

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

In re:) Chapter 11
)
BUILDING MATERIALS HOLDING) Case No. 09-12074 (KJC)
CORPORATION, et al.,)
) Jointly Administered
)
Debtors.) Hearing Date: Nov. 19, 2009
)

DECLARATION OF Edgar Romo.

IN SUPPORT OF PROOF OF CLAIM AND IN RESPONSE
TO THE DEBTORS' FIRST OMNIBUS NON-SUBSTANTIVE OBJECTION

I, Edgar Romo, hereby declare under penalty of perjury
and pursuant to 28 U.S.C. § 1746, as follows:

1. I am an adult resident of the State of
Arizona, and I make this declaration based on my
personal knowledge and in support of the Proof of Claim which I
submitted in this matter.

2. In my proof of claim, I seek approximately
\$ 32,025.00 for unpaid overtime and other wages which one or
more of the Debtors owes to me as a result of my employment.

3. I understand that the Debtors have objected to my
claim on the ground that the claim did not have sufficient
supporting documentation or facts. Declaration of Paul S.
Street, ¶ 8 and Exhibit D. This Declaration provides additional
facts to supplement my proof of claim.

4. From approximately Jan. 2005 to April 2008, I was employed by Select Build Arizona as form setter. I believe that my employer has records of the dates of my employment; attached to this statement is paycheck stubs, proving that I did work there.

5. During my employment, it was the common practice of my employer to pay its workers, including me, on a piece rate system for each job. Under this system, we were not paid overtime for such work, and in many cases not paid even straight time for all of our work. In addition, we were not paid for breaks required by law.

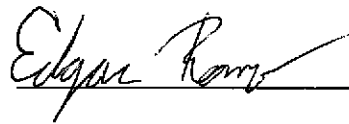
6. Based on the length of my employment, and my calculation that I worked an average of 10 hours of unpaid overtime each week, I have determined that Select Build Arizona owes me approximately \$ 32,025.00 in overtime and other wages which were never paid.

7. I also worked with other employees who filed proofs of claim in this case for the same sort of unpaid wages, including: Gamaliel Moreno, Misael Carbajal, Jesus M. Romo. To the best of my knowledge, the company's practice toward my wages and hours was also applied to these individuals.

8. I live in Arizona, and am unable to travel to Delaware to participate in the hearing on the Debtors' objection. I respectfully ask the Court to deny the Debtors'

objection at this point, and to permit my claim to be decided based on all the evidence, especially when the full records of my employment are in my employer's control.

I declare under penalty of perjury that the foregoing is true and correct. Executed on November 11, 2009.

_____

BBP TUCSON CO

HOURS		RATE	EARNINGS		BASIS	OTHER PAY		PAY PERIOD
REGULAR	OVERTIME		REGULAR	OVERTIME		RATE	AMOUNT	
1.50	6.00	23.25	34.88	139.54				10-22 to
40.00		15.50	620.00					10-29-06
TOTAL PAY								794.42

DEDUCTIONS THIS PERIOD

FWH	97.22	MED	11.00	SOC	47.07	AZSWH	18.47	ESPP	10.00
DENT	3.61	HEALTH	25.00	DD NET	575.43	AFLAC	6.62		
TOTAL DEDUCTIONS								218.99	

EMPLOYEE INFORMATION		YEAR-TO-DATE TOTALS				NET PAY
EDGAR ROMO	50024	GROSS	29211.75	FICA	2116.11	440.00
		FWH	3238.28	SWH	615.29	401K .00
						.00

PLEASE DETACH THIS PORTION AND RETAIN FOR YOUR RECORDS

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BBP TUCSON CO
 600 SELECT BUILD
 7777 N 70TH AVENUE
 GLENDALE, AZ 85303
 (623) 487-4886

Wells Fargo Bank, N.A.
 115 Hospital Drive
 Van Wert, OH 45881

DATE
 11-03-2006

DEPOSITION

ACCOUNT NO. 004680640307

AMOUNT 575.43

DEPOSITED FOR EDGAR ROMO
 Employee #50024
 702 W MONTANA
 TUCSON, AZ 85706

NET PAY 575.43
 TOTAL DEPOSIT 575.43
 CHECK AMOUNT .00

DIRECT DEPOSIT NOTIFICATION

SelectBuild Arizona, LLC

HOURS		RATE		EARNINGS		BASIS		OTHER PAY		PAY PERIOD
REGULAR	OVERTIME			REGULAR	OVERTIME			AMOUNT	DESCRIPTION	
40.00	2.50	15.50	23.25	620.00	58.13					4-16 to 4-22-07
										TOTAL PAY
										678.13

DEDUCTIONS THIS PERIOD										
FWM	71.77	MED	9.32	SOC	39.85	AZSWH	13.64	DENT	3.79	TOTAL DEDUCTIONS 229.99
HEALTH	25.00	ESPP	10.00	ADVANC	50.00	DD NET	448.14	AFLAC	6.62	

EMPLOYEE INFORMATION		YEAR-TO-DATE TOTALS				NET PAY		
EDGAR ROMO		GROSS	12586.22	FICA	916.79	ESPP	170.00	
50024		FWM	1420.89	SWH	269.97	401K	.00	.00

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SelectBuild Arizona, LLC

SelectBuild Concrete
7777 N 70th Avenue
Glendale, AZ 85303
(623) 487-4886

Wells Fargo Bank, N.A.
135 Hospital Drive
Van Wert, OH 45881

4-27-2007

DD NET

XXXXXXXXXX0307

448.14

DEPOSITED FOR
EDGAR ROMO
Employee #50024
702 W MONTANA
TUCSON, AZ 85706

NET PAY 448.14
TOTAL DEPOSIT 448.14
CHECK AMOUNT .00

DIRECT DEPOSIT NOTIFICATION