

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 SAHNCHI TRINIDAD CRUS

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

I SAHNCHI TRINIDAD CRUS, 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 CALIFORNIA, 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 \$5,625.00
DLS 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 from Jan 2006 to August 2009, I was employed by C Construction INC DBA Select Build as CARPENTER. I believe that my employer has records of the dates of my employment; attached to this statement is **PAY STUB**, 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 12.5 hours of unpaid overtime each week, I have determined that C Construction INC DBA Select Build owes me approximately \$5,625.00 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: **Bruno Vargas Jr, Cesar Ezquivel, Cipriano Ortiz, David Arjon Flores, Olivio Ruiz, Luis Rojas Lunas, Sahnchi Trinidad Crus.** 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 CA, 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 10, 2009.

SAANCHI Trinidad Cruz



C CONSTRUCTION INC DBA SELECTBUILD
PO BOX 70006
BOISE, ID 83707-0106

Earnings Statement



Period Beginning: 04/11/2009
Period Ending: 04/17/2009
Pay Date: 04/24/2009

Taxable Marital Status: Single
Exemptions/Allowances:
Federal: 6
CA: 6

SAHNCHI TRINIDAD-CRUZ
24430 CARMAN LANE
MORENO VALLEY CA 92551

Social Security Number: XXX-XX-3672

Earnings	rate	hours	this period	year to date
Regular	9.0000	40.00	360.00	1,224.00
Overtime	13.5000	3.00	40.50	94.50
Gross Pay			\$400.50	1,318.50

Other Benefits and Information

	this period	total to date
401K Elig Wages	400.50	
Ytd Ot Hours		7.00
Ytd Reg Hours		136.00

Deductions	Statutory	
Social Security Tax	-24.83	81.75
Medicare Tax	-5.81	19.12
CA SUI/SDI Tax	-4.40	14.50
Net Pay	\$365.46	

Your federal taxable wages this period are \$400.50

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C CONSTRUCTION INC DBA SELECTBUILD

PO BOX 70006

BOISE, ID 83707-0106



Earnings Statement



Period Beginning: 04/04/2009
Period Ending: 04/10/2009
Pay Date: 04/17/2009

Taxable Marital Status: Single

Exemptions/Allowances:

Federal: 6

CA: 6

SAHNCHI TRINIDAD-CRUZ
24430 CARMAN LANE
MORENO VALLEY CA 92551

Social Security Number: XXX-XX-3672

Earnings	rate	hours	this period	year to date
Regular	9.0000	35.00	315.00	864.00
Overtime				54.00
Gross Pay			\$315.00	918.00

Deductions	Statutory	
Social Security Tax	-19.53	56.92
Medicare Tax	-4.57	13.31
CA SUI/SDI Tax	-3.47	10.10
Net Pay	\$287.43	

Other Benefits and Information

	this period	total to date
401K Elig Wages	315.00	
Ytd Ot Hours		4.00
Ytd Reg Hours		96.00

Your federal taxable wages this period are \$315.00

243-0015

C CONSTRUCTION INC DBA SELECTBUILD

PO BOX 70006

BOISE, ID 83707-0106



Earnings Statement



Period Beginning: 10/18/2008
Period Ending: 10/24/2008
Pay Date: 10/31/2008

Taxable Marital Status: Married
Exemptions/Allowances:
Federal: 4
CA: 4

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SAHNCHI TRINIDAD-CRUZ
770 ORANGE ST
SAN BERNARDINO CA 92410

Social Security Number: XXX-XX-3672

Earnings	rate	hours	this period	year to date
Regular	9.0000	24.00	216.00	6,084.00
Overtime				337.50
Gross Pay			\$216.00	6,421.50

Deductions	Statutory	
Social Security Tax	-13.39	393.13
Medicare Tax	-3.13	93.11
CA SUI/SDI Tax	-1.73	51.37
Federal Income Tax		1.79
Net Pay		\$197.75

Other Benefits and Information

	this period	total to date
401K Elig Wages	216.00	
Ytd Ot Hours		25.00
Ytd Reg Hours		676.00

Your federal taxable wages this period are \$216.00

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