avenue, 13<sup>th</sup> Floor P.O. Box 25046 Wilmington, DE 19899 Telephone: (302) 652-1100 Facsimile: (302) 652-1111

Dated: November 9, 2009