

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

FILED  
2009 NOV 12 AM 11:27  
U.S. BANKRUPTCY COURT  
DISTRICT OF DELAWARE

DECLARATION OF JOHAN PARRA DURAN

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

I, JOHANN PARRA DURAN, 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  
Nebraska, 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  
\$ 8,640 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 4-25-07 to 11-15-07, I was employed by SELECT BUILD NEVADA as Framer.

I believe that my employer has records of the dates of my employment; attached to this statement is a **paystub**, 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 16 hours of unpaid overtime each week, I have determined that SELECT BUILD NEVADA owes me approximately \$ 8,640 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: Filo Manrofo Jose Sanchez.

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 NEVADA, 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 11-10, 2009.

JOHAN PARRA DURAN

SelectBuild Nevada

HOURS		RATE	EARNINGS		OTHER PAY			PAY PERIOD
REGULAR	OVERTIME		REGULAR	OVERTIME	BASIS	RATE	AMOUNT	
27.00			224.00					4-19 to 4-25-07
DEDUCTIONS THIS PERIOD								
MEID	3.25	SOC	13.89					
EMPLOYEE INFORMATION								
JOHAN PARRA-DURAN			YEAR-TO-DATE TOTALS					
PA222663			GROSS	224.00	FICA	17.14	SDI	.00
			PWH	.00	SMH	.00	401K	.00
			TOTAL DEDUCTIONS			17.14		
			NET PAY			206.86		

PLEASE DETACH THIS PORTION AND RETAIN FOR YOUR RECORDS

101349

NO. 101349

TOTAL PAY  
224.00