

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

| | | |
|--|---|-------------------------|
| IN RE: |) | Chapter 11 |
| BUILDING MATERIALS HOLDING CORPORATION, et al., ¹ |) | Case No. 09-12074 (KJC) |
| |) | Jointly Administered |
| |) | |
| |) | |
| |) | |

2009 NOV 12 AM 9:13
U.S. BANKRUPTCY COURT
DISTRICT OF DELAWARE

RESPONSE OF McDONOUGH, HOLLAND & ALLEN PC TO "NOTICE OF DEBTORS' FIRST OMNIBUS (NON-SUBSTANTIVE) OBJECTION TO CLAIMS PURSUANT TO SECTION 502(b) OF THE BANKRUPTCY CODE, BANKRUPTCY RULES 3003 AND 3007 AND LOCAL RULE 3007-1"

Claimant McDonough Holland & Allen PC (the "**Firm**" or "**Claimant**") respectfully submits this response ("**Response**") to the "Notice of Debtors' First Omnibus (Non-Substantive) Objection to Claims Pursuant to Section 502(b) of the Bankruptcy Code, Bankruptcy rules 3003 and 3007 and Local Rule 3007-1" (the "**Objection**") received in the Firm's offices on or about October 26, 2009. The Firm's claim is for unpaid invoices for pre-petition legal services and costs advanced by the Firm to Debtors Building Materials Holding Corporation, BMC West Corporation and SelectBuild Northern California, Inc. for defense of those entities in construction defect litigation in California.

BACKGROUND REGARDING DISPUTED CLAIMS

The Objection mistakenly asserts that the Proof of Claim designated claim numbers 2510, 2511 and 2515 by the Debtors' claims and notice agents, Garden City Group, Inc. ("**Garden City**") were filed late on September 2, 2009 and therefore should be disallowed ("Disputed Claim").

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 Corporation (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). The mailing address for the Debtors is 720 Park Boulevard, Suite 200, Boise, Idaho 83712.

As demonstrated by the declarations of Zachary Smith (attached hereto as "**Exhibit A**") and Beba Maletic-Arsov (attached hereto as "**Exhibit B**") and the documentary evidence attached as "**Exhibit C**," "**Exhibit D**," "**Exhibit E**," "**Exhibit F**," "**Exhibit G**" and "**Exhibit H**," the Proof of Claim forms in question were actually received by Garden City and entered into the "Claims Registry" on August 28, 2009 and assigned claim numbers 2112, 2218 and 2157. Therefore Claimant's claims were not filed late and should not be disallowed.

EVIDENCE OF CLERICAL ERROR IN OBJECTION AND PROPOSED ORDER

At the request of the Debtors, on August 27, 2009, Claimant served by Federal Express overnight courier upon Debtors' claims and notice agents, Garden City Group, Inc. ("*Garden City*"), of Dublin, Ohio, a Proof of Claim on behalf of the Firm for professional services rendered to each of three of the Debtors as follows:

A. As to Debtor SelectBuild Northern California, Inc., in case number 09-12077, a "Proof of Claim" form with supporting documentation attached, presenting a claim in the amount of \$5,529.89, which claim has apparently been designated claim number 2510 by the claim administrator in the chart attached as "Exhibit A" to the "Proposed Order" attached as Exhibit 2" to the Objection.

B. As to Debtor Building Materials Holding Corporation, in case number 09-12074, a "Proof of Claim" form with supporting documentation attached, presenting a claim in the amount of \$10,000.04, which claim has apparently been designated claim number 2511 by the claim administrator in the chart attached as "Exhibit A" to the "Proposed Order" attached as Exhibit 2" to the Objection.

C. As to Debtor BMC West Corporation, in case number 09-12075, a "Proof of Claim" form with supporting documentation attached, presenting a claim in the amount of \$19,445.58, which claim has apparently been designated claim number 2515 by the claim administrator in the chart attached as "Exhibit A" to the "Proposed Order" attached as Exhibit 2" to the Objection. (**Exhibit A**, Declaration of Zachary Smith, par. 3 and **Exhibit B**, Declaration of Beba Maletic-Arsov, par.1 and 2)

Zachary Smith of the Firm specifically instructed his secretary, Beba Maletic-Arsov ("*Beba*"), to serve each Proof of Claim on Garden City by Federal Express to ensure physical delivery of the documents to Garden City *before* the "General Bar Date" of August 31, 2009 at 4:00 p.m. prevailing Eastern Time established by this Court's order [Docket No. 248]. (**Exhibit A**, Declaration of Zachary Smith, par. 4)

The following day, August 28, 2009, the Firm received confirmation of the delivery to Garden City of each of three separate packets containing the Proof of Claim and supporting documentation of the Disputed Claims . (**Exhibit A**, Declaration of Zachary Smith, par. 5-8; **Exhibit B**, Declaration of Beba Maletic-Arsov, par. 2; "**Exhibit C**;" "**Exhibit D**;" and "**Exhibit E**,").

On or about October 26, 2009, the Claimant received the Objection and the accompanying notice that the Debtors objected to the Firm's Proof of Claim in each of the three cases on the sole non-substantive basis that the claims had been submitted to Garden City after the General Bar Date. Shortly after the Objection was received and because of the discrepancy between the asserted claims filing dates in the Objection and the dates reflected in the Firm's files, Claimant set about attempting to confirm the actual filing date of the Proof of Claim in each case. (**Exhibit A**, Declaration of Zachary Smith, par. 9-10; **Exhibit B**, Declaration of Beba Maletic-Arsov, par. 4 and 5; "**Exhibit C**;" "**Exhibit D**;" and "**Exhibit E**").

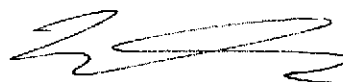
The Claimant's investigation revealed that Federal Express had delivered each Proof of Claim to Garden City on August 28, 2009, that the claims had been entered into the "Claims Register" on August 28, 2009, and then reregistered on September 2, 2009 when one of the Debtor's counsel forwarded to Garden City for processing as originals copies of the Proof of Claim forms which Claimant had delivered to such counsel as a courtesy (**Exhibit A**, Declaration of Zachary Smith, par. 9-10; **Exhibit B**, Declaration of Beba Maletic-Arsov, par. 4 - 9; "**Exhibit C**;" "**Exhibit D**;" "**Exhibit E**;" "**Exhibit F**;" "**Exhibit G**" and "**Exhibit H**,").

CONCLUSION

Everyone involved seems to agree that the September 2, 2009 filing date and claim numbers reported in the Objection are in error and that the Claimant's Proof of Claim forms were actually received, entered into the Claim Registry and assigned claim numbers 2112, 2218 and 2157 *before* the General Bar Date. Therefore the Claimant's claims should not be disallowed as untimely. Based on these circumstances, Claimant respectfully requests that the Proposed Order be modified to delete the references to the claims of McDonough Holland & Allen PC as claim numbers 2510, 2511 and 2515 filed on September 2, 2009.

Respectfully Submitted: November 10, 2009

McDONOUGH HOLLAND & ALLEN PC



ZACHARY SMITH (SBN 078241)

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

| | | |
|--|---|-------------------------|
| IN RE: |) | |
| |) | Chapter 11 |
| BUILDING MATERIALS HOLDING CORPORATION, et al., ¹ |) | Case No. 09-12074 (KJC) |
| |) | Jointly Administered |
| |) | |
| |) | |

FILED
2009 NOV 12 AM 8:28
DISTRICT COURT OF DELAWARE

**DECLARATION OF ZACHARY SMITH IN SUPPORT OF RESPONSE OF
McDONOUGH, HOLLAND & ALLEN PC TO "NOTICE OF DEBTORS' FIRST
OMNIBUS (NON-SUBSTANTIVE) OBJECTION TO CLAIMS PURSUANT TO
SECTION 502(b) OF THE BANKRUPTCY CODE, BANKRUPTCY RULES 3003 AND
3007 AND LOCAL RULE 3007-1"**

I, Zachary Smith, declare under penalty of perjury:

1. I am a shareholder of McDonough Holland & Allen PC, located at 500 Capitol Mall, 18th Floor, Sacramento, CA 95814 (the "**Firm**") and make this declaration in support of the Firm's response ("**Response**") to "Notice of Debtors' First Omnibus (Non-Substantive) Objection to Claims Pursuant to Section 502(b) of the Bankruptcy Code, Bankruptcy rules 3003 and 3007 and Local Rule 3007-1" (the "**Objection**").

2. Building Materials Holding Corporation and its affiliates, debtors and debtors in possession (collectively, the "**Debtors**") have requested that the Firm provide construction defect defense to the Debtors in over seventy five cases during the past fifteen years and, within the Firm, I have the primary responsibility for handling such cases and for the issuance and collection of statements for services rendered and costs advanced by the Firm to the Debtors in conjunction with representing the Debtors.

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 Corporation (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). The mailing address for the Debtors is 720 Park Boulevard, Suite 200, Boise, Idaho 83712.

3. As a result, at the request of the Debtors, on August 27, 2009, I caused to be served by Federal Express overnight courier service upon Debtors' claims and notice agents, Garden City Group, Inc. ("*Garden City*"), of Dublin, Ohio, a Proof of Claim on behalf of the Firm for professional services rendered to each of three of the Debtors as follows:

A. As to Debtor SelectBuild Northern California, Inc., in case number 09-12077, a "Proof of Claim" form with supporting documentation attached, presenting a claim in the amount of \$5,529.89, which claim has apparently been designated claim number 2510 by the claim administrator in the chart attached as "Exhibit A" to the "Proposed Order" attached as "Exhibit 2" to the Objection.

B. As to Debtor Building Materials Holding Corporation, in case number 09-12074, a "Proof of Claim" form with supporting documentation attached, presenting a claim in the amount of \$10,000.04, which claim has apparently been designated claim number 2511 by the claim administrator in the chart attached as "Exhibit A" to the "Proposed Order" attached as "Exhibit 2" to the Objection.

C. As to Debtor BMC West Corporation, in case number 09-12075, a "Proof of Claim" form with supporting documentation attached, presenting a claim in the amount of \$19,445.58, which claim has apparently been designated claim number 2515 by the claim administrator in the chart attached as "Exhibit A" to the "Proposed Order" attached as "Exhibit 2" to the Objection.

4. I specifically instructed my secretary, Beba Maletic-Arsov ("*Beba*"), whose declaration is attached to the Firm's Response as "Exhibit B," to serve each Proof of Claim on Garden City by Federal Express to ensure physical delivery of the documents to Garden City *before* the "General Bar Date" of August 31, 2009 at 4:00 p.m. prevailing Eastern Time established by this Court's order [Docket No. 248].

5. The following day, August 28, 2009, I asked Beba to obtain confirmation of delivery of each Proof of Claim to Garden City. I am informed and believe that, through a service provided through the Federal Express website, Beba obtained written confirmation by e-

mail of the delivery to Garden City of each of three separate packets containing the Proof of Claim and supporting documentation described respectively in paragraphs 3A, 3B and 3C of this declaration.

6. Attached to the Firm's Response as "Exhibit C" is a true and accurate copy of the packet of materials sent to Garden City as the Firm's "Proof of Claim" as to Debtor SelectBuild Northern California, Inc. in case number 09-12077 in the amount of \$5,529.89 (claim number 2510), together with the confirmation received from Federal Express and maintained in the Firm's files that physical delivery of the packet to Garden City 5151 Blazer Parkway, Suite A, Dublin, Ohio, was accomplished and completed on August 28, 2009, a full three days before the "General Bar Date."

7. Attached to the Firm's Response as "Exhibit D" is a true and accurate copy of the packet of materials sent to Garden City as the Firm's "Proof of Claim" as the Firm's "Proof of Claim" as to Debtor Building Materials Holding Corporation, in case number 09-12074, n the amount of \$10,000.04, (claim number 2511), together with the confirmation received from Federal Express and maintained in the Firm's files that physical delivery of the packet to Garden City at 5151 Blazer Parkway, Suite A, Dublin, Ohio, was accomplished and completed on August 28, 2009, a full three days before the "General Bar Date."

8. Attached to the Firm's Response as "Exhibit E" is a true and accurate copy of the packet of materials sent to Garden City as the Firm's "Proof of Claim" as the Firm's "Proof of Claim" as to Debtor BMC West Corporation, in case number 09-12075, n the amount of \$19,445.58, (claim number 2515), together with the confirmation received from Federal Express and maintained in the Firm's files that physical delivery of the packet to Garden City at 5151 Blazer Parkway, Suite A, Dublin, Ohio, was accomplished and completed on August 28, 2009, a full three days before the "General Bar Date."

9. On or about October 26, 2009, the Firm received the Objection and the accompanying notice that the Debtors objected to the Firm's Proof of Claim in each of the three cases on the sole non-substantive basis that the claims had been submitted to Garden City after

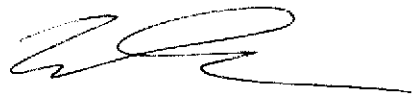
the General Bar Date. The Objection asserted, apparently incorrectly that the claims had been filed with Garden City on September 2, 2009 (see Objection, Exhibit A to "Proposed Order" attached to Objection as Exhibit 2).

10. Shortly after the Objection was received and because of the discrepancy between the asserted claims filing dates in the Objection and the dates reflected in the Firm's files, I asked Beba to check again with Federal Express and otherwise attempt to confirm the actual filing date of the Proof of Claim forms with Garden City.

11. I am informed and believe that Beba had obtained a second confirmation from Federal Express of the August 28, 2009 delivery to Garden City of each Proof of Claim and, in addition, obtained confirmation from the "Claims Register" for the Debtors' cases that each Proof of Claim described in paragraph 3 of this declaration was indeed filed on August 28, 2009 and that the assertion in the Objection of a filing date of September 2, 2009 is a clerical error (Response, Exhibit B, Declaration of Beba Maletic-Arsov, paragraphs 4-9).

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Date: November 10, 2009



ZACHARY SMITH

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

IN RE:

**BUILDING MATERIALS HOLDING
CORPORATION, et al.,¹**

Chapter 11

Case No. 09-12074 (KJC)

Jointly Administered

DECLARATION OF BEBA MALETIC-ARSOV

I, Beba Maletic-Arsov, declare as follows:

1. I am a legal secretary with the law firm of McDonough Holland & Allen PC, assisting Zachary Smith in this action. I submit this declaration in support of McDonough Holland & Allen PC's "Response to 'Notice of Debtors' First Omnibus (Non-Substantive) Objection to Claims Pursuant to Section 502(b) of the Bankruptcy Code, Bankruptcy rules 3003 and 3007 and Local Rule 3007-1' " (*"Response"*)

2. Pursuant to the direction of Zachary Smith, I sent via Federal Express on August 27, 2009, the original Proof of Claim forms as to Building Materials Holding Company (Federal Express tracking number: 797886936998), BMC West Corporation (Federal Express tracking number: 797886351650) and SelectBuild Northern California (Federal Express tracking number: 796899434984) in sealed Federal Express envelopes for Building Materials Holding Corporation, BMC West Corporation and SelectBuild Northern California to The Garden City Group, Inc. , 5151 Blazer Parkway, Ste. A, Dublin, Ohio 43017.

2. On August 28, 2009, I received in my e-mail "InBox Tracking Notification" from Federal Express that the envelopes (tracking numbers 797886936998, 797886351650, 796899434984) were delivered on August 28, 2009. I filed copies of the "InBox Tracking Notification" forms relating to the respective Proof of Claim forms along with the respective Proof of Claim forms in the files maintained by McDonough Holland & Allen PC. True and

accurate copies of the respective Proof of Claim forms and the related "InBox Tracking Notification" forms are attached to the Response as "Exhibit C," "Exhibit D," and "Exhibit E" respectively.

3. On October 26, 2009, our offices received a "Notice of Debtors' First Omnibus (Non-Substantive) Objection to Claims Pursuant to Section 502(b) of the Bankruptcy Code, Bankruptcy rules 3003 and 3007 and Local Rule 3007-1" ("*Notice of Objection*") to Debtors claims on the basis that our claims were expunged because of the late filing date of September 2, 2009.

4. On October 28, 2009, I checked the Federal Express confirmation of delivery to Garden City and then called Young Conaway Stargatt & Taylor, LLP and asked to speak to the assistant to Robert Poppiti and was told by a receptionist that the person working on the case, Casey Cathcart paralegal to Robert Poppiti, was not in the office at the moment, and to leave a message. I left a lengthy message with Casey Cathcart regarding the Proof of Claims sent to Garden City and the courtesy copies sent to their offices.

5. On October 28, 2009 I contacted The Garden City Group via email per their website with the concern of the Notice of Objection asserting a "late filing" of September 2, 2009.

6. On October 30, 2009, I received a phone call from Robert Poppiti who informed me that the copies which were sent to his office as a courtesy via U.S. Mail on August 27, 2009, received soon thereafter, were forwarded to The Garden City Group for filing.

7. On November 3, 2009, I received a telephone call from Matt Corwin from The Garden City Group, who asked me to forward via email to him a copy of the proof of delivery of Fed Ex delivery receipt to their offices. I did so on November 5, 2009 because I was out of the office on November 4, 2009.

8. On November 6, 2009, I received a phone call from Greg Guarton from The Garden City Group, who asked me to reiterate the situation which I did.

9. On November 9, I received a phone call from Greg Guarton informing me that after some research he had found our claims with the August 28, 2009 filing date. We proceeded to "walk" through the "www.bmhcrestructuring.com" website and claims register section and I was able to print out from my computer a Claims Register Report for each claim number showing that the Proof of Claims which were sent from our offices on August 27, 2009 and received on August 28, 2009 were filed on August 28, 2009 with the claim numbers 2112, 2218 and 2157. True and accurate copies of the Claims Register Report for each claim number from the "www.bmhcrestructuring.com" website showing the respective Proof of Claim forms were filed on August 28, 2009 with the claim numbers 2112, 2218 and 2157 assigned to them are attached to the Response as "Exhibit F," "Exhibit G" and "Exhibit H." Greg Guarton confirm to me that claim numbers 2510, 2511 and 2515 with filing date of September 2, 2009 were duplicates assigned to the duplicate Proof of Claim forms received from Young Conway Stargatt & Taylor, LLP .

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on November 10, 2009, at Sacramento, California.

Date: November 10, 2009


BEBA MALETIC-ARSOV

7th Smith

FedEx Kinko's
Office and Print Center

921 11TH ST
SACRAMENTO, CA 95814

Location: SMFKR
Device ID: SMFKR-POS2
Employee: 2029294

FEDEX Express Package - Dropped Off
796899434984

Total Pieces: 1

Subject to additional charges. See FedEx Service Guide
at fedex.com for details. All merchandise sales final.

Visit us at: fedex.com
Or call 1.800.GoFedEx
1.800.463.3339

August 27, 2009 5:53:37 PM

EXHIBIT C

Beba Maletic-Arsov

From: TrackingUpdates@fedex.com
Sent: Friday, August 28, 2009 5:47 AM
To: Beba Maletic-Arsov
Subject: FedEx Shipment 796899434984 Delivered

This tracking update has been requested by:

Company Name: McDonough, Holland & Allen
Name: Zachary Smith, Esq.
E-mail: barsov@mhallow.com

Our records indicate that the following shipment has been delivered:

Reference: 31121.0019
Ship (P/U) date: Aug 27, 2009
Delivery date: Aug 28, 2009 8:08 AM
Sign for by: M.CHIDOD
Delivered to: Guard/Security Station
Service type: FedEx First Overnight
Packaging type: FedEx Envelope
Number of pieces: 1
Weight: 0.50 lb.
Special handling/Services: Deliver Weekday

Tracking number: 796899434984

Shipper Information
Zachary Smith, Esq.
McDonough, Holland & Allen
500 CAPITOL MALL FL 18; 18TH FLOOR
SACRAMENTO
CA
US
95814

Recipient Information
RE: Building Materials Holding
Corp
The Garden City Group, Inc.
5151 BLAZER PKWY STE A
DUBLIN
OH
US
43017

Please do not respond to this message. This email was sent from an unattended mailbox. This report was generated at approximately 7:46 AM CDT on 08/28/2009.

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Enter tracking number

Detailed Results**Notifications**

Tracking no.: 796899434984

E-mail notifications

Delivered
Delivered
Signed for by: M.CHIDOD
Shipment Dates
 Ship date ⓘ Aug 27, 2009
 Delivery date ⓘ Aug 28, 2009 8:08 AM
Destination
 DUBLIN, OH
[Signature Proof of Delivery](#) ⓘ
Shipment Facts
[Help](#)

| | | | |
|--------------|--------------------------|--------------|------------------------|
| Service type | First Overnight Envelope | Delivered to | Guard/Security Station |
| Weight | 0.5 lbs/0.2 kg | Reference | 31121.0019 |

Shipment Travel History
[Help](#)
Select time zone: [Select](#)Select time format: [12H](#) | [24H](#)

All shipment travel activity is displayed in local time for the location

| Date/Time | Activity | Location | Details |
|-----------------------|------------------------------------|----------------|---|
| Aug 28, 2009 8:08 AM | Delivered | DUBLIN, OH | |
| Aug 28, 2009 6:33 AM | On FedEx vehicle for delivery | COLUMBUS, OH | |
| Aug 28, 2009 6:27 AM | At dest sort facility | COLUMBUS, OH | |
| Aug 28, 2009 6:23 AM | At local FedEx facility | COLUMBUS, OH | |
| Aug 28, 2009 4:03 AM | Departed FedEx location | MEMPHIS, TN | |
| Aug 28, 2009 12:52 AM | Arrived at FedEx location | MEMPHIS, TN | |
| Aug 27, 2009 6:29 PM | Left FedEx origin facility | SACRAMENTO, CA | |
| Aug 27, 2009 5:52 PM | Picked up | SACRAMENTO, CA | Tendered at FedEx Kinko's, now FedEx Office |
| Aug 27, 2009 6:14 PM | Shipment information sent to FedEx | | |

01103231

BMC0271691278



UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF DELAWARE

PROOF OF CLAIM

Name of Debtor (Check Only One):

- ☐ Building Materials Holding Corporation
☐ BMC West Corporation
☐ SelectBuild Construction, Inc.
☒ SelectBuild Northern California, Inc.
☐ Illinois Framing, Inc.
☐ C Construction, Inc.

Case No.

09-12074
 09-12075
 09-12076
 09-12077
 09-12078
 09-12079

Name of Debtor

- ☐ TWF Construction, Inc.
☐ H.N.R. Framing Systems, Inc.
☐ SelectBuild Southern California, Inc.
☐ SelectBuild Nevada, Inc.
☐ SelectBuild Arizona, LLC
☐ SelectBuild Illinois, LLC

Case No.

09-12080
 09-12081
 09-12082
 09-12083
 09-12084
 09-12085

NOTE: This form should not be used to make a claim for an administrative expense arising after the commencement of the case, except for purposes of asserting an administrative expense under 11 U.S.C. § 503(b)(9) (see Item 6 below). All other requests for payment of an administrative expense should be filed pursuant to 11 U.S.C. § 503.

Name of Creditor (the person or other entity to whom the Debtor owes money or property): MCDONOUGH HOLLAND & ALLEN

Name and address where notices should be sent:

Zachary Smith
 McDONOUGH HOLLAND & ALLEN PC
 500 Capitol Mall 18th Floor
 Sacramento, CA 95814

Telephone number: (916) 444-3900

Email Address: zsmith@mhalaw.com

☐ Check this box to indicate that this claim amends a previously filed claim.

Court Claim Number: _____
(If known)

Filed on: _____

Name and address where payment should be sent (if different from above):

☐ Check this box if you are aware that anyone else has filed a proof of claim relating to your claim. Attach copy of statement giving particulars.

☐ Check this box if you are the Debtor or trustee in this case.

Telephone number:

If an amount is identified above, you have a claim scheduled by one of the Debtors as shown. Please review the Bar Date Notice to determine whether you must file a proof of claim to preserve your rights. The Bar Date Notice is available online at www.bmhcrestructuring.com or upon request at the address on the back of this form.

THIS SPACE IS FOR COURT USE ONLY

1. Amount of Claim as of Date Case Filed:

\$ 55,529.89

If all or part of your claim is secured, complete item 4 below; however, if all of your claim is unsecured, do not complete item 4. If all or part of your claim is entitled to priority, complete item 5. If your claim is asserted pursuant to 11 U.S.C. § 503(b)(9), complete item 6.

☐ Check this box if claim includes interest or other charges in addition to the principal amount of claim. Attach itemized statement of interest or charges.

2. Basis for Claim: Legal Services Performed at Request of Debtor's General Counsel.
(See instruction #2 on reverse side.)

3. Last four digits of any number by which creditor identifies Debtor: 7579

3a. Debtor may have scheduled account as:
(See instruction #3a on reverse side.)

4. Secured Claim (See instruction #4 on reverse side.)

Check the appropriate box if your claim is secured by a lien on property or a right of setoff and provide the requested information.

Nature of property or right of setoff: ☐ Real Estate ☐ Motor Vehicle ☐ Equipment ☐ Other
Describe:

Value of Property: \$ _____ Annual Interest Rate: %

Amount of arrearage and other charges as of time case filed included in secured claim,

if any: \$ _____ Basis for perfection: _____

Amount of Secured Claim: \$ _____ Amount Unsecured: \$ _____

6. Claim Pursuant to 11 U.S.C. § 503(b)(9):

Indicate the amount of your claim arising from your provision of goods sold to a Debtor in the ordinary course of the Debtor's business in the 20 days before June 16, 2009:
Attach documentation supporting such claim. \$ _____

7. Credits: The amount of all payments on this claim has been credited for the purpose of making this proof of claim.

8. Documents: Attach redacted copies of any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements or running accounts, contracts, judgments, mortgages and security agreements. You may also attach a summary. Attach redacted copies of documents providing evidence of perfection of a security interest. You may also attach a summary. (See instruction #8 and definition of "redacted" on reverse side.)
DO NOT SEND ORIGINAL DOCUMENTS. ATTACHED DOCUMENTS MAY BE DESTROYED AFTER SCANNING.

If the documents are not available, please explain in an attachment.

Date:

8/27/09

Signature: The person filing this claim must sign it. Sign and print name and title, if any, of the creditor or other person authorized to file this claim and state address and telephone number if different from the notice address above. Attach copy of power of attorney, if any.

FOR COURT USE ONLY

Penalty for presenting fraudulent claim: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. §§ 152 and 3571.
Modified B10 (GCG) (12/08)

INSTRUCTIONS FOR PROOF OF CLAIM FORM

The instructions and definitions below are general explanations of the law. In certain circumstances, such as bankruptcy, these instructions are not filed voluntarily by the debtor, there may be exceptions to these general rules. The attorneys for the debtors and their court-appointed claims agent are not authorized and are not providing you with any legal advice.

PLEASE SEND YOUR ORIGINAL, COMPLETED PROOF OF CLAIM AS FOLLOWS: IF BY MAIL: THE GARDEN CITY GROUP, INC., ATTN: BUILDING MATERIALS HOLDING CORPORATION, P.O. BOX 9393, DUBLIN, OH 43017-4293. IF BY HAND OR OVERNIGHT COURIER: THE GARDEN CITY GROUP, INC., ATTN: BUILDING MATERIALS HOLDING CORPORATION, 5151 BLAZER PARKWAY, SUITE A, DUBLIN, OH 43017. ANY PROOF OF CLAIM SUBMITTED BY FACSIMILE OR E-MAIL WILL NOT BE ACCEPTED.

THE GENERAL BAR DATE IN THESE CHAPTER 11 CASES IS AUGUST 31, 2009 AT 5:00 P.M. (PREVAILING EASTERN TIME).
THE GOVERNMENTAL BAR DATE IN THESE CHAPTER 11 CASES IS DECEMBER 16, 2009 AT 5:00 P.M. (PREVAILING EASTERN TIME).

Court, Name of Debtor, and Case Number:

These chapter 11 cases were commenced in the United States Bankruptcy Court for the District of Delaware on June 16, 2009. You should select the Debtor against which you are asserting your claim.

A SEPARATE PROOF OF CLAIM FORM MUST BE FILED AGAINST EACH DEBTOR AGAINST WHICH THE CREDITOR HOLDS OR ASSERTS A CLAIM.

Creditor's Name and Address:

Fill in the name of the person or entity asserting a claim and the name and address of the person who should receive notices issued during the bankruptcy case. Please provide us with a valid email address. A separate space is provided for the payment address if it differs from the notice address. The creditor has a continuing obligation to keep the court informed of its current address. See Federal Rule of Bankruptcy Procedure (FRBP) 2002(g).

1. Amount of Claim as of Date Case Filed:

State the total amount owed to the creditor as of June 16, 2009. Follow the instructions concerning whether to complete items 4, 5 and/or 6. Check the box if interest or other charges are included in the claim.

2. Basis for Claim:

State the type of debt or how it was incurred. Examples include goods sold, money loaned, services performed, personal injury/wrongful death, car loan, mortgage note, and credit card. If the claim is based on the delivery of health care goods or services, limit the disclosure of the goods or services so as to avoid embarrassment or the disclosure of confidential health care information. You may be required to provide additional disclosure if the trustee or another party in interest files an objection to your claim.

3. Last Four Digits of Any Number by Which Creditor Identifies Debtor:

State only the last four digits of the Debtor's account or other number used by the creditor to identify the Debtor.

3a. Debtor May Have Scheduled Account As:

Use this space to report a change in the creditor's name, a transferred claim, or any other information that clarifies a difference between this proof of claim and the claim as scheduled by the Debtor.

4. Secured Claim:

Check the appropriate box and provide the requested information if the claim is fully or partially secured. Skip this section if the claim is entirely unsecured. (See DEFINITIONS, below.) State the type and the value of property that secures the claim, attach copies of lien documentation, and state annual interest rate and the amount past due on the claim as of the date of the bankruptcy filing.

5. Amount of Claim Entitled to Priority Under 11 U.S.C. § 507(a):

If any portion of your claim falls in one or more of the listed categories, check the appropriate box(es) and state the amount entitled to priority. (See DEFINITIONS, below.) A claim may be partly priority and partly non-priority. For example, in some of the categories, the law limits the amount entitled to priority.

6. Claim Pursuant to 11 U.S.C. § 503(b)(9):

Indicate the amount of your claim arising from your provision of goods to a Debtor in the ordinary course of the Debtor's business in the 20 days before June 16, 2009. Attach documentation supporting such claim.

7. Credits:

An authorized signature on this proof of claim serves as an acknowledgment that when calculating the amount of the claim, the creditor gave the Debtor credit for any payments received toward the debt.

8. Documents:

Attach to this proof of claim form redacted copies documenting the existence of the debt and of any lien securing the debt. You may also attach a summary. You must also attach copies of documents that evidence perfection of any security interest. You may also attach a summary. FRBP 3001(c) and (d). If the claim is based on the delivery of health care goods or services, see instruction #2. Do not send original documents, as attachments may be destroyed after scanning.

Date and Signature:

The person filing this proof of claim must sign and date it. FRBP 9011. If the claim is filed electronically, FRBP 5005(a)(2), authorizes courts to establish local rules specifying what constitutes a signature. Print the name and title, if any, of the creditor or other person authorized to file this claim. State the filer's address and telephone number if it differs from the address given on the top of the form for purposes of receiving notices. Attach a complete copy of any power of attorney. Criminal penalties apply for making a false statement on a proof of claim.

DEFINITIONS

Debtor

A Debtor is the person, corporation, or other entity that has filed a bankruptcy case.

Creditor

A creditor is the person, corporation, or other entity owed a debt by the Debtor on the date of the bankruptcy filing.

Claim

A claim is the creditor's right to receive payment on a debt that was owed by the Debtor on the date of the bankruptcy filing. See 11 U.S.C. § 101(5). A claim may be secured or unsecured.

Proof of Claim

A proof of claim is a form used by the creditor to indicate the amount of the debt owed by the Debtor on the date of the bankruptcy filing. The creditor must file the form with The Garden City Group, Inc. as described in the instructions above and in the Bar Date Notice.

Secured Claim Under 11 U.S.C. § 506(a)

A secured claim is one backed by a lien on property of the debtor. The claim is secured so long as the creditor has the right to be paid from the property prior to other creditors. The amount of the secured claim cannot exceed the value of the property. Any amount owed to the creditor in excess of the value of the property is an unsecured claim. Examples of claims on property include a mortgage on real estate or a security interest in a car. A lien may be voluntarily granted by a debtor or may be obtained through a court proceeding. In some states, a court judgment is a lien. A claim also may be secured if the creditor owes the Debtor money (has a debt to setoff).

Section 503(b)(9) Claim

A Section 503(b)(9) claim is a claim for the value of any goods received by the Debtor within 20 days before the date of commencement of a bankruptcy case in which the goods have been sold to the Debtor in the ordinary course of such Debtor's business.

Unsecured Claim

An unsecured claim is one that does not meet the requirements of a secured claim. A claim may be partly unsecured if the amount of the claim exceeds the value of the property on which the creditor has a lien.

Claim Entitled to Priority Under 11 U.S.C. § 507(a)

Priority claims are certain categories of unsecured claims that are paid from the available money or property in a bankruptcy case before other unsecured claims.

Redacted

A document has been redacted when the person filing it has masked, edited out, or otherwise deleted, certain information. A creditor should redact and use only the last four digits of any social-security, individual's tax-identification, or financial-account number, all but the initials of a minor's name and only the year of any person's date of birth.

Evidence of Perfection

Evidence of perfection may include a mortgage, lien, certificate of title, financing statement, or other document showing that the lien has been filed or recorded.

INFORMATION

Acknowledgment of Filing of Claim

To receive acknowledgment of your filing from The Garden City Group, Inc., please provide a stamped self-addressed envelope and a copy of this proof of claim when you submit the original claim to The Garden City Group, Inc.

Offers to Purchase a Claim

Certain entities are in the business of purchasing claims for an amount less than the face value of the claims. One or more of these entities may contact the creditor and offer to purchase the claim. Some of the written communications from these entities may easily be confused with official court documentation or communications from the Debtor. These entities do not represent the bankruptcy court or the Debtor. The creditor has no obligation to sell its claim. However, if the creditor decides to sell its claim, any transfer of such claim is subject to FRBP 3001(e), any applicable provisions of the Bankruptcy Code (11 U.S.C. § 101 et seq.), and any applicable orders of the bankruptcy court.

SELECTBUILD NORTHERN CALIFORNIA, INC.

Last for digits of Debtor's Tax I.D. No.: 7579

Summary of Unpaid Invoices for Services Performed Through June 15, 2009

| Matter | Invoice Number | Date Billed | Amount Billed | Date of Service |
|--|----------------|-------------|-------------------|---------------------|
| 0063 Bustamante vs. SelectBuild, etc., et al. | 212698 | 06/05/09 | 3,694.08 | 04/01/09 - 04/30/09 |
| 0063 Bustamante vs. SelectBuild, etc., et al. | 213362 | 06/29/09 | 1,421.15 | 05/01/09 - 05/31/09 |
| 0063 Bustamante vs. SelectBuild, etc., et al. | 213882 | 07/21/09 | 76.96 | 06/01/09 - 06/15/09 |
| 0070 Haraguchi vs. Meritage Homes, etc. et al. | 213889 | 07/21/09 | 337.70 | 06/01/09 - 06/15/09 |
| Total Due | | | \$5,529.89 | |

McDONOUGH HOLLAND & ALLEN PC

Attorneys at Law

500 Capitol Mall, 18th Floor
Sacramento, California 95814
(916) 444-3900

Gallagher Bassett Services, Inc.
ATTN: Paul Rowson, Senior Claims Rep.
P.O. Box 30840
Laguna Hills, CA 92656-5326

Invoice: 212698
Date: 06/05/09

BUILDING MATERIALS HOLDING CORPORATION

Client No: 31121

**For Legal Services rendered through April 30, 2009 as fully
described on the attached detailed billing:**

| | |
|------------------------------|--------------------------|
| Total Fees | \$3,552.00 |
| Total Costs | <u>\$142.08</u> |
| TOTAL DUE THIS BILL | \$3,694.08 |
| TOTAL BALANCE NOW DUE | <u>\$3,694.08</u> |

McDONOUGH HOLLAND & ALLEN PC

Attorneys at Law

500 Capitol Mall, 18th Floor
Sacramento, California 95814
(916) 444-3900

Gallagher Bassett Services, Inc.
ATTN: Paul Rowson, Senior Claims Re
P.O. Box 30840
Laguna Hills, CA 92656-5326

Invoice Number 212698
Invoice Date 06/05/09
Client Number 31121
Matter Number 0063

Re: Bustamante vs. SelectBuild Construction, Inc.
Claim #002628-001835-GB-01

FOR PROFESSIONAL SERVICES RENDERED THROUGH 04/30/09:

| Date | Name | Description of Service | Hours | Fee |
|----------|-------|--|-------|----------|
| ----- | ----- | ----- | ----- | ----- |
| 04/17/09 | Smith | Review of all file materials in preparation for upcoming mediation on April 22, 2009. | 5.6 | 1,036.00 |
| 04/20/09 | Smith | Follow-up telephone conference with Ryan Frazier to set stage for mediation on April 22, 2009 (.4); Telephone conference with Len Bauman (.1). | 0.5 | 92.50 |
| 04/21/09 | Smith | Mediation preparation and finalization of mediation brief. | 4.4 | 814.00 |
| 04/22/09 | Smith | Mediation preparation meeting with Len Bauman of BMHC (1.6); Lunch with Len Bauman - No Charge (1.0); Attended mediation conducted by Mike Stenson and negotiated settlement of Bustamante and Teichert claims (5.5); Follow-up telephone conference with Justin Tierney, attorney for Teichert on contractual indemnity claims by Beazer (.3); Initial drafting of releases for execution by plaintiff and Teichert (1.3) | 8.7 | 1,609.50 |
| | | | | |
| | | TOTAL HOURS | 19.2 | |

31121 BUILDING MATERIALS HOLDING CORPORATION
0063 Bustamante vs. SelectBuild Construction,

Invoice Number 212698
06/05/09
Page 2

TIME SUMMARY:

| Name | Hours | Rate | Fee |
|---------------|-------|------------|----------|
| Zachary Smith | 19.2 | at \$185 = | 3,552.00 |
| CURRENT FEES | | | 3,552.00 |

FOR COSTS ADVANCED AND EXPENSES INCURRED:

| Date | Amount |
|--------------------------------|--------|
| 05/07/09 Administrative Charge | 142.08 |
| CURRENT EXPENSES | 142.08 |

TOTAL AMOUNT OF THIS INVOICE 3,694.08

TOTAL BALANCE DUE UPON RECEIPT 3,694.08

McDONOUGH HOLLAND & ALLEN PC

Attorneys at Law

500 Capitol Mall, 18th Floor
Sacramento, California 95814
(916) 444-3900

Gallagher Bassett Services, Inc.
ATTN: Paul Rowson, Senior Claims Rep.
P.O. Box 30840
Laguna Hills, CA 92656-5326

Invoice: 213362
Date: 06/29/09

BUILDING MATERIALS HOLDING CORPORATION

Client No: 31121

**For Legal Services rendered through May 31, 2009 as fully
described on the attached detailed billing:**

| | |
|------------------------------|--------------------------|
| Total Fees | \$1,295.00 |
| Total Costs | <u>\$126.15</u> |
| TOTAL DUE THIS BILL | \$1,421.15 |
| TOTAL BALANCE NOW DUE | <u>\$1,421.15</u> |

McDONOUGH HOLLAND & ALLEN PC

Attorneys at Law

500 Capitol Mall, 18th Floor
Sacramento, California 95814
(916) 444-3900

Gallagher Bassett Services, Inc.
ATTN: Paul Rowson, Senior Claims Re
P.O. Box 30840
Laguna Hills, CA 92656-5326

Invoice Number 213362
Invoice Date 06/29/09
Client Number 31121
Matter Number 0063

Re: Bustamante vs. SelectBuild Construction, Inc.
Claim #002628-001835-GB-01

FOR PROFESSIONAL SERVICES RENDERED THROUGH 05/31/09:

| Date | Name | Description of Service | Hours | Fee |
|----------|-------|--|-------|--------|
| ----- | ----- | ----- | ----- | ----- |
| 05/06/09 | Smith | Receipt and analysis of Beazer Homes' Case Management Conference Statement regarding amendment of Beazer's cross-complaint to add Teichert as a named cross-defendant and anticipated prosecution of Beazer cross-complaint for express contractual indemnity (.2); Continued work on drafting of separate release and settlement agreements for plaintiff's release of SelectBuild/KBI NorCal and Beazer Homes and Teichert's release of SelectBuild/KBI NorCal (3.0) | 3.2 | 592.00 |
| 05/07/09 | Smith | Telephone conference with attorney for Teichert, Justin Tierney, regarding means of settling outstanding claims of Beazer Homes. | 0.4 | 74.00 |
| 05/11/09 | Smith | Revise release and settlement agreement for execution by plaintiff Bustamante and lienholder Teichert and SelectBuild. | 1.0 | 185.00 |
| 05/12/09 | Smith | Telephone conferences with attorneys for Beazer and Teichert regarding potential for settlement of Beazer's claims and problems with drafting release agreement for good faith settlement if | 1.4 | 259.00 |

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0063

BUILDING MATERIALS HOLDING CORPORATION
Bustamante vs. SelectBuild Construction,

Invoice Number 213362
06/29/09
Page 2

| Date | Name | Description of Service | Hours | Fee |
|-------------|-------|--|-------|-------|
| | | issues between Beazer on the one hand and Teichert and SelectBuild on the other remain unresolved (.4); Telephone conferences with attorneys for plaintiff regarding release issues and payment protocols (.3); Telephone conference with Len Baumann regarding payment and release agreement issues (.2); Prepare fine-tuning modifications revisions to final working draft of release and settlement agreement and transmittal of document to all counsel and Len Baumann (.5). | | |
| 05/13/09 | Smith | Prepare, file and serve Case Management Conference Statement on behalf of SelectBuild Construction, Inc. and SelectBuild Northern California, Inc. | 0.4 | 74.00 |
| 05/18/09 | Smith | Telephone conference with Laura Cason in an effort to negotiate resolution of Beazer claims. | 0.3 | 55.50 |
| 05/19/09 | Smith | Email communications with attorneys for plaintiff and Teichert regarding proposed changes to release and settlement agreement. | 0.3 | 55.50 |
| TOTAL HOURS | | | 7.0 | |

TIME SUMMARY:

| Name | Hours | Rate | Fee |
|---------------|-------|------------|----------|
| Zachary Smith | 7.0 | at \$185 = | 1,295.00 |

31121
0063

BUILDING MATERIALS HOLDING CORPORATION
Bustamante vs. SelectBuild Construction,

Invoice Number 213362
06/29/09
Page 3

CURRENT FEES

1,295.00

FOR COSTS ADVANCED AND EXPENSES INCURRED:

| Date | | Amount |
|----------|--|--------|
| 05/01/09 | Computer assisted legal research on WestLaw by Zac Smith on 4/22/2009. | 74.35 |
| 06/29/09 | Administrative Charge | 51.80 |

CURRENT EXPENSES

126.15

TOTAL AMOUNT OF THIS INVOICE

1,421.15

TOTAL BALANCE DUE UPON RECEIPT

1,421.15

McDONOUGH HOLLAND & ALLEN PC

Attorneys at Law

500 Capitol Mall, 18th Floor
Sacramento, California 95814
(916) 444-3900

BMHC Administrative Service Center Invoice: 213889
ATTN: Susan Reimers, Executive/Legal Assistan Date: 07/21/09
Legal Department
720 Park Boulevard, Suite 200
Boise, ID 83712-7714

BUILDING MATERIALS HOLDING CORPORATION

Client No: 31121

For Legal Services rendered through June 30, 2009 as fully
described on the attached detailed billing:

| | |
|-----------------------|------------------------|
| Total Fees | \$240.50 |
| Total Costs | <u>\$251.12</u> |
| TOTAL | \$491.62 |
| Less Retainer | <u>\$337.70</u> |
| TOTAL DUE THIS BILL | \$153.92 |
| TOTAL BALANCE NOW DUE | <u><u>\$153.92</u></u> |

McDONOUGH HOLLAND & ALLEN PC

Attorneys at Law

500 Capitol Mall, 18th Floor
Sacramento, California 95814
(916) 444-3900

BMHC Administrative Service Center
ATTN: Susan Reimers, Executive/Lega
Legal Department
720 Park Boulevard, Suite 200
Boise, ID 83712-7714

Invoice Number 213889
Invoice Date 07/21/09
Client Number 31121
Matter Number 0070

Re: Haraguchi vs. Mertiage - KBI Norcal

FOR PROFESSIONAL SERVICES RENDERED THROUGH 06/30/09:

| Date | Name | Description of Service | Hours | Fee |
|-------------|-------|--|-------|-------|
| ----- | ----- | ----- | ----- | ----- |
| 05/11/09 | Smith | Telephone conference with Mark Hardy regarding progress of settlement negotiations and memo to file. | 0.5 | 92.50 |
| 06/16/09 | Smith | Receipt and analysis of letter from Meritage's attorneys advising of Meritage's settlement with Plaintiffs and demanding \$40,000.00 from KBI NorCal; Telephone conference with Lia Stivaletta regarding demand and regarding the effect of the bankruptcy filing on ability to negotiate settlements of pre-petition claims which are not within the BMHC insurance program, etc.; Follow-up e-mail communications with Lia Stivaletta. | 0.4 | 74.00 |
| 06/18/09 | Smith | Preparation of Notice of Automatic Stay for filing and service on all parties and letter to Meritage attorneys serving the notice and rejecting \$40,000 demand as to KBI NorCal. | 0.4 | 74.00 |
| TOTAL HOURS | | | 1.3 | |

31121 BUILDING MATERIALS HOLDING CORPORATION
0070 Haraguchi vs. Mertiage - KBI Norcal

Invoice Number 213889
07/21/09
Page 2

TIME SUMMARY:

| Name | Hours | Rate | Fee |
|---------------|-------|------------|--------|
| Zachary Smith | 1.3 | at \$185 = | 240.50 |
| CURRENT FEES | | | 240.50 |

FOR COSTS ADVANCED AND EXPENSES INCURRED:

| Date | | Amount |
|----------|--|--------|
| 04/13/09 | Filing One Legal, LLC. / of Case Management Conference Statement on behalf of KBI Nor-Cal, SelectBuild Nor-Cal, SelectBuild Construction and BMHC in Contra Costa County Superior Court. | 33.00 |
| 04/13/09 | Filing One Legal, LLC. / of Answer to Haraguchi's First Amended Complaint on behalf of KBI Nor-Cal, SelectBuild Nor-Cal, SelectBuild Construction and BMHC in Contra Costa County Superior Court. | 88.50 |
| 04/27/09 | Client cost incurred re: U.S. Bank / 4/21/2009 - VISA - WOOD - COURTCALL. Scheduling of CourtCall appearance for RJ Wood at 4/27/2009 hearing in Contra Costa County Superior Court. [Appearance ID 2784131] | 60.00 |
| 04/27/09 | Client cost incurred re: U.S. Bank / 4/21/2009 - VISA - WOOD - COURTCALL. Scheduling of CourtCall appearance for RJ Wood at 4/29/2009 hearing in Contra Costa County Superior Court. [Appearance ID 2784131] | 60.00 |
| 07/20/09 | Administrative Charge | 9.62 |

31121
0070

BUILDING MATERIALS HOLDING CORPORATION
Haraguchi vs. Mertiage - KBI Norcal

Invoice Number 213889
07/21/09
Page 3

CURRENT EXPENSES

251.12

TOTAL AMOUNT OF THIS INVOICE
LESS RETAINER APPLIED TO INVOICE

491.62
-337.70

NET AMOUNT OF THIS INVOICE

153.92

TOTAL BALANCE DUE UPON RECEIPT

153.92
=====

McDONOUGH HOLLAND & ALLEN PC

Attorneys at Law

500 Capitol Mall, 18th Floor
Sacramento, California 95814
(916) 444-3900

Gallagher Bassett Services, Inc.
ATTN: Paul Rowson, Senior Claims Rep.
P.O. Box 30840
Laguna Hills, CA 92656-5326

Invoice: 213882
Date: 07/21/09

BUILDING MATERIALS HOLDING CORPORATION

Client No: 31121

**For Legal Services rendered through June 30, 2009 as fully
described on the attached detailed billing:**

| | |
|------------------------------|------------------------|
| Total Fees | \$536.50 |
| Total Costs | <u>\$21.46</u> |
| TOTAL DUE THIS BILL | \$557.96 |
| TOTAL BALANCE NOW DUE | <u>\$557.96</u> |

McDONOUGH HOLLAND & ALLEN PC

Attorneys at Law

500 Capitol Mall, 18th Floor
Sacramento, California 95814
(916) 444-3900

Gallagher Bassett Services, Inc.
ATTN: Paul Rowson, Senior Claims Re
P.O. Box 30840
Laguna Hills, CA 92656-5326

Invoice Number 213882
Invoice Date 07/21/09
Client Number 31121
Matter Number 0063

Re: Bustamante vs. SelectBuild Construction, Inc.
Claim #002628-001835-GB-01

FOR PROFESSIONAL SERVICES RENDERED THROUGH 06/30/09:

| Date | Name | Description of Service | Hours | Fee |
|----------|-------|---|-------|--------|
| ----- | ----- | ----- | ----- | ----- |
| 06/01/09 | Smith | Receipt and analysis of faxed memo from Mark Shea regarding settlement agreement. | 0.1 | 18.50 |
| 06/11/09 | Smith | Telephone conference with plaintiffs' attorney regarding need for Teichert's signatures on release and settlement agreement before settlement money is delivered and regarding status of Compromise and Release agreement between Teichert and Bustamante. | 0.3 | 55.50 |
| 06/17/09 | Smith | Multiple telephone conferences and e-mail communications to and from Steve Dugan, attorney for plaintiff, Ryan Frazier, attorney for Teichert, Paul Rowson of Gallagher Bassett, mediator Mike Stenson and Len Baumann of BMHC regarding status of settlement check and regarding obtaining signatures from Teichert on settlement agreement. | 1.0 | 185.00 |
| 06/24/09 | Smith | Multiple telephone conferences with Justin Tierney, attorney for Teichert, and plaintiff attorneys Mark Shea and Steve Dugan to close settlement (.4); Receipt of settlement check and meeting with Mark Shea to deliver settlement check and obtain signature on dismissal with prejudice form for filing with court (.5). Telephone | 1.3 | 240.50 |

31121
0063

BUILDING MATERIALS HOLDING CORPORATION
Bustamante vs. SelectBuild Construction,

Invoice Number 213882
07/21/09
Page 2

| Date | Name | Description of Service | Hours | Fee |
|-------------|-------|---|-------|-------|
| 06/25/09 | Smith | conference with Kent Drescher of Gallagher Bassett regarding communications from ACE (.1); Preparation of Notice of Stay for Filing in Sacramento County Superior Court to stay proceedings against SelectBuild entities by Beazer Homes on Beazer Homes' cross-complaint (.3). Follow-up telephone calls to and from Kent Drescher of Gallagher Bassett regarding handling of settlement check and dismissal of plaintiff's case. | 0.2 | 37.00 |
| TOTAL HOURS | | | 2.9 | |

TIME SUMMARY:

| Name | Hours | Rate | Fee |
|---------------|-------|------------|--------|
| Zachary Smith | 2.9 | at \$185 = | 536.50 |
| CURRENT FEES | | | 536.50 |

FOR COSTS ADVANCED AND EXPENSES INCURRED:

| Date | Amount |
|------------------------|-----------------------------|
| 07/20/09 | Administrative Charge 21.46 |
| CURRENT EXPENSES 21.46 | |

TOTAL AMOUNT OF THIS INVOICE 557.96

31121
0063

BUILDING MATERIALS HOLDING CORPORATION
Bustamante vs. SelectBuild Construction,

Invoice Number 213882
07/21/09
Page 3

TOTAL BALANCE DUE UPON RECEIPT

557.96
=====

Eric Smith

FedEx Kinko's

Office and Print Center

921 11TH ST
SACRAMENTO, CA 95814

Location: SMFKR
Device ID: SMFKR-POS2
Employee: 2029294

FEDEX Express Package - Dropped Off
797886936998

Total Pieces: 1

Subject to additional charges. See FedEx Service Guide
at fedex.com for details. All merchandise sales final.

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Or call 1.800.GoFedEx
1.800.463.3339

August 27, 2009 5:54:50 PM

EXHIBIT D

Beba Maletic-Arsov

From: TrackingUpdates@fedex.com
Sent: Friday, August 28, 2009 5:47 AM
To: Beba Maletic-Arsov
Subject: FedEx Shipment 797886936998 Delivered

This tracking update has been requested by:

Company Name: McDonough, Holland & Allen
Name: Zachary Smith, Esq.
E-mail: barsov@mhalaw.com

Our records indicate that the following shipment has been delivered:

Reference: 31121.0019
Ship (P/U) date: Aug 27, 2009
Delivery date: Aug 28, 2009 8:08 AM
Sign for by: M.CHIDOD
Delivered to: Guard/Security Station
Service type: FedEx First Overnight
Packaging type: FedEx Pak
Number of pieces: 1
Weight: 3.00 lb.
Special handling/Services: Deliver Weekday

Tracking number: 797886936998

Shipper Information
Zachary Smith, Esq.
McDonough, Holland & Allen
500 CAPITOL MALL; 18TH FLOOR
SACRAMENTO
CA
US
95814

Recipient Information
RE: Building Materials Holding
Corp
The Garden City Group, Inc.
5151 BLAZER PKWY STE A
DUBLIN
OH
US
43017

Please do not respond to this message. This email was sent from an unattended mailbox. This report was generated at approximately 7:46 AM CDT on 08/28/2009.

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[Go](#)
[Package/Envelope](#)
[Freight](#)
[Expedited](#)
[Office/Print Services *](#)
[Ship >](#)
[Track >](#)
[Manage >](#)
[Business Solutions >](#)
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[Printable Version](#)
[Help](#)

Enter tracking number

| Detailed Results | Notifications | | |
|--|---|-----------------|---|
| Tracking no.: 797886936998 E-mail notifications | | | |
| <div> Delivered </div> <div> Delivered Signed for by: M.CHIDOD </div> | | | |
| Shipment Dates Ship date ② Aug 27, 2009 Delivery date ② Aug 28, 2009 8:08 AM | Destination DUBLIN, OH Signature Proof of Delivery ② | | |
| Shipment Facts Help | | | |
| Service type Weight | First Overnight Pak 3.0 lbs/1.4 kg | | |
| Delivered to Reference | Guard/Security Station 31121.0019 | | |
| Shipment Travel History Help | | | |
| Select time zone: Select Select time format: 12H 24H | | | |
| All shipment travel activity is displayed in local time for the location | | | |
| Date/Time | Activity | Location | Details |
| Aug 28, 2009 8:08 AM | Delivered | DUBLIN, OH | |
| Aug 28, 2009 6:33 AM | On FedEx vehicle for delivery | COLUMBUS, OH | |
| Aug 28, 2009 6:27 AM | At dest sort facility | COLUMBUS, OH | |
| Aug 28, 2009 6:24 AM | At local FedEx facility | COLUMBUS, OH | |
| Aug 28, 2009 4:03 AM | Departed FedEx location | MEMPHIS, TN | |
| Aug 28, 2009 12:52 AM | Arrived at FedEx location | MEMPHIS, TN | |
| Aug 27, 2009 6:29 PM | Left FedEx origin facility | SACRAMENTO, CA | |
| Aug 27, 2009 5:54 PM | Picked up | SACRAMENTO, CA | Tendered at FedEx Kinko's, now FedEx Office |
| Aug 27, 2009 6:21 PM | Shipment information sent to FedEx | | |



COPY



| UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF DELAWARE | | | | PROOF OF CLAIM | | | |
|---|--|---|--|---|--|---|--|
| Name of Debtor (Check Only One): <input checked="" type="checkbox"/> Building Materials Holding Corporation <input type="checkbox"/> BMC West Corporation <input type="checkbox"/> SelectBuild Construction, Inc. <input type="checkbox"/> SelectBuild Northern California, Inc. <input type="checkbox"/> Illinois Framing, Inc. <input type="checkbox"/> C Construction, Inc. | | Case No. 09-12074 09-12075 09-12076 09-12077 09-12078 09-12079 | | Name of Debtor <input type="checkbox"/> TWF Construction, Inc. <input type="checkbox"/> H.N.R. Framing Systems, Inc. <input type="checkbox"/> SelectBuild Southern California, Inc. <input type="checkbox"/> SelectBuild Nevada, Inc. <input type="checkbox"/> SelectBuild Arizona, LLC <input type="checkbox"/> SelectBuild Illinois, LLC | | Case No. 09-12080 09-12081 09-12082 09-12083 09-12084 09-12085 | |
| <small>NOTE: This form should not be used to make a claim for an administrative expense arising after the commencement of the case, except for purposes of asserting an administrative expense under 11 U.S.C. § 503(b)(9) (see Item 6 below). All other requests for payment of an administrative expense should be filed pursuant to 11 U.S.C. § 503.</small> | | | | | | | |
| Name of Creditor (the person or other entity to whom the Debtor owes money or property): MCDONOUGH HOLLAND & ALLEN Name and address where notices should be sent: Zachary Smith McDONOUGH HOLLAND & ALLEN PC 500 Capitol Mall 18th Floor Sacramento, CA 95814 Telephone number: (916) 444-3900 Email Address: zsmith@mhalaw.com | | | <input type="checkbox"/> Check this box to indicate that this claim amends a previously filed claim. Court Claim Number: _____ (If known) Filed on: _____ | | | | |
| Name and address where payment should be sent (if different from above): Telephone number: _____ | | | <input type="checkbox"/> Check this box if you are aware that anyone else has filed a proof of claim relating to your claim. Attach copy of statement giving particulars. <input type="checkbox"/> Check this box if you are the Debtor or trustee in this case. | | | | |
| 1. Amount of Claim as of Date Case Filed: \$ 10,000.04 <small>If all or part of your claim is secured, complete item 4 below; however, if all of your claim is unsecured, do not complete item 4. If all or part of your claim is entitled to priority, complete item 5. If your claim is asserted pursuant to 11 U.S.C. § 503(b)(9), complete item 6.</small> <input type="checkbox"/> Check this box if claim includes interest or other charges in addition to the principal amount of claim. Attach itemized statement of interest or charges. | | | 5. Amount of Claim Entitled to Priority under 11 U.S.C. § 507(a). <small>If any portion of your claim falls in one of the following categories, check the box and state the amount.</small> Specify the priority of the claim. | | | | |
| 2. Basis for Claim: Legal Services Performed at Request of Debtor's General Counsel. <small>(See instruction #2 on reverse side.)</small> | | | <input type="checkbox"/> Domestic support obligations under 11 U.S.C. § 507(a)(1)(A) or (a)(1)(B). <input type="checkbox"/> Wages, salaries, or commissions (up to \$10,950) earned within 180 days before filing of the bankruptcy petition or cessation of the Debtor's business, whichever is earlier – 11 U.S.C. § 507(a)(4). <input type="checkbox"/> Contributions to an employee benefit plan – 11 U.S.C. § 507(a)(5). <input type="checkbox"/> Up to \$2,425 of deposits toward purchase, lease, or rental of property or services for personal, family, or household use – 11 U.S.C. § 507(a)(7). <input type="checkbox"/> Taxes or penalties owed to governmental units – 11 U.S.C. § 507(a)(8). <input type="checkbox"/> Other – Specify applicable paragraph of 11 U.S.C. § 507(a)() [Note: Do not include Section 503(b)(9) Claims here.] | | | | |
| 3. Last four digits of any number by which creditor identifies Debtor: 4289 3a. Debtor may have scheduled account as: _____ <small>(See instruction #3a on reverse side.)</small> | | | Amount entitled to priority: \$ _____ | | | | |
| 4. Secured Claim (See instruction #4 on reverse side.) Check the appropriate box if your claim is secured by a lien on property or a right of setoff and provide the requested information. Nature of property or right of setoff: <input type="checkbox"/> Real Estate <input type="checkbox"/> Motor Vehicle <input type="checkbox"/> Equipment <input type="checkbox"/> Other Describe: Value of Property: \$ _____ Annual Interest Rate: % Amount of arrearage and other charges as of time case filed included in secured claim, if any: \$ _____ Basis for perfection: _____ Amount of Secured Claim: \$ _____ Amount Unsecured: \$ _____ | | | FOR COURT USE ONLY | | | | |
| 6. Claim Pursuant to 11 U.S.C. § 503(b)(9): Indicate the amount of your claim arising from your provision of goods sold to a Debtor in the ordinary course of the Debtor's business in the 20 days before June 16, 2009: Attach documentation supporting such claim. \$ _____ | | | 7. Credits: The amount of all payments on this claim has been credited for the purpose of making this proof of claim. | | | | |
| 8. Documents: Attach redacted copies of any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements or running accounts, contracts, judgments, mortgages and security agreements. You may also attach a summary. Attach redacted copies of documents providing evidence of perfection of a security interest. You may also attach a summary. (See instruction #8 and definition of "redacted" on reverse side.) DO NOT SEND ORIGINAL DOCUMENTS. ATTACHED DOCUMENTS MAY BE DESTROYED AFTER SCANNING. If the documents are not available, please explain in an attachment. | | | Date: 8/27/09 Signature: The person filing this claim must sign it. Sign and print name and title, if any, of the creditor or other person authorized to file this claim and state address and telephone number if different from the notice address above. Attach copy of power of attorney, if any. | | | | |

INSTRUCTIONS FOR PROOF OF CLAIM FORM

The instructions and definitions below are general explanations of the law. In certain circumstances, such as bankruptcy cases not filed voluntarily by the debtor, there may be exceptions to these general rules. The attorneys for the Debtors and their court-appointed claims agent are not authorized and are not providing you with any legal advice.

PLEASE SEND YOUR ORIGINAL, COMPLETED PROOF OF CLAIM AS FOLLOWS: IF BY MAIL: THE GARDEN CITY GROUP, INC., ATTN: BUILDING MATERIALS HOLDING CORPORATION, P.O. BOX 9393, DUBLIN, OH 43017-4293. IF BY HAND OR OVERNIGHT COURIER: THE GARDEN CITY GROUP, INC., ATTN: BUILDING MATERIALS HOLDING CORPORATION, 5151 BLAZER PARKWAY, SUITE A, DUBLIN, OH 43017. ANY PROOF OF CLAIM SUBMITTED BY FACSIMILE OR E-MAIL WILL NOT BE ACCEPTED.

THE GENERAL BAR DATE IN THESE CHAPTER 11 CASES IS AUGUST 31, 2009 AT 5:00 P.M. (PREVAILING EASTERN TIME).
THE GOVERNMENTAL BAR DATE IN THESE CHAPTER 11 CASES IS DECEMBER 16, 2009 AT 5:00 P.M. (PREVAILING EASTERN TIME).

Court, Name of Debtor, and Case Number:

These chapter 11 cases were commenced in the United States Bankruptcy Court for the District of Delaware on June 16, 2009. You should select the Debtor against which you are asserting your claim.

A SEPARATE PROOF OF CLAIM FORM MUST BE FILED AGAINST EACH DEBTOR AGAINST WHICH THE CREDITOR HOLDS OR ASSERTS A CLAIM.

Creditor's Name and Address:

Fill in the name of the person or entity asserting a claim and the name and address of the person who should receive notices issued during the bankruptcy case. Please provide us with a valid email address. A separate space is provided for the payment address if it differs from the notice address. The creditor has a continuing obligation to keep the court informed of its current address. See Federal Rule of Bankruptcy Procedure (FRBP) 2002(g).

1. Amount of Claim as of Date Case Filed:

State the total amount owed to the creditor as of June 16, 2009. Follow the instructions concerning whether to complete items 4, 5 and/or 6. Check the box if interest or other charges are included in the claim.

2. Basis for Claim:

State the type of debt or how it was incurred. Examples include goods sold, money loaned, services performed, personal injury/wrongful death, car loan, mortgage note, and credit card. If the claim is based on the delivery of health care goods or services, limit the disclosure of the goods or services so as to avoid embarrassment or the disclosure of confidential health care information. You may be required to provide additional disclosure if the trustee or another party in interest files an objection to your claim.

3. Last Four Digits of Any Number by Which Creditor Identifies Debtor:

State only the last four digits of the Debtor's account or other number used by the creditor to identify the Debtor.

3a. Debtor May Have Scheduled Account As:

Use this space to report a change in the creditor's name, a transferred claim, or any other information that clarifies a difference between this proof of claim and the claim as scheduled by the Debtor.

4. Secured Claim:

Check the appropriate box and provide the requested information if the claim is fully or partially secured. Skip this section if the claim is entirely unsecured. (See DEFINITIONS, below.) State the type and the value of property that secures the claim, attach copies of lien documentation, and state annual interest rate and the amount past due on the claim as of the date of the bankruptcy filing.

5. Amount of Claim Entitled to Priority Under 11 U.S.C. § 507(a):

If any portion of your claim falls in one or more of the listed categories, check the appropriate box(es) and state the amount entitled to priority. (See DEFINITIONS, below.) A claim may be partly priority and partly non-priority. For example, in some of the categories, the law limits the amount entitled to priority.

6. Claim Pursuant to 11 U.S.C. § 503(b)(9):

Indicate the amount of your claim arising from your provision of goods to a Debtor in the ordinary course of the Debtor's business in the 20 days before June 16, 2009. Attach documentation supporting such claim.

7. Credits:

An authorized signature on this proof of claim serves as an acknowledgment that when calculating the amount of the claim, the creditor gave the Debtor credit for any payments received toward the debt.

8. Documents:

Attach to this proof of claim form redacted copies documenting the existence of the debt and of any lien securing the debt. You may also attach a summary. You must also attach copies of documents that evidence perfection of any security interest. You may also attach a summary. FRBP 3001(c) and (d). If the claim is based on the delivery of health care goods or services, see instruction #2. Do not send original documents, as attachments may be destroyed after scanning.

Date and Signature:

The person filing this proof of claim must sign and date it. FRBP 9011. If the claim is filed electronically, FRBP 5005(a)(2), authorizes courts to establish local rules specifying what constitutes a signature. Print the name and title, if any, of the creditor or other person authorized to file this claim. State the filer's address and telephone number if it differs from the address given on the top of the form for purposes of receiving notices. Attach a complete copy of any power of attorney. Criminal penalties apply for making a false statement on a proof of claim.

DEFINITIONS

INFORMATION

Debtor

A Debtor is the person, corporation, or other entity that has filed a bankruptcy case.

Creditor

A creditor is the person, corporation, or other entity owed a debt by the Debtor on the date of the bankruptcy filing.

Claim

A claim is the creditor's right to receive payment on a debt that was owed by the Debtor on the date of the bankruptcy filing. See 11 U.S.C. § 101(5). A claim may be secured or unsecured.

Proof of Claim

A proof of claim is a form used by the creditor to indicate the amount of the debt owed by the Debtor on the date of the bankruptcy filing. The creditor must file the form with The Garden City Group, Inc. as described in the instructions above and in the Bar Date Notice.

Secured Claim Under 11 U.S.C. § 506(a)

A secured claim is one backed by a lien on property of the Debtor. The claim is secured so long as the creditor has the right to be paid from the property prior to other creditors. The amount of the secured claim cannot exceed the value of the property. Any amount owed to the creditor in excess of the value of the property is an unsecured claim. Examples of liens on property include a mortgage on real estate or a security interest in a car. A lien may be voluntarily granted by a Debtor or may be obtained through a court proceeding. In some states, a court judgment is a lien. A claim also may be secured if the creditor owes the Debtor money (has a right to setoff).

Section 503(b)(9) Claim

A Section 503(b)(9) claim is a claim for the value of any goods received by the Debtor within 20 days before the date of commencement of a bankruptcy case in which the goods have been sold to the Debtor in the ordinary course of such Debtor's business.

Unsecured Claim

An unsecured claim is one that does not meet the requirements of a secured claim. A claim may be partly unsecured if the amount of the claim exceeds the value of the property on which the creditor has a lien.

Claim Entitled to Priority Under 11 U.S.C. § 507(a)

Priority claims are certain categories of unsecured claims that are paid from the available money or property in a bankruptcy case before other unsecured claims.

Redacted

A document has been redacted when the person filing it has masked, edited out, or otherwise deleted, certain information. A creditor should redact and use only the last four digits of any social-security, individual's tax-identification, or financial-account number, all but the initials of a minor's name and only the year of any person's date of birth.

Evidence of Perfection

Evidence of perfection may include a mortgage, lien, certificate of title, financing statement, or other document showing that the lien has been filed or recorded.

Acknowledgment of Filing of Claim

To receive acknowledgment of your filing from The Garden City Group, Inc., please provide a stamped self-addressed envelope and a copy of this proof of claim when you submit the original claim to The Garden City Group, Inc.

Offers to Purchase a Claim

Certain entities are in the business of purchasing claims for an amount less than the face value of the claims. One or more of these entities may contact the creditor and offer to purchase the claim. Some of the written communications from these entities may easily be confused with official court documentation or communications from the Debtor. These entities do not represent the bankruptcy court or the Debtor. The creditor has no obligation to sell its claim. However, if the creditor decides to sell its claim, any transfer of such claim is subject to FRBP 3001(e), any applicable provisions of the Bankruptcy Code (11 U.S.C. § 101 et seq.), and any applicable orders of the bankruptcy court.

BUILDING MATERIALS HOLDING CORPORATION
 Last for digits of Debtor's Tax I.D. No.: 4269
Summary of Unpaid Invoices for Services Performed Through June 15, 2009

| Matter | Invoice Number | Date Billed | Amount Billed | Date of Service |
|-----------------------|----------------|-------------|--------------------|---------------------|
| 0019 General Business | 212689 | 06/05/09 | \$5,928.00 | 04/01/09 - 04/30/09 |
| 0019 General Business | 213356 | 06/29/09 | 2,121.60 | 05/01/09 - 05/31/09 |
| 0019 General Business | 213874 | 07/21/09 | 1,950.44 | 06/01/09 - 06/15/09 |
| Total Due | | | \$10,000.04 | |

McDONOUGH HOLLAND & ALLEN PC

Attorneys at Law

500 Capitol Mall, 18th Floor
Sacramento, California 95814
(916) 444-3900

BMHC Administrative Service Center
ATTN: Susan Reimers, Executive/Legal Assistan
Legal Department
720 Park Boulevard, Suite 200
Boise, ID 83712-7714

Invoice: 212689
Date: 06/05/09

BUILDING MATERIALS HOLDING CORPORATION

Client No: 31121

For Legal Services rendered through April 30, 2009 as fully
described on the attached detailed billing:

| | |
|-----------------------|--------------------------|
| Total Fees | \$5,700.00 |
| Total Costs | <u>\$228.00</u> |
| TOTAL DUE THIS BILL | \$5,928.00 |
| TOTAL BALANCE NOW DUE | <u><u>\$5,928.00</u></u> |

McDONOUGH HOLLAND & ALLEN PC

Attorneys at Law

500 Capitol Mall, 18th Floor
Sacramento, California 95814
(916) 444-3900

BMHC Administrative Service Center
ATTN: Susan Reimers, Executive/Lega
Legal Department
720 Park Boulevard, Suite 200
Boise, ID 83712-7714

Invoice Number 212689
Invoice Date 06/05/09
Client Number 31121
Matter Number 0019

Re: General Business

FOR PROFESSIONAL SERVICES RENDERED THROUGH 04/30/09:

| Date | Name | Description of Service | Hours | Fee |
|-------------|-------|--|-------|----------|
| ----- | ----- | ----- | ----- | ----- |
| 04/02/09 | Smith | Continued worked on comprehensive report of status of BMHC construction defect cases during the First Quarter 2009. | 4.2 | 1,260.00 |
| 04/07/09 | Smith | Draft of survey report of status as of the end of First Quarter 2009 of all construction defect cases involving BMHC entities. | 4.4 | 1,320.00 |
| 04/27/09 | Smith | Working draft of interim status report on all CD cases handled by MHA for BMHC entities. | 4.2 | 1,260.00 |
| 04/28/09 | Smith | Updated rolling status report to Paul Street regarding all CD cases involving BMHC entities being defended by MHA to incorporate events of April 2009. | 6.2 | 1,860.00 |
| TOTAL HOURS | | | 19.0 | |

TIME SUMMARY:

| Name | Hours | Rate | Fee |
|---------------|-------|------------|----------|
| ----- | ----- | ----- | ----- |
| Zachary Smith | 19.0 | at \$300 = | 5,700.00 |
| CURRENT FEES | | | 5,700.00 |

31121 BUILDING MATERIALS HOLDING CORPORATION
0019 General Business

Invoice Number 212689
06/05/09
Page 2

FOR COSTS ADVANCED AND EXPENSES INCURRED:

| Date | | Amount | |
|----------|--------------------------------|--------|----------------------------|
| ----- | | ----- | |
| 05/07/09 | Administrative Charge | 228.00 | |
| | CURRENT EXPENSES | | ----- 228.00 |
| | TOTAL AMOUNT OF THIS INVOICE | | 5,928.00 |
| | TOTAL BALANCE DUE UPON RECEIPT | | ----- 5,928.00 ===== |

McDONOUGH HOLLAND & ALLEN PC

Attorneys at Law

500 Capitol Mall, 18th Floor
Sacramento, California 95814
(916) 444-3900

| | | |
|---|----------|----------|
| BMHC Administrative Service Center | Invoice: | 213356 |
| ATTN: Susan Reimers, Executive/Legal Assistan | Date: | 06/29/09 |
| Legal Department | | |
| 720 Park Boulevard, Suite 200 | | |
| Boise, ID 83712-7714 | | |

BUILDING MATERIALS HOLDING CORPORATION

Client No: 31121

For Legal Services rendered through May 31, 2009 as fully
described on the attached detailed billing:

| | |
|-----------------------|--------------------------|
| Total Fees | \$2,040.00 |
| Total Costs | <u>\$81.60</u> |
| TOTAL DUE THIS BILL | \$2,121.60 |
| TOTAL BALANCE NOW DUE | <u><u>\$2,121.60</u></u> |

McDONOUGH HOLLAND & ALLEN PC

Attorneys at Law

500 Capitol Mall, 18th Floor
Sacramento, California 95814
(916) 444-3900

BMHC Administrative Service Center
ATTN: Susan Reimers, Executive/Lega
Legal Department
720 Park Boulevard, Suite 200
Boise, ID 83712-7714

Invoice Number 213356
Invoice Date 06/29/09
Client Number 31121
Matter Number 0019

Re: General Business

FOR PROFESSIONAL SERVICES RENDERED THROUGH 05/31/09:

| Date | Name | Description of Service | Hours | Fee |
|-------------|-------|---|-------|----------|
| ----- | ----- | ----- | ----- | ----- |
| 05/04/09 | Smith | Continued work on comprehensive interim report on status of all construction defect cases involving BMHC entities. | 4.6 | 1,380.00 |
| 05/29/09 | Smith | Work on mid-year report to Paul Street and Maureen Thomas of all construction defect cases MHA is handling for BMHC entities. | 2.2 | 660.00 |
| TOTAL HOURS | | | 6.8 | |

TIME SUMMARY:

| Name | Hours | Rate | Fee |
|---------------|-------|------------|----------|
| ----- | ----- | ----- | ----- |
| Zachary Smith | 6.8 | at \$300 = | 2,040.00 |
| CURRENT FEES | | | 2,040.00 |

FOR COSTS ADVANCED AND EXPENSES INCURRED:

| Date | Amount |
|----------|-----------------------------|
| ----- | ----- |
| 06/29/09 | Administrative Charge 81.60 |

31121
0019

BUILDING MATERIALS HOLDING CORPORATION
General Business

Invoice Number 213356
06/29/09
Page 2

CURRENT EXPENSES

81.60

TOTAL AMOUNT OF THIS INVOICE

2,121.60

TOTAL BALANCE DUE UPON RECEIPT

2,121.60
=====

McDONOUGH HOLLAND & ALLEN PC

Attorneys at Law

500 Capitol Mall, 18th Floor
Sacramento, California 95814
(916) 444-3900

BMHC Administrative Service Center Invoice: 213874
ATTN: Susan Reimers, Executive/Legal Assistan Date: 07/21/09
Legal Department
720 Park Boulevard, Suite 200
Boise, ID 83712-7714

BUILDING MATERIALS HOLDING CORPORATION

Client No: 31121

For Legal Services rendered through June 30, 2009 as fully
described on the attached detailed billing:

| | |
|-----------------------|--------------------------|
| Total Fees | \$2,536.50 |
| Total Costs | <u>\$249.70</u> |
| TOTAL DUE THIS BILL | \$2,786.20 |
| TOTAL BALANCE NOW DUE | <u><u>\$2,786.20</u></u> |

McDONOUGH HOLLAND & ALLEN PC

Attorneys at Law

500 Capitol Mall, 18th Floor
Sacramento, California 95814
(916) 444-3900

BMHC Administrative Service Center
ATTN: Susan Reimers, Executive/Lega
Legal Department
720 Park Boulevard, Suite 200
Boise, ID 83712-7714

Invoice Number 213874
Invoice Date 07/21/09
Client Number 31121
Matter Number 0019

Re: General Business

FOR PROFESSIONAL SERVICES RENDERED THROUGH 06/30/09:

| Date | Name | Description of Service | Hours | Fee |
|----------|-------|---|-------|----------|
| ----- | ----- | ----- | ----- | ----- |
| 06/03/09 | Smith | Receipt and review of letter from Lia Stivaletta dated June 1, 2009 regarding SelectBuild's billing policies. | 0.1 | 30.00 |
| 06/11/09 | Smith | Telephone conference with Maureen Thomas concerning billing procedures immediately before and after anticipated chapter 11 reorganization in bankruptcy filing on June 15. | 0.2 | 60.00 |
| 06/16/09 | Wood | Reviewed bankruptcy schedules and related filings; conference with M. Gorton and Z. Smith re: defense of construction defect cases pending reorganization proceedings. | 0.9 | 166.50 |
| 06/16/09 | Smith | Review and analysis of all of documents filed in BMHC chapter 11 case in order to understand reorganization plan and protocols etc. during pendency of the bankruptcy case (4.2); Research regarding obligation to provide Notice of Stay to all parties/counsel in state court cases and acts constituting violations of automatic stay (.8) | 5.0 | 1,500.00 |
| 06/24/09 | Smith | Work with staff to put together list of all BMHC cases pending at any time of over the past 12 months, with court case numbers, captions, etc. for use in | 0.3 | 90.00 |

31121 BUILDING MATERIALS HOLDING CORPORATION
0019 General Business

Invoice Number 213874
07/21/09
Page 2

| Date | Name | Description of Service | Hours | Fee |
|-------------|-------|---|-------|--------|
| | | schedules in BMHC's chapter 11 bankruptcy case. | | |
| 06/25/09 | Smith | Work on revisions to mid-year report to BMHC Legal Department regarding construction defect litigation in which MHA is representing an BMHC entity. | 1.6 | 480.00 |
| 06/30/09 | Smith | Preparation of narrative report to Lia Stivaletta regarding status of all KBI NorCal/SelectBuild cases currently being defended by MHA. | 0.7 | 210.00 |
| TOTAL HOURS | | | 8.8 | |

TIME SUMMARY:

| Name | Hours | Rate | Fee |
|----------------|-------|------------|----------|
| Zachary Smith | 7.9 | at \$300 = | 2,370.00 |
| Robert J. Wood | 0.9 | at \$185 = | 166.50 |
| CURRENT FEES | | | 2,536.50 |

FOR COSTS ADVANCED AND EXPENSES INCURRED:

| Date | Amount |
|----------|---|
| 06/01/09 | Computer assisted legal research on WestLaw by Zac Smith on 5/4/2009. 111.10 |
| 07/01/09 | Computer assisted legal research on WestLaw by Zac Smith on 6/1, 6/8, 6/15, 6/22 and 6/29/2009. 12.58 |
| 07/06/09 | Computer assisted legal research on Pacer on 6/16 and 6/17/2009. 24.56 |
| 07/20/09 | Administrative Charge 101.46 |

31121
0019

BUILDING MATERIALS HOLDING CORPORATION
General Business

Invoice Number 213874
07/21/09
Page 3

CURRENT EXPENSES

249.70

TOTAL AMOUNT OF THIS INVOICE

2,786.20

TOTAL BALANCE DUE UPON RECEIPT

2,786.20
=====



921 11TH ST
SACRAMENTO, CA 95814

Location: SMFKR
Device ID: SMFKR-PDS2
Employee: 2029294

FEDEX Express Package - Dropped Off

797886351650

Total Pieces: 1

Subject to additional charges. See FedEx Service Guide
at fedex.com for details. All merchandise sales final.

Visit us at: fedex.com
Or call 1.800.GoFedEx
1.800.463.3339

August 27, 2009 5:54:12 PM

EXHIBIT E

Beba Maletic-Arsov

From: TrackingUpdates@fedex.com
Sent: Friday, August 28, 2009 5:47 AM
To: Beba Maletic-Arsov
Subject: FedEx Shipment 797886351650 Delivered

This tracking update has been requested by:

Company Name: McDonough, Holland & Allen
 Name: Zachary Smith, Esq.
 E-mail: barsov@mhalaw.com

Our records indicate that the following shipment has been delivered:

Reference: 31121.0019
 Ship (P/U) date: Aug 27, 2009
 Delivery date: Aug 28, 2009 8:08 AM
 Sign for by: M.CHIDOD
 Delivered to: Guard/Security Station
 Service type: FedEx First Overnight
 Packaging type: FedEx Envelope
 Number of pieces: 1
 Weight: 0.50 lb.
 Special handling/Services: Deliver Weekday

Tracking number: 797886351650

Shipper Information
 Zachary Smith, Esq.
 McDonough, Holland & Allen
 500 CAPITOL MALL; 18TH FLOOR
 SACRAMENTO
 CA
 US
 95814

Recipient Information
 RE: Building Materials Holding
 Corp
 The Garden City Group, Inc.
 5151 BLAZER PKWY STE A
 DUBLIN
 OH
 US
 43017

Please do not respond to this message. This email was sent from an unattended mailbox. This report was generated at approximately 7:46 AM CDT on 08/28/2009.

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Thank you for your business.


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 [Go](#)
[Package/Envelope](#)
[Freight](#)
[Expedited](#)
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[Ship](#) >

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[Business Solutions](#) >
IMPORTANT!Inclement weather conditions at Memphis hub may cause some service delays and disruptions within the U.S. today. [Learn more](#)**Detailed Results**
[Printable Version](#)
[Help](#)

Enter tracking number

 [Track](#)

| Detailed Results | Notifications | | |
|--|---|----------------|---|
| Tracking no.: 797886351650 E-mail notifications | | | |
| Delivered <div> Initiated Picked up In transit Delivered </div> <p>Delivered Signed for by: M.CHIDOD</p> | | | |
| Shipment Dates | Destination | | |
| Ship date ② Aug 27, 2009 | DUBLIN, OH | | |
| Delivery date ② Aug 28, 2009 8:08 AM | Signature Proof of Delivery ② | | |
| Shipment Facts Help | | | |
| Service type | First Overnight Envelope | | |
| Weight | 0.5 lbs/0.2 kg | | |
| Delivered to Reference | Guard/Security Station 31121.0019 | | |
| Shipment Travel History Help | | | |
| Select time zone: <input type="text"/> | Select time format: 12H 24H | | |
| All shipment travel activity is displayed in local time for the location | | | |
| Date/Time | Activity | Location | Details |
| Aug 28, 2009 8:08 AM | Delivered | DUBLIN, OH | |
| Aug 28, 2009 6:33 AM | On FedEx vehicle for delivery | COLUMBUS, OH | |
| Aug 28, 2009 6:27 AM | At dest sort facility | COLUMBUS, OH | |
| Aug 28, 2009 6:24 AM | At local FedEx facility | COLUMBUS, OH | |
| Aug 28, 2009 4:03 AM | Departed FedEx location | MEMPHIS, TN | |
| Aug 28, 2009 12:52 AM | Arrived at FedEx location | MEMPHIS, TN | |
| Aug 27, 2009 6:29 PM | Left FedEx origin facility | SACRAMENTO, CA | |
| Aug 27, 2009 5:54 PM | Picked up | SACRAMENTO, CA | Tendered at FedEx Kinko's, now FedEx Office |
| Aug 27, 2009 4:13 PM | Shipment information sent to FedEx | | |

01103231

BMC0271691278



UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF DELAWARE

PROOF OF CLAIM

Name of Debtor (Check Only One): Case No. Name of Debtor Case No.

☐ Building Materials Holding Corporation 09-12074 ☐ TWF Construction, Inc. 09-12080

☒ BMC West Corporation 09-12075 ☐ H.N.R. Framing Systems, Inc. 09-12081

☐ SelectBuild Construction, Inc. 09-12076 ☐ SelectBuild Southern California, Inc. 09-12082

☐ SelectBuild Northern California, Inc. 09-12077 ☐ SelectBuild Nevada, Inc. 09-12083

☐ Illinois Framing, Inc. 09-12078 ☐ SelectBuild Arizona, LLC 09-12084

☐ C Construction, Inc. 09-12079 ☐ SelectBuild Illinois, LLC 09-12085

NOTE: This form should not be used to make a claim for an administrative expense arising after the commencement of the case, except for purposes of asserting an administrative expense under 11 U.S.C. § 503(b)(9) (see Item 6 below). All other requests for payment of an administrative expense should be filed pursuant to 11 U.S.C. § 503.

Name of Creditor (the person or other entity to whom the Debtor owes money or property): MCDONOUGH HOLLAND & ALLEN

☐ Check this box to indicate that this claim amends a previously filed claim.

Name and address where notices should be sent:

Zachary Smith
McDonough Holland & Allen PC
500 Capitol Mall 18th Floor
Sacramento, CA 95814

Court Claim Number: _____
(If known)

Filed on: _____

Telephone number: (916) 444-3900

Email Address: zsmith@mhalaw.com

Name and address where payment should be sent (if different from above):

☐ Check this box if you are aware that anyone else has filed a proof of claim relating to your claim. Attach copy of statement giving particulars.

☐ Check this box if you are the Debtor or trustee in this case.

Telephone number: _____

Your Claim Is Scheduled As Follows:

BMC WEST CORPORATION

Unsecured: Unknown

Contingent / Unliquidated / Disputed

If an amount is identified above, you have a claim scheduled by one of the Debtors as shown. Please review the Bar Date Notice to determine whether you must file a proof of claim to preserve your rights. The Bar Date Notice is available online at www.bmhcrestructuring.com or upon request at the address on the back of this form.

THIS SPACE IS FOR COURT USE ONLY

1. Amount of Claim as of Date Case Filed: \$ 19,445.58

If all or part of your claim is secured, complete item 4 below; however, if all of your claim is unsecured, do not complete item 4. If all or part of your claim is entitled to priority, complete item 5. If your claim is asserted pursuant to 11 U.S.C. § 503(b)(9), complete item 6.

☐ Check this box if claim includes interest or other charges in addition to the principal amount of claim. Attach itemized statement of interest or charges.

2. Basis for Claim: Legal Services Performed at Request of Request of Debtor's General Counsel.
(See instruction #2 on reverse side.)

3. Last four digits of any number by which creditor identifies Debtor: 0454

3a. Debtor may have scheduled account as: _____
(See instruction #3a on reverse side.)

4. Secured Claim (See instruction #4 on reverse side.)

Check the appropriate box if your claim is secured by a lien on property or a right of setoff and provide the requested information.

Nature of property or right of setoff: ☐ Real Estate ☐ Motor Vehicle ☐ Equipment ☐ Other

Describe:

Value of Property: \$ _____ Annual Interest Rate %

Amount of arrearage and other charges as of time case filed included in secured claim,

If any: \$ _____ Basis for perfection: _____

Amount of Secured Claim: \$ _____ Amount Unsecured: \$ _____

6. Claim Pursuant to 11 U.S.C. § 503(b)(9):

Indicate the amount of your claim arising from your provision of goods sold to a Debtor in the ordinary course of the Debtor's business in the 20 days before June 16, 2009:
Attach documentation supporting such claim. \$ _____

7. Credits: The amount of all payments on this claim has been credited for the purpose of making this proof of claim.

8. Documents: Attach redacted copies of any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements or running accounts, contracts, judgments, mortgages and security agreements. You may also attach a summary. Attach redacted copies of documents providing evidence of perfection of a security interest. You may also attach a summary. (See instruction #8 and definition of "redacted" on reverse side.)
DO NOT SEND ORIGINAL DOCUMENTS. ATTACHED DOCUMENTS MAY BE DESTROYED AFTER SCANNING.

If the documents are not available, please explain in an attachment.

Date: 8/19/09

Signature: The person filing this claim must sign it. Sign and print name and title, if any, of the creditor or other person authorized to file this claim and state address and telephone number if different from the notice address above. Attach copy of power of attorney, if any.

FOR COURT USE ONLY

Amount entitled to priority:

\$ _____

INSTRUCTIONS FOR PROOF OF CLAIM FORM

The instructions and definitions below are general explanations of the law. In certain circumstances, such as bankruptcy cases not filed voluntarily by the debtor, there may be exceptions to these general rules. The attorneys for the Debtors and their court-appointed claims agent are not authorized and are not providing you with any legal advice.

PLEASE SEND YOUR ORIGINAL, COMPLETED PROOF OF CLAIM AS FOLLOWS: IF BY MAIL: THE GARDEN CITY GROUP, INC., ATTN: BUILDING MATERIALS HOLDING CORPORATION, P.O. BOX 9393, DUBLIN, OH 43017-4293. IF BY HAND OR OVERNIGHT COURIER: THE GARDEN CITY GROUP, INC., ATTN: BUILDING MATERIALS HOLDING CORPORATION, 5151 BLAZER PARKWAY, SUITE A, DUBLIN, OH 43017. ANY PROOF OF CLAIM SUBMITTED BY FACSIMILE OR E-MAIL WILL NOT BE ACCEPTED.

THE GENERAL BAR DATE IN THESE CHAPTER 11 CASES IS AUGUST 31, 2009 AT 5:00 P.M. (PREVAILING EASTERN TIME).
THE GOVERNMENTAL BAR DATE IN THESE CHAPTER 11 CASES IS DECEMBER 16, 2009 AT 5:00 P.M. (PREVAILING EASTERN TIME).

Court, Name of Debtor, and Case Number:

These chapter 11 cases were commenced in the United States Bankruptcy Court for the District of Delaware on June 16, 2009. You should select the Debtor against which you are asserting your claim.

A SEPARATE PROOF OF CLAIM FORM MUST BE FILED AGAINST EACH DEBTOR AGAINST WHICH THE CREDITOR HOLDS OR ASSERTS A CLAIM.

Creditor's Name and Address:

Fill in the name of the person or entity asserting a claim and the name and address of the person who should receive notices issued during the bankruptcy case. Please provide us with a valid email address. A separate space is provided for the payment address if it differs from the notice address. The creditor has a continuing obligation to keep the court informed of its current address. See Federal Rule of Bankruptcy Procedure (FRBP) 2002(g).

1. Amount of Claim as of Date Case Filed:

State the total amount owed to the creditor as of June 16, 2009. Follow the instructions concerning whether to complete items 4, 5 and/or 6. Check the box if interest or other charges are included in the claim.

2. Basis for Claim:

State the type of debt or how it was incurred. Examples include goods sold, money loaned, services performed, personal injury/wrongful death, car loan, mortgage note, and credit card. If the claim is based on the delivery of health care goods or services, limit the disclosure of the goods or services so as to avoid embarrassment or the disclosure of confidential health care information. You may be required to provide additional disclosure if the trustee or another party in interest files an objection to your claim.

3. Last Four Digits of Any Number by Which Creditor Identifies Debtor:

State only the last four digits of the Debtor's account or other number used by the creditor to identify the Debtor.

3a. Debtor May Have Scheduled Account As:

Use this space to report a change in the creditor's name, a transferred claim, or any other information that clarifies a difference between this proof of claim and the claim as scheduled by the Debtor.

4. Secured Claim:

Check the appropriate box and provide the requested information if the claim is fully or partially secured. Skip this section if the claim is entirely unsecured. (See DEFINITIONS, below.) State the type and the value of property that secures the claim, attach copies of lien documentation, and state annual interest rate and the amount past due on the claim as of the date of the bankruptcy filing.

5. Amount of Claim Entitled to Priority Under 11 U.S.C. § 507(a):

If any portion of your claim falls in one or more of the listed categories, check the appropriate box(es) and state the amount entitled to priority. (See DEFINITIONS, below.) A claim may be partly priority and partly non-priority. For example, in some of the categories, the law limits the amount entitled to priority.

6. Claim Pursuant to 11 U.S.C. § 503(b)(9):

Indicate the amount of your claim arising from your provision of goods to a Debtor in the ordinary course of the Debtor's business in the 20 days before June 16, 2009. Attach documentation supporting such claim.

7. Credits:

An authorized signature on this proof of claim serves as an acknowledgment that when calculating the amount of the claim, the creditor gave the Debtor credit for any payments received toward the debt.

8. Documents:

Attach to this proof of claim form redacted copies documenting the existence of the debt and of any lien securing the debt. You may also attach a summary. You must also attach copies of documents that evidence perfection of any security interest. You may also attach a summary. FRBP 3001(c) and (d). If the claim is based on the delivery of health care goods or services, see instruction #2. Do not send original documents, as attachments may be destroyed after scanning.

Date and Signature:

The person filing this proof of claim must sign and date it. FRBP 9011. If the claim is filed electronically, FRBP 5005(a)(2), authorizes courts to establish local rules specifying what constitutes a signature. Print the name and title, if any, of the creditor or other person authorized to file this claim. State the filer's address and telephone number if it differs from the address given on the top of the form for purposes of receiving notices. Attach a complete copy of any power of attorney. Criminal penalties apply for making a false statement on a proof of claim.

DEFINITIONS

Debtor

A Debtor is the person, corporation, or other entity that has filed a bankruptcy case.

Creditor

A creditor is the person, corporation, or other entity owed a debt by the Debtor on the date of the bankruptcy filing.

Claim

A claim is the creditor's right to receive payment on a debt that was owed by the Debtor on the date of the bankruptcy filing. See 11 U.S.C. § 101(5). A claim may be secured or unsecured.

Proof of Claim

A proof of claim is a form used by the creditor to indicate the amount of the debt owed by the Debtor on the date of the bankruptcy filing. The creditor must file the form with The Garden City Group, Inc. as described in the instructions above and in the Bar Date Notice.

Secured Claim Under 11 U.S.C. § 506(a)

A secured claim is one backed by a lien on property of the Debtor. The claim is secured so long as the creditor has the right to be paid from the property prior to other creditors. The amount of the secured claim cannot exceed the value of the property. Any amount owed to the creditor in excess of the value of the property is an unsecured claim. Examples of liens on property include a mortgage on real estate or a security interest in a car. A lien may be voluntarily granted by a Debtor or may be obtained through a court proceeding. In some states, a court judgment is a lien. A claim also may be secured if the creditor owes the Debtor money (has a right to setoff).

Section 503(b)(9) Claim

A Section 503(b)(9) claim is a claim for the value of any goods received by the Debtor within 20 days before the date of commencement of a bankruptcy case in which the goods have been sold to the Debtor in the ordinary course of such Debtor's business.

Unsecured Claim

An unsecured claim is one that does not meet the requirements of a secured claim. A claim may be partly unsecured if the amount of the claim exceeds the value of the property on which the creditor has a lien.

Claim Entitled to Priority Under 11 U.S.C. § 507(a)

Priority claims are certain categories of unsecured claims that are paid from the available money or property in a bankruptcy case before other unsecured claims.

Redacted

A document has been redacted when the person filing it has masked, edited out, or otherwise deleted, certain information. A creditor should redact and use only the last four digits of any social-security, individual's tax-identification, or financial-account number, all but the initials of a minor's name and only the year of any person's date of birth.

Evidence of Perfection

Evidence of perfection may include a mortgage, lien, certificate of title, financing statement, or other document showing that the lien has been filed or recorded.

INFORMATION

Acknowledgment of Filing of Claim

To receive acknowledgment of your filing from The Garden City Group, Inc., please provide a stamped self-addressed envelope and a copy of this proof of claim when you submit the original claim to The Garden City Group, Inc.

Offers to Purchase a Claim

Certain entities are in the business of purchasing claims for an amount less than the face value of the claims. One or more of these entities may contact the creditor and offer to purchase the claim. Some of the written communications from these entities may easily be confused with official court documentation or communications from the Debtor. These entities do not represent the bankruptcy court or the Debtor. The creditor has no obligation to sell its claim. However, if the creditor decides to sell its claim, any transfer of such claim is subject to FRBP 3001(e), any applicable provisions of the Bankruptcy Code (11 U.S.C. § 101 et seq.), and any applicable orders of the bankruptcy court.

BMC WEST CORPORATION
 Last for digits of Debtor's Tax I.D. No.: 0454
Summary of Unpaid Invoices for Services Performed Through June 15, 2009

| Matter | Invoice Number | Date Billed | Amount Billed | Date of Service |
|---|----------------|-------------|---------------|---------------------|
| 0048 Luna vs. Bigalk | 212692 | 06/05/09 | 1,308.32 | 04/01/09 - 04/30/09 |
| 0048 Luna vs. Bigalk | 213876 | 07/21/09 | 96.20 | 06/01/09 - 06/15/09 |
| 0053 Ali vs. KB Homes | 212693 | 06/05/09 | 245.44 | 04/01/09 - 04/30/09 |
| 0053 Ali vs. KB Homes | 213877 | 07/21/09 | 453.68 | 06/01/09 - 06/15/09 |
| 0055 Alvarez vs. Bright Homes | 212694 | 06/05/09 | 1,034.72 | 04/01/09 - 04/30/09 |
| 0055 Alvarez vs. Bright Homes | 213358 | 06/29/09 | 602.96 | 05/01/09 - 05/31/09 |
| 0055 Alvarez vs. Bright Homes | 213878 | 07/21/09 | 394.24 | 06/01/09 - 06/15/09 |
| 0056 Alberts vs. Bright Homes | 212695 | 06/05/09 | 1,694.26 | 04/01/09 - 04/30/09 |
| 0056 Alberts vs. Bright Homes | 213359 | 06/29/09 | 850.36 | 05/01/09 - 05/31/09 |
| 0056 Alberts vs. Bright Homes | 213879 | 07/21/09 | 38.48 | 06/01/09 - 06/15/09 |
| 0060 Shepard vs. Forecast | 210546 | 03/16/09 | 153.92 | 02/01/09 - 02/28/09 |
| 0060 Shepard vs. Forecast | 212696 | 06/05/09 | 288.60 | 04/01/09 - 04/30/09 |
| 0060 Shepard vs. Forecast | 213360 | 06/29/09 | 76.96 | 05/01/09 - 05/31/09 |
| 0062 Andrade vs. Morrison Homes, Inc. | 212697 | 06/05/09 | 383.60 | 04/01/09 - 04/30/09 |
| 0062 Andrade vs. Morrison Homes, Inc. | 213361 | 06/29/09 | 1,738.60 | 05/01/09 - 05/31/09 |
| 0062 Andrade vs. Morrison Homes, Inc. | 213881 | 07/21/09 | 285.80 | 06/01/09 - 06/15/09 |
| 0064 Bautista vs. H&S Homes et al | 211269 | 04/16/09 | 43.00 | 03/01/09 - 03/31/09 |
| 0066 McKinney (Ennis Homes) | 213363 | 06/29/09 | 57.72 | 05/01/09 - 05/31/09 |
| 0067 Alvarado vs. Ennis Homes | 213886 | 07/21/09 | 192.40 | 06/01/09 - 06/16/09 |
| 0068 Perez, Sabas vs Workman Brothers Development | 212699 | 06/05/09 | 192.40 | 04/01/09 - 04/30/09 |
| 0068 Perez, Sabas vs Workman Brothers Development | 213364 | 06/29/09 | 483.60 | 05/01/09 - 05/31/09 |
| 0068 Perez, Sabas vs Workman Brothers Development | 213887 | 07/21/09 | 519.48 | 06/01/09 - 06/15/09 |
| 0071 Chaffin vs. Morrison Homes et al | 212702 | 06/05/09 | 1,366.04 | 04/01/09 - 04/30/09 |
| 0071 Chaffin vs. Morrison Homes et al | 213365 | 06/29/09 | 57.72 | 05/01/09 - 05/31/09 |
| 0071 Chaffin vs. Morrison Homes et al | 213890 | 07/21/09 | 328.86 | 06/01/09 - 06/15/09 |
| 0072 Baluyot vs Morrison Homes et al | 212703 | 06/05/09 | 442.52 | 04/01/09 - 04/30/09 |
| 0072 Baluyot vs Morrison Homes et al | 213891 | 07/21/09 | 434.50 | 06/01/09 - 06/15/09 |
| 0073 Serna vs. Arnaiz et al | 212704 | 06/05/09 | 769.60 | 04/01/09 - 04/30/09 |

| | | | | |
|---|--------|----------|--------------------|---------------------|
| 0073 Serna vs. Arnaiz et al | 213366 | 06/29/09 | 95.00 | 05/01/09 - 05/31/09 |
| 0073 Serna vs. Arnaiz et al | 213892 | 07/21/09 | 382.80 | 06/01/09 - 06/15/09 |
| 0074 Bates vs. Inland Village | 213367 | 06/29/09 | 285.40 | 05/01/09 - 05/31/09 |
| 0076 Bro-Hahn Construction vs | 212705 | 06/05/09 | 173.16 | 04/01/09 - 04/30/09 |
| 0076 Bro-Hahn Construction vs | 213368 | 06/29/09 | 206.16 | 05/01/09 - 05/31/09 |
| 0078 Karan Investments vs Hughes Development Habelt | 212707 | 06/05/09 | 192.40 | 04/01/09 - 04/30/09 |
| 0078 Karan Investments vs Hughes Development Habelt | 213369 | 06/29/09 | 411.60 | 05/01/09 - 05/31/09 |
| 0079 Bryant et al vs Arnaiz Development et al | 212708 | 06/05/09 | 1,558.44 | 04/01/09 - 04/30/09 |
| 0079 Bryant et al vs Arnaiz Development et al | 213370 | 06/29/09 | 433.00 | 05/01/09 - 05/31/09 |
| 0079 Bryant et al vs Arnaiz Development et al | 213897 | 07/21/09 | 346.32 | 06/01/09 - 06/15/09 |
| 0080 Akhtar, Ali vs Arnaiz Development | 213898 | 07/21/09 | 827.32 | 06/01/09 - 06/15/09 |
| Total Due | | | \$19,445.58 | |

McDONOUGH HOLLAND & ALLEN PC

Attorneys at Law

500 Capitol Mall, 18th Floor
Sacramento, California 95814
(916) 444-3900

Buildings Materials Holding Corporation
ATTN: Paul Street
General Counsel
720 Park Boulevard, Suite 200
Boise, ID 83712-7764

Invoice: 212692
Date: 06/05/09

BUILDING MATERIALS HOLDING CORPORATION

Client No: 31121

For Legal Services rendered through April 30, 2009 as fully
described on the attached detailed billing:

| | |
|-----------------------|-------------------|
| Total Fees | \$1,258.00 |
| Total Costs | <u>\$50.32</u> |
| TOTAL DUE THIS BILL | \$1,308.32 |
| TOTAL BALANCE NOW DUE | <u>\$1,308.32</u> |

McDONOUGH HOLLAND & ALLEN PC

Attorneys at Law

500 Capitol Mall, 18th Floor
Sacramento, California 95814
(916) 444-3900

Buildings Materials Holding Corporat
ATTN: Paul Street
General Counsel
720 Park Boulevard, Suite 200
Boise, ID 83712-7764

Invoice Number 212692
Invoice Date 06/05/09
Client Number 31121
Matter Number 0048

Re: Luna vs. Bigalk (BMC West, Inc.)
Claim No. 683-128093

FOR PROFESSIONAL SERVICES RENDERED THROUGH 04/30/09:

| Date | Name | Description of Service | Hours | Fee |
|-------------|-------|---|-------|----------|
| ----- | ----- | ----- | ----- | ----- |
| 04/15/09 | Smith | Prepared for and attended court-ordered Mandatory Settlement Conference in Merced conducted by Judge McCabe (includes roundtrip travel between Sacramento and Merced - 242 miles) (6.0); Prepared status report to insurance representatives (.7). | 6.7 | 1,239.50 |
| 04/27/09 | Smith | Receipt and review of Elias Bazan Construction's motion for summary judgment | 0.1 | 18.50 |
| TOTAL HOURS | | | 6.8 | |

TIME SUMMARY:

| Name | Hours | Rate | Fee |
|---------------|-------|------------|----------|
| ----- | ----- | ----- | ----- |
| Zachary Smith | 6.8 | at \$185 = | 1,258.00 |

CURRENT FEES

1,258.00

31121 BUILDING MATERIALS HOLDING CORPORATION
0048 Luna vs. Bigalk (BMC West, Inc.)

Invoice Number 212692
06/05/09
Page 2

FOR COSTS ADVANCED AND EXPENSES INCURRED:

| Date | | Amount | |
|----------|--------------------------------|--------|----------------------------|
| ----- | | ----- | |
| 05/07/09 | Administrative Charge | 50.32 | |
| | CURRENT EXPENSES | | ----- 50.32 |
| | TOTAL AMOUNT OF THIS INVOICE | | 1,308.32 |
| | TOTAL BALANCE DUE UPON RECEIPT | | ----- 1,308.32 ===== |

McDONOUGH HOLLAND & ALLEN PC

Attorneys at Law

500 Capitol Mall, 18th Floor
Sacramento, California 95814
(916) 444-3900

Buildings Materials Holding Corporation
ATTN: Paul Street
General Counsel
720 Park Boulevard, Suite 200
Boise, ID 83712-7764

Invoice: 213876
Date: 07/21/09

BUILDING MATERIALS HOLDING CORPORATION

Client No: 31121

For Legal Services rendered through June 30, 2009 as fully
described on the attached detailed billing:

| | |
|-----------------------|-----------------------|
| Total Fees | \$92.50 |
| Total Costs | <u>\$3.70</u> |
| TOTAL DUE THIS BILL | \$96.20 |
| TOTAL BALANCE NOW DUE | <u><u>\$96.20</u></u> |

McDONOUGH HOLLAND & ALLEN PC

Attorneys at Law

500 Capitol Mall, 18th Floor
Sacramento, California 95814
(916) 444-3900

Buildings Materials Holding Corporat
ATTN: Paul Street
General Counsel
720 Park Boulevard, Suite 200
Boise, ID 83712-7764

Invoice Number 213876
Invoice Date 07/21/09
Client Number 31121
Matter Number 0048

Re: Luna vs. Bigalk (BMC West, Inc.)
Claim No. 683-128093

FOR PROFESSIONAL SERVICES RENDERED THROUGH 06/30/09:

| Date | Name | Description of Service | Hours | Fee |
|-------------|-------|--|-------|-------|
| ----- | ----- | ----- | ----- | ----- |
| 06/15/09 | Smith | Participated in Case Management Conference and via telephone. | 0.5 | 92.50 |
| TOTAL HOURS | | | 0.5 | |

TIME SUMMARY:

| Name | Hours | Rate | Fee |
|---------------|-------|------------|-------|
| ----- | ----- | ----- | ----- |
| Zachary Smith | 0.5 | at \$185 = | 92.50 |
| CURRENT FEES | | | 92.50 |

FOR COSTS ADVANCED AND EXPENSES INCURRED:

| Date | Amount |
|--------------------------------|--------|
| ----- | ----- |
| 07/20/09 Administrative Charge | 3.70 |
| CURRENT EXPENSES | 3.70 |

TOTAL AMOUNT OF THIS INVOICE 96.20

31121
0048

BUILDING MATERIALS HOLDING CORPORATION
Luna vs. Bigalk (BMC West, Inc.)

Invoice Number 213876
07/21/09
Page 2

TOTAL BALANCE DUE UPON RECEIPT

96.20
=====

McDONOUGH HOLLAND & ALLEN PC

Attorneys at Law

500 Capitol Mall, 18th Floor
Sacramento, California 95814
(916) 444-3900

BMHC Administrative Service Center Invoice: 212693
ATTN: Susan Reimers, Executive/Legal Assistan Date: 06/05/09
Legal Department
720 Park Boulevard, Suite 200
Boise, ID 83712-7714

BUILDING MATERIALS HOLDING CORPORATION

Client No: 31121

For Legal Services rendered through April 30, 2009 as fully
described on the attached detailed billing:

| | |
|-----------------------|-----------------|
| Total Fees | \$111.00 |
| Total Costs | <u>\$134.44</u> |
| TOTAL DUE THIS BILL | \$245.44 |
| TOTAL BALANCE NOW DUE | <u>\$245.44</u> |

McDONOUGH HOLLAND & ALLEN PC

Attorneys at Law

500 Capitol Mall, 18th Floor
Sacramento, California 95814
(916) 444-3900

BMHC Administrative Service Center
ATTN: Susan Reimers, Executive/Lega
Legal Department
720 Park Boulevard, Suite 200
Boise, ID 83712-7714

Invoice Number 212693
Invoice Date 06/05/09
Client Number 31121
Matter Number 0053

Re: Ali vs. KB Homes
Claim No. 908-0018373

FOR PROFESSIONAL SERVICES RENDERED THROUGH 04/30/09:

| Date | Name | Description of Service | Hours | Fee |
|----------|-------|--|-------|--------|
| 04/15/09 | Smith | Telephone conference with plaintiffs' attorney, Mike Whitaker, to negotiate settlement of case for \$1,500 and avoid deposition of Joe Zuendel scheduled for April 21 in Concord; (.3); Prepared letter confirming settlement terms (.3) | 0.6 | 111.00 |

TOTAL HOURS 0.6

TIME SUMMARY:

| Name | Hours | Rate | Fee |
|---------------|-------|------------|--------|
| Zachary Smith | 0.6 | at \$185 = | 111.00 |

CURRENT FEES 111.00

FOR COSTS ADVANCED AND EXPENSES INCURRED:

| Date | Amount |
|----------|--|
| 03/25/09 | Telephone conference call U.S. Bank / 3/11/2009 - VISA - WOOD - COURT CALL. Scheduling CourtCall |
| | 65.00 |

31121
0053

BUILDING MATERIALS HOLDING CORPORATION
Ali vs. KB Homes

Invoice Number 212693
06/05/09
Page 2

| Date | | Amount |
|----------|---|--------|
| ----- | | ----- |
| | Appearance for 3/16/2009 Case Management Conference in Stanislaus County Superior Court. [Appearance ID 2708282] | |
| 03/25/09 | Client cost incurred re: U.S. Bank / 3/17/2009 - VISA - WOOD - COURTCALL. Scheduling CourtCall Appearance for 6/15/2009 Case Management Conference in Stanislaus County Superior Court. [Appearance ID 2719547] | 65.00 |
| 05/07/09 | Administrative Charge | 4.44 |
| | | ----- |
| | CURRENT EXPENSES | 134.44 |
| | | ----- |
| | TOTAL AMOUNT OF THIS INVOICE | 245.44 |
| | | ----- |
| | TOTAL BALANCE DUE UPON RECEIPT | 245.44 |
| | | ===== |

McDONOUGH HOLLAND & ALLEN PC

Attorneys at Law

500 Capitol Mall, 18th Floor
Sacramento, California 95814
(916) 444-3900

BMHC Administrative Service Center Invoice: 213877
ATTN: Susan Reimers, Executive/Legal Assistan Date: 07/21/09
Legal Department
720 Park Boulevard, Suite 200
Boise, ID 83712-7714

BUILDING MATERIALS HOLDING CORPORATION

Client No: 31121

For Legal Services rendered through June 30, 2009 as fully
described on the attached detailed billing:

| | |
|-----------------------|-----------------|
| Total Fees | \$185.00 |
| Total Costs | <u>\$326.40</u> |
| TOTAL DUE THIS BILL | \$511.40 |
| TOTAL BALANCE NOW DUE | <u>\$511.40</u> |

McDONOUGH HOLLAND & ALLEN PC

Attorneys at Law

500 Capitol Mall, 18th Floor
Sacramento, California 95814
(916) 444-3900

BMHC Administrative Service Center
ATTN: Susan Reimers, Executive/Lega
Legal Department
720 Park Boulevard, Suite 200
Boise, ID 83712-7714

Invoice Number 213877
Invoice Date 07/21/09
Client Number 31121
Matter Number 0053

Re: Ali vs. KB Homes
Claim No. 908-0018373

FOR PROFESSIONAL SERVICES RENDERED THROUGH 06/30/09:

| Date | Name | Description of Service | Hours | Fee |
|-------------|-------|--|-------|--------|
| 06/15/09 | Smith | Participated in Case Management Conference via telephone. | 0.7 | 129.50 |
| 06/25/09 | Smith | Prepared Notice of Automatic Stay for filing with Stanislaus County Superior Court and for service on all counsel. | 0.3 | 55.50 |
| TOTAL HOURS | | | 1.0 | |

TIME SUMMARY:

| Name | Hours | Rate | Fee |
|---------------|-------|------------|--------|
| Zachary Smith | 1.0 | at \$185 = | 185.00 |
| CURRENT FEES | | | 185.00 |

FOR COSTS ADVANCED AND EXPENSES INCURRED:

| Date | Amount |
|----------|--|
| 05/28/09 | Outside professional services: Jonathan Margolis, P.C / BMC's portion of fees for Jonathan Margolis' services as Special Master - January 2009 through May |
| | 319.00 |

31121
0053

BUILDING MATERIALS HOLDING CORPORATION
Ali vs. KB Homes

Invoice Number 213877
07/21/09
Page 2

| Date | | Amount | |
|----------|---|--------|--------------------------|
| ----- | | ----- | |
| 07/20/09 | 2009. [Invoice Total: \$9,975] Administrative Charge | 7.40 | |
| | CURRENT EXPENSES | | ----- 326.40 |
| | TOTAL AMOUNT OF THIS INVOICE | | 511.40 |
| | TOTAL BALANCE DUE UPON RECEIPT | | ----- 511.40 ===== |

McDONOUGH HOLLAND & ALLEN PC

Attorneys at Law

500 Capitol Mall, 18th Floor
Sacramento, California 95814
(916) 444-3900

BMHC Administrative Service Center Invoice: 212694
ATTN: Susan Reimers, Executive/Legal Assistan Date: 06/05/09
Legal Department
720 Park Boulevard, Suite 200
Boise, ID 83712-7714

BUILDING MATERIALS HOLDING CORPORATION

Client No: 31121

For Legal Services rendered through April 30, 2009 as fully
described on the attached detailed billing:

| | |
|-----------------------|-------------------|
| Total Fees | \$980.50 |
| Total Costs | <u>\$54.22</u> |
| TOTAL DUE THIS BILL | \$1,034.72 |
| TOTAL BALANCE NOW DUE | <u>\$1,034.72</u> |

McDONOUGH HOLLAND & ALLEN PC

Attorneys at Law

500 Capitol Mall, 18th Floor
Sacramento, California 95814
(916) 444-3900

BMHC Administrative Service Center
ATTN: Susan Reimers, Executive/Lega
Legal Department
720 Park Boulevard, Suite 200
Boise, ID 83712-7714

Invoice Number 212694
Invoice Date 06/05/09
Client Number 31121
Matter Number 0055

Re: Alvarez vs. Bright Homes
Claim No. 908-0018395

FOR PROFESSIONAL SERVICES RENDERED THROUGH 04/30/09:

| Date | Name | Description of Service | Hours | Fee |
|-------------|-------|--|-------|--------|
| ----- | ----- | ----- | ----- | ----- |
| 04/03/09 | Smith | Receipt and review of correspondence from Bright Homes' attorneys to Jonathan Margolis regarding plaintiffs who have dropped from case in preparation for upcoming Mandatory Settlement Conference on April 8. | 0.1 | 18.50 |
| 04/08/09 | Smith | Attended Mandatory Settlement Conference conducted by Special Master Margolis and negotiated settlement (includes one way travel between Monterey and Sacramento-192 miles). | 5.2 | 962.00 |
| TOTAL HOURS | | | 5.3 | |

TIME SUMMARY:

| Name | Hours | Rate | Fee |
|---------------|-------|------------|--------|
| ----- | ----- | ----- | ----- |
| Zachary Smith | 5.3 | at \$185 = | 980.50 |

CURRENT FEES 980.50

31121
0055

BUILDING MATERIALS HOLDING CORPORATION
Alvarez vs. Bright Homes

Invoice Number 212694
06/05/09
Page 2

FOR COSTS ADVANCED AND EXPENSES INCURRED:

| Date | | Amount | |
|----------|---|--------|----------------------------|
| ----- | | ----- | |
| 04/01/09 | Computer assisted legal research on LexisNexis File & Serve by Beba Maletic-Arsov on 3/31/2009. | 15.00 | |
| 05/07/09 | Administrative Charge | 39.22 | |
| | CURRENT EXPENSES | | ----- 54.22 |
| | TOTAL AMOUNT OF THIS INVOICE | | 1,034.72 |
| | TOTAL BALANCE DUE UPON RECEIPT | | ----- 1,034.72 ===== |

McDONOUGH HOLLAND & ALLEN PC

Attorneys at Law

500 Capitol Mall, 18th Floor
Sacramento, California 95814
(916) 444-3900

BMHC Administrative Service Center Invoice: 213358
ATTN: Susan Reimers, Executive/Legal Assistan Date: 06/29/09
Legal Department
720 Park Boulevard, Suite 200
Boise, ID 83712-7714

BUILDING MATERIALS HOLDING CORPORATION

Client No: 31121

For Legal Services rendered through May 31, 2009 as fully
described on the attached detailed billing:

| | |
|-----------------------|------------------------|
| Total Fees | \$536.50 |
| Total Costs | <u>\$66.46</u> |
| TOTAL DUE THIS BILL | \$602.96 |
| TOTAL BALANCE NOW DUE | <u><u>\$602.96</u></u> |

McDONOUGH HOLLAND & ALLEN PC

Attorneys at Law

500 Capitol Mall, 18th Floor
Sacramento, California 95814
(916) 444-3900

BMHC Administrative Service Center
ATTN: Susan Reimers, Executive/Lega
Legal Department
720 Park Boulevard, Suite 200
Boise, ID 83712-7714

Invoice Number 213358
Invoice Date 06/29/09
Client Number 31121
Matter Number 0055

Re: Alvarez vs. Bright Homes
Claim No. 908-0018395

FOR PROFESSIONAL SERVICES RENDERED THROUGH 05/31/09:

| Date | Name | Description of Service | Hours | Fee |
|-------------|-------|--|-------|--------|
| ----- | ----- | ----- | ----- | ----- |
| 05/06/09 | Smith | Letter to Michael Whitkaker, attorney for plaintiffs, Kory Phillips, attorney for Bright Homes and Special Master Jonathan Margolis memorializing terms of settlement as to BMHC entities and their insurers. | 0.5 | 92.50 |
| 05/08/09 | Smith | Prepare notice of settlement and moving papers for ex parte determination of good faith of settlement and immunity from comparative fault complaints and cross-complaints pursuant to California Code of Civil Procedure section 877.6 | 2.4 | 444.00 |
| TOTAL HOURS | | | 2.9 | |

TIME SUMMARY:

| Name | Hours | Rate | Fee |
|---------------|-------|------------|--------|
| ----- | ----- | ----- | ----- |
| Zachary Smith | 2.9 | at \$185 = | 536.50 |

CURRENT FEES

536.50

31121 BUILDING MATERIALS HOLDING CORPORATION
0055 Alvarez vs. Bright Homes

Invoice Number 213358
06/29/09
Page 2

FOR COSTS ADVANCED AND EXPENSES INCURRED:

| Date | | Amount |
|----------|---|----------------|
| ----- | | ----- |
| 05/01/09 | Computer assisted legal research on Lexis Nexis by Beba Maletic-Arsov on 4/30/2009. | 15.00 |
| 06/01/09 | Computer assisted legal research on LexisNexis File & Serve on 5/29/2009. | 30.00 |
| 06/29/09 | Administrative Charge | 21.46 |
| | CURRENT EXPENSES | ----- 66.46 |

TOTAL AMOUNT OF THIS INVOICE 602.96

TOTAL BALANCE DUE UPON RECEIPT -----
602.96
=====

McDONOUGH HOLLAND & ALLEN PC

Attorneys at Law

500 Capitol Mall, 18th Floor
Sacramento, California 95814
(916) 444-3900

BMHC Administrative Service Center Invoice: 213878
ATTN: Susan Reimers, Executive/Legal Assistan Date: 07/21/09
Legal Department
720 Park Boulevard, Suite 200
Boise, ID 83712-7714

BUILDING MATERIALS HOLDING CORPORATION

Client No: 31121

**For Legal Services rendered through June 30, 2009 as fully
described on the attached detailed billing:**

| | |
|------------------------------|------------------------|
| Total Fees | \$74.00 |
| Total Costs | <u>\$407.96</u> |
| TOTAL DUE THIS BILL | \$481.96 |
| TOTAL BALANCE NOW DUE | <u>\$481.96</u> |

McDONOUGH HOLLAND & ALLEN PC

Attorneys at Law

500 Capitol Mall, 18th Floor
Sacramento, California 95814
(916) 444-3900

BMHC Administrative Service Center
ATTN: Susan Reimers, Executive/Lega
Legal Department
720 Park Boulevard, Suite 200
Boise, ID 83712-7714

Invoice Number 213878
Invoice Date 07/21/09
Client Number 31121
Matter Number 0055

Re: Alvarez vs. Bright Homes
Claim No. 908-0018395

FOR PROFESSIONAL SERVICES RENDERED THROUGH 06/30/09:

| Date | Name | Description of Service | Hours | Fee |
|-------------|-------|--|-------|-------|
| ----- | ----- | ----- | ----- | ----- |
| 06/04/09 | Smith | Letter to Gayle Deneen of NovaPro requesting issuance of settlement draft and transmitting taxpayer ID information. | 0.1 | 18.50 |
| 06/25/09 | Smith | Preparation of Notice of Stay due to chapter 11 bankruptcy filing for filing with Stanislaus County Superior Court and service on all counsel. | 0.3 | 55.50 |
| TOTAL HOURS | | | 0.4 | |

TIME SUMMARY:

| Name | Hours | Rate | Fee |
|---------------|-------|------------|-------|
| ----- | ----- | ----- | ----- |
| Zachary Smith | 0.4 | at \$185 = | 74.00 |
| CURRENT FEES | | | 74.00 |

31121 BUILDING MATERIALS HOLDING CORPORATION
0055 Alvarez vs. Bright Homes

Invoice Number 213878
07/21/09
Page 2

FOR COSTS ADVANCED AND EXPENSES INCURRED:

| Date | | Amount | |
|----------|--|--------|--------------------------|
| ----- | | ----- | |
| 06/04/09 | Outside professional services: Jonathan Margolis, P.C / of Jonathan Margolis as Special Master. | 375.00 | |
| 07/01/09 | Computer assisted legal research on Lexis Nexis by Zachary Smith and Beba Maletic-Arsov for the month of June 2009. | 30.00 | |
| 07/20/09 | Administrative Charge | 2.96 | |
| | CURRENT EXPENSES | | ----- 407.96 |
| | TOTAL AMOUNT OF THIS INVOICE | | 481.96 |
| | TOTAL BALANCE DUE UPON RECEIPT | | ----- 481.96 ===== |

McDONOUGH HOLLAND & ALLEN PC

Attorneys at Law

500 Capitol Mall, 18th Floor
Sacramento, California 95814
(916) 444-3900

BMHC Administrative Service Center Invoice: 212695
ATTN: Susan Reimers, Executive/Legal Assistan Date: 06/05/09
Legal Department
720 Park Boulevard, Suite 200
Boise, ID 83712-7714

BUILDING MATERIALS HOLDING CORPORATION

Client No: 31121

For Legal Services rendered through April 30, 2009 as fully
described on the attached detailed billing:

| | |
|-----------------------|--------------------------|
| Total Fees | \$1,239.50 |
| Total Costs | <u>\$454.76</u> |
| TOTAL DUE THIS BILL | \$1,694.26 |
| TOTAL BALANCE NOW DUE | <u><u>\$1,694.26</u></u> |

McDONOUGH HOLLAND & ALLEN PC

Attorneys at Law

500 Capitol Mall, 18th Floor
Sacramento, California 95814
(916) 444-3900

BMHC Administrative Service Center
ATTN: Susan Reimers, Executive/Lega
Legal Department
720 Park Boulevard, Suite 200
Boise, ID 83712-7714

Invoice Number 212695
Invoice Date 06/05/09
Client Number 31121
Matter Number 0056

Re: Alberts vs. Bright Homes
Claim No. 9080018395

FOR PROFESSIONAL SERVICES RENDERED THROUGH 04/30/09:

| Date | Name | Description of Service | Hours | Fee |
|----------|-------|---|-------|--------|
| ----- | ----- | ----- | ----- | ----- |
| 04/03/09 | Smith | Receipt and review of correspondence from Bright Homes' attorneys to Jonathan Margolis regarding issues to be addressed at upcoming Mandatory Settlement Conference on April 8. | 0.1 | 18.50 |
| 04/08/09 | Smith | Attended Mandatory Settlement Conference conducted by Special Master Margolis and negotiated settlement (includes one way travel between Sacramento and Monterey - 192 miles). | 5.3 | 980.50 |
| 04/10/09 | Smith | Receipt and review of Special master Margolis' proposed Pre-Trial Order No. 13 and proposed deposition schedule. | 0.1 | 18.50 |
| 04/16/09 | Smith | Review and analysis of motion for continuance of trial date brought by Bright Development. | 0.5 | 92.50 |
| 04/17/09 | Smith | Receipt and review of raft of correspondence by and between counsel for developer, various subcontractors and plaintiffs regarding objections and adjustments to deposition schedule. | 0.3 | 55.50 |
| 04/24/09 | Smith | Receipt and analysis of draft omnibus release and settlement agreement proposed by plaintiffs' attorney, Mike Whitaker. | 0.4 | 74.00 |

31121 BUILDING MATERIALS HOLDING CORPORATION
0056 Alberts vs. Bright Homes

Invoice Number 212695
06/05/09
Page 2

TOTAL HOURS 6.7

TIME SUMMARY:

| Name | Hours | Rate | Fee |
|---------------|-------|------------|----------|
| Zachary Smith | 6.7 | at \$185 = | 1,239.50 |
| CURRENT FEES | | | 1,239.50 |

FOR COSTS ADVANCED AND EXPENSES INCURRED:

| Date | Amount |
|------------------|---|
| 04/17/09 | Outside professional services: Jonathan Margolis, P.C / BMC West's share of fees/costs incurred for services of Jonathan Margolis as Special Master from July 2008 through March 2009. 390.18 |
| 04/01/09 | Computer assisted legal research on Lexis Nexis File & Serve by Beba Maletic-Arsov on 3/27/2009. 15.00 |
| 05/07/09 | Administrative Charge 49.58 |
| CURRENT EXPENSES | 454.76 |

TOTAL AMOUNT OF THIS INVOICE 1,694.26

TOTAL BALANCE DUE UPON RECEIPT 1,694.26

McDONOUGH HOLLAND & ALLEN PC

Attorneys at Law

500 Capitol Mall, 18th Floor
Sacramento, California 95814
(916) 444-3900

BMHC Administrative Service Center Invoice: 213359
ATTN: Susan Reimers, Executive/Legal Assistan Date: 06/29/09
Legal Department
720 Park Boulevard, Suite 200
Boise, ID 83712-7714

BUILDING MATERIALS HOLDING CORPORATION

Client No: 31121

For Legal Services rendered through May 31, 2009 as fully
described on the attached detailed billing:

| | |
|-----------------------|-----------------|
| Total Fees | \$721.50 |
| Total Costs | <u>\$128.86</u> |
| TOTAL DUE THIS BILL | \$850.36 |
| TOTAL BALANCE NOW DUE | <u>\$850.36</u> |

McDONOUGH HOLLAND & ALLEN PC

Attorneys at Law

500 Capitol Mall, 18th Floor
Sacramento, California 95814
(916) 444-3900

BMHC Administrative Service Center
ATTN: Susan Reimers, Executive/Lega
Legal Department
720 Park Boulevard, Suite 200
Boise, ID 83712-7714

Invoice Number 213359
Invoice Date 06/29/09
Client Number 31121
Matter Number 0056

Re: Alberts vs. Bright Homes
Claim No. 9080018395

FOR PROFESSIONAL SERVICES RENDERED THROUGH 05/31/09:

| Date | Name | Description of Service | Hours | Fee |
|----------|-------|--|-------|--------|
| ----- | ----- | ----- | ----- | ----- |
| 05/06/09 | Smith | Telephone conference with Kory Phillips, attorney for Bright Homes, regarding problems with issue releases for piecemeal settlements and prospects for global settlement of case in order to tailor notice of settlement and request for good faith determination appropriately so as to maximize chances of success (.5); Preparation of letter memorializing settlement terms (.8) | 1.3 | 240.50 |
| 05/08/09 | Smith | Prepare notice of settlement and moving papers for ex parte determination of good faith of settlement and immunity from comparative fault complaints and cross-complaints pursuant to California Code of Civil Procedure section 877.6. | 2.4 | 444.00 |
| 05/11/09 | Smith | Telephone conference with Gayle Deneen regarding timing of settlement payment. | 0.1 | 18.50 |
| 05/15/09 | Smith | Receipt and review of correspondence from Jonathan Margolis announcing global settlement and correspondence from various attorneys requesting omnibus motion for good faith of global settlement. | 0.1 | 18.50 |

31121
0056

BUILDING MATERIALS HOLDING CORPORATION
Alberts vs. Bright Homes

Invoice Number 213359
06/29/09
Page 2

TOTAL HOURS 3.9

TIME SUMMARY:

| Name | Hours | Rate | Fee |
|---------------|-------|------------|--------|
| Zachary Smith | 3.9 | at \$185 = | 721.50 |
| CURRENT FEES | | | 721.50 |

FOR COSTS ADVANCED AND EXPENSES INCURRED:

| Date | | Amount |
|------------------|--|--------|
| 05/25/09 | Client cost incurred re: U.S. Bank / 5/14/2008 - VISA - WOOD - COURTCALL. Scheduling of Telephonic Appearance for 5/15/2009 hearing. [Appearance ID 2831368] | 100.00 |
| 06/29/09 | Administrative Charge | 28.86 |
| CURRENT EXPENSES | | 128.86 |

TOTAL AMOUNT OF THIS INVOICE 850.36

TOTAL BALANCE DUE UPON RECEIPT 850.36

McDONOUGH HOLLAND & ALLEN PC

Attorneys at Law

500 Capitol Mall, 18th Floor
Sacramento, California 95814
(916) 444-3900

BMHC Administrative Service Center Invoice: 213879
ATTN: Susan Reimers, Executive/Legal Assistan Date: 07/21/09
Legal Department
720 Park Boulevard, Suite 200
Boise, ID 83712-7714

BUILDING MATERIALS HOLDING CORPORATION

Client No: 31121

For Legal Services rendered through June 30, 2009 as fully
described on the attached detailed billing:

| | |
|-----------------------|----------------|
| Total Fees | \$92.50 |
| Total Costs | <u>\$3.70</u> |
| TOTAL DUE THIS BILL | \$96.20 |
| TOTAL BALANCE NOW DUE | <u>\$96.20</u> |

McDONOUGH HOLLAND & ALLEN PC

Attorneys at Law

500 Capitol Mall, 18th Floor
Sacramento, California 95814
(916) 444-3900

BMHC Administrative Service Center
ATTN: Susan Reimers, Executive/Lega
Legal Department
720 Park Boulevard, Suite 200
Boise, ID 83712-7714

Invoice Number 213879
Invoice Date 07/21/09
Client Number 31121
Matter Number 0056

Re: Alberts vs. Bright Homes
Claim No. 9080018395

FOR PROFESSIONAL SERVICES RENDERED THROUGH 06/30/09:

| Date | Name | Description of Service | Hours | Fee |
|-------------|-------|---|-------|-------|
| 06/04/09 | Smith | Letter to Gayle Deneen requesting settlement check and transmitting taxpayer ID info and W-9 form, etc. | 0.2 | 37.00 |
| 06/25/09 | Smith | Prepared Notice of Stay for filing with Superior Court and for service on all counsel. | 0.3 | 55.50 |
| TOTAL HOURS | | | 0.5 | |

TIME SUMMARY:

| Name | Hours | Rate | Fee |
|---------------|-------|------------|-------|
| Zachary Smith | 0.5 | at \$185 = | 92.50 |
| CURRENT FEES | | | 92.50 |

FOR COSTS ADVANCED AND EXPENSES INCURRED:

| Date | Amount |
|--------------------------------|--------|
| 07/20/09 Administrative Charge | 3.70 |
| CURRENT EXPENSES | 3.70 |

31121
0056

BUILDING MATERIALS HOLDING CORPORATION
Alberts vs. Bright Homes

Invoice Number 213879
07/21/09
Page 2

TOTAL AMOUNT OF THIS INVOICE

96.20

TOTAL BALANCE DUE UPON RECEIPT

96.20
=====

McDONOUGH HOLLAND & ALLEN PC

Attorneys at Law

500 Capitol Mall, 18th Floor
Sacramento, California 95814
(916) 444-3900

Buildings Materials Holding Corporation
ATTN: Paul Street
General Counsel
720 Park Boulevard, Suite 200
Boise, ID 83712-7764

Invoice: 210546
Date: 03/16/09

BUILDING MATERIALS HOLDING CORPORATION

Client No: 31121

For Legal Services rendered through February 28, 2009 as fully
described on the attached detailed billing:

| | |
|-----------------------|------------------------|
| Total Fees | \$148.00 |
| Total Costs | <u>\$5.92</u> |
| TOTAL DUE THIS BILL | \$153.92 |
| TOTAL BALANCE NOW DUE | <u><u>\$153.92</u></u> |

McDONOUGH HOLLAND & ALLEN PC

Attorneys at Law

500 Capitol Mall, 18th Floor
Sacramento, California 95814
(916) 444-3900

Buildings Materials Holding Corporat
ATTN: Paul Street
General Counsel
720 Park Boulevard, Suite 200
Boise, ID 83712-7764

Invoice Number 210546
Invoice Date 03/16/09
Client Number 31121
Matter Number 0060

Re: Shepard vs. Forecast

FOR PROFESSIONAL SERVICES RENDERED THROUGH 02/28/09:

| Date | Name | Description of Service | Hours | Fee |
|----------|-------|---|-------|--------|
| ----- | ----- | ----- | ----- | ----- |
| 02/02/09 | Smith | Receipt and review of letter from Settlement Referee Bruce Edwards regarding upcoming settlement meeting on February 6, 2009. | 0.1 | 18.50 |
| 02/26/09 | Smith | Participated in conference call with mediator Bruce Edwards and various counsel including counsel for Forecast Homes and for plaintiffs (.5); Short status report to NovaPro and AIG (.2) | 0.7 | 129.50 |
| | | TOTAL HOURS | 0.8 | |

TIME SUMMARY:

| Name | Hours | Rate | Fee |
|---------------|-------|------------|--------|
| ----- | ----- | ----- | ----- |
| Zachary Smith | 0.8 | at \$185 = | 148.00 |

CURRENT FEES

148.00

31121 BUILDING MATERIALS HOLDING CORPORATION
0060 Shepard vs. Forecast

Invoice Number 210546
03/16/09
Page 2

FOR COSTS ADVANCED AND EXPENSES INCURRED:

| Date | | Amount | |
|----------|--------------------------------|--------|--------|
| ----- | | ----- | |
| 03/05/09 | Administrative Charge | 5.92 | |
| | | | ----- |
| | CURRENT EXPENSES | | 5.92 |
| | | | |
| | TOTAL AMOUNT OF THIS INVOICE | | 153.92 |
| | | | |
| | TOTAL BALANCE DUE UPON RECEIPT | | ----- |
| | | | 153.92 |
| | | | ===== |

McDONOUGH HOLLAND & ALLEN PC

Attorneys at Law

500 Capitol Mall, 18th Floor
Sacramento, California 95814
(916) 444-3900

Buildings Materials Holding Corporation
ATTN: Paul Street
General Counsel
720 Park Boulevard, Suite 200
Boise, ID 83712-7764

Invoice: 212696
Date: 06/05/09

BUILDING MATERIALS HOLDING CORPORATION

Client No: 31121

**For Legal Services rendered through April 30, 2009 as fully
described on the attached detailed billing:**

| | |
|------------------------------|------------------------|
| Total Fees | \$277.50 |
| Total Costs | <u>\$11.10</u> |
| TOTAL DUE THIS BILL | \$288.60 |
| TOTAL BALANCE NOW DUE | <u>\$288.60</u> |

McDONOUGH HOLLAND & ALLEN PC

Attorneys at Law

500 Capitol Mall, 18th Floor
Sacramento, California 95814
(916) 444-3900

Buildings Materials Holding Corporat
ATTN: Paul Street
General Counsel
720 Park Boulevard, Suite 200
Boise, ID 83712-7764

Invoice Number 212696
Invoice Date 06/05/09
Client Number 31121
Matter Number 0060

Re: Shepard vs. Forecast

FOR PROFESSIONAL SERVICES RENDERED THROUGH 04/30/09:

| Date | Name | Description of Service | Hours | Fee |
|----------|-------|--|-------------|--------|
| ----- | ----- | ----- | ----- | ----- |
| 04/02/09 | Smith | Receipt and analysis of K. Honovian Forecast Homes' responses to special interrogatories (.3); Telephone call to Ed Huguenin to urge dismissal of BMC West Corporation (.2). | 0.5 | 92.50 |
| 04/03/09 | Smith | Telephone conference with Jessica Koster to negotiate dismissal with prejudice of BMC West Corporation from action (.4); Preparation of dismissal forms and letter confirming resolution by dismissal and terms (.3); Short status report to Nova Pro and AIG (.2) | 0.9 | 166.50 |
| 04/10/09 | Smith | Receipt and review of copies Request for Dismissal forms executed by Hovnanian Forecast's attorneys and sent to court for filing. | 0.1 | 18.50 |
| | | | ----- | |
| | | | TOTAL HOURS | 1.5 |

TIME SUMMARY:

| Name | Hours | Rate | Fee |
|---------------|-------|------------|--------|
| ----- | ----- | ----- | ----- |
| Zachary Smith | 1.5 | at \$185 = | 277.50 |

31121
0060

BUILDING MATERIALS HOLDING CORPORATION
Shepard vs. Forecast

Invoice Number 212696
06/05/09
Page 2

CURRENT FEES

277.50

FOR COSTS ADVANCED AND EXPENSES INCURRED:

| Date | | Amount |
|----------|-----------------------|--------|
| ----- | | ----- |
| 05/07/09 | Administrative Charge | 11.10 |

CURRENT EXPENSES

11.10

TOTAL AMOUNT OF THIS INVOICE

288.60

TOTAL BALANCE DUE UPON RECEIPT

288.60

McDONOUGH HOLLAND & ALLEN PC

Attorneys at Law

500 Capitol Mall, 18th Floor
Sacramento, California 95814
(916) 444-3900

Buildings Materials Holding Corporation
ATTN: Paul Street
General Counsel
720 Park Boulevard, Suite 200
Boise, ID 83712-7764

Invoice: 213360
Date: 06/29/09

BUILDING MATERIALS HOLDING CORPORATION

Client No: 31121

**For Legal Services rendered through May 31, 2009 as fully
described on the attached detailed billing:**

| | |
|------------------------------|-----------------------|
| Total Fees | \$74.00 |
| Total Costs | <u>\$2.96</u> |
| TOTAL DUE THIS BILL | \$76.96 |
| TOTAL BALANCE NOW DUE | <u>\$76.96</u> |

McDONOUGH HOLLAND & ALLEN PC

Attorneys at Law

500 Capitol Mall, 18th Floor
Sacramento, California 95814
(916) 444-3900

Buildings Materials Holding Corporat
ATTN: Paul Street
General Counsel
720 Park Boulevard, Suite 200
Boise, ID 83712-7764

Invoice Number 213360
Invoice Date 06/29/09
Client Number 31121
Matter Number 0060

Re: Shepard vs. Forecast

FOR PROFESSIONAL SERVICES RENDERED THROUGH 05/31/09:

| Date | Name | Description of Service | Hours | Fee |
|----------|-------|---|-------|-------|
| ----- | ----- | ----- | ----- | ----- |
| 05/04/09 | Smith | Receipt and review of endorsed dismissal forms and preparation of short transmittal letter to insurance representatives. | 0.2 | 37.00 |
| 05/07/09 | Smith | Receipt and analysis of developer's May 7, 2009 settlement compliance chart as to performance of settlement obligations of all parties to global settlement | 0.1 | 18.50 |
| 05/29/09 | Smith | Review endorsed dismissal documents | 0.1 | 18.50 |
| | | | ----- | |
| | | TOTAL HOURS | 0.4 | |

TIME SUMMARY:

| Name | Hours | Rate | Fee |
|---------------|-------|------------|-------|
| ----- | ----- | ----- | ----- |
| Zachary Smith | 0.4 | at \$185 = | 74.00 |

CURRENT FEES

74.00

31121 BUILDING MATERIALS HOLDING CORPORATION
0060 Shepard vs. Forecast

Invoice Number 213360
06/29/09
Page 2

FOR COSTS ADVANCED AND EXPENSES INCURRED:

| Date | | Amount | |
|----------|--------------------------------|--------|-------------------------|
| ----- | | ----- | |
| 06/29/09 | Administrative Charge | 2.96 | |
| | CURRENT EXPENSES | | ----- 2.96 |
| | TOTAL AMOUNT OF THIS INVOICE | | 76.96 |
| | TOTAL BALANCE DUE UPON RECEIPT | | ----- 76.96 ===== |

McDONOUGH HOLLAND & ALLEN PC

Attorneys at Law

500 Capitol Mall, 18th Floor
Sacramento, California 95814
(916) 444-3900

Buildings Materials Holding Corporation
ATTN: Paul Street
General Counsel
720 Park Boulevard, Suite 200
Boise, ID 83712-7764

Invoice: 212697
Date: 06/05/09

BUILDING MATERIALS HOLDING CORPORATION

Client No: 31121

**For Legal Services rendered through April 30, 2009 as fully
described on the attached detailed billing:**

| | |
|------------------------------|-------------------------------|
| Total Fees | \$277.50 |
| Total Costs | <u>\$106.10</u> |
| TOTAL DUE THIS BILL | \$383.60 |
| TOTAL BALANCE NOW DUE | <u><u>\$383.60</u></u> |

McDONOUGH HOLLAND & ALLEN PC

Attorneys at Law

500 Capitol Mall, 18th Floor
Sacramento, California 95814
(916) 444-3900

Buildings Materials Holding Corporat
ATTN: Paul Street
General Counsel
720 Park Boulevard, Suite 200
Boise, ID 83712-7764

Invoice Number 212697
Invoice Date 06/05/09
Client Number 31121
Matter Number 0062

Re: Andrade vs. Morrison Homes, Inc.

FOR PROFESSIONAL SERVICES RENDERED THROUGH 04/30/09:

| Date | Name | Description of Service | Hours | Fee |
|-------------|-------|--|-------|--------|
| ----- | ----- | ----- | ----- | ----- |
| 04/14/09 | Smith | Receipt and analysis of Special Master Margolis's proposed Case Management Order No. 13 | 0.1 | 18.50 |
| 04/21/09 | Smith | Conference call with Special Master and all counsel regarding upcoming Mandatory Settlement Conference. | 0.7 | 129.50 |
| 04/27/09 | Smith | Communications with Special Master Jonathan Margolis regarding his "mediator's proposal" as to BMC West Corporation for upcoming mediation on May 7, 2009; Prepared short status report to NovaPro and AIG (.4); Follow-up communications with Margolis (.1) | 0.7 | 129.50 |
| TOTAL HOURS | | | 1.5 | |

TIME SUMMARY:

| Name | Hours | Rate | Fee |
|---------------|-------|------------|--------|
| ----- | ----- | ----- | ----- |
| Zachary Smith | 1.5 | at \$185 = | 277.50 |

CURRENT FEES

277.50

31121 BUILDING MATERIALS HOLDING CORPORATION
0062 Andrade vs. Morrison Homes, Inc.

Invoice Number 212697
06/05/09
Page 2

FOR COSTS ADVANCED AND EXPENSES INCURRED:

| Date | | Amount | |
|----------|--|--------|--------------------------|
| ----- | | ----- | |
| 03/25/09 | Client cost incurred re: U.S. Bank / 3/17/2009 - VISA - WOOD - COURTCALL. Scheduling of CourtCall appearance for 3/19/2009 hearing in San Joaquin County Superior Court. [Appearance ID 2719270] | 95.00 | |
| 05/07/09 | Administrative Charge | 11.10 | |
| | CURRENT EXPENSES | | ----- 106.10 |
| | TOTAL AMOUNT OF THIS INVOICE | | 383.60 |
| | TOTAL BALANCE DUE UPON RECEIPT | | ----- 383.60 ===== |

McDONOUGH HOLLAND & ALLEN PC

Attorneys at Law

500 Capitol Mall, 18th Floor
Sacramento, California 95814
(916) 444-3900

Buildings Materials Holding Corporation
ATTN: Paul Street
General Counsel
720 Park Boulevard, Suite 200
Boise, ID 83712-7764

Invoice: 213361
Date: 06/29/09

BUILDING MATERIALS HOLDING CORPORATION

Client No: 31121

For Legal Services rendered through May 31, 2009 as fully
described on the attached detailed billing:

| | |
|-----------------------|-------------------|
| Total Fees | \$1,646.50 |
| Total Costs | <u>\$92.10</u> |
| TOTAL DUE THIS BILL | \$1,738.60 |
| TOTAL BALANCE NOW DUE | <u>\$1,738.60</u> |

McDONOUGH HOLLAND & ALLEN PC

Attorneys at Law

500 Capitol Mall, 18th Floor
Sacramento, California 95814
(916) 444-3900

Buildings Materials Holding Corporat
ATTN: Paul Street
General Counsel
720 Park Boulevard, Suite 200
Boise, ID 83712-7764

Invoice Number 213361
Invoice Date 06/29/09
Client Number 31121
Matter Number 0062

Re: Andrade vs. Morrison Homes, Inc.

FOR PROFESSIONAL SERVICES RENDERED THROUGH 05/31/09:

| Date | Name | Description of Service | Hours | Fee |
|----------|-------|--|-------|----------|
| ----- | ----- | ----- | ----- | ----- |
| 05/04/09 | Smith | Receipt and analysis of written demand from developer's counsel for settlement of defect aspects of claims and contractual indemnity claims, etc. for a total of \$18,500 (.1); Drafted short letter to insurance representatives (.3); Receipt and analysis of expert witness designations for G&G Construction, Financial Pacific Construction, Sierra Sunrise Construction, Steve Taylor & Sons, Gutierrez Lath & Plaster, Future Floors and Morrison Homes (.3). | 0.7 | 129.50 |
| 05/06/09 | Smith | Finalize letter to NovaPro and AIG (.1) and review defect reports and cost of repair estimates in preparation for Mandatory Settlement Conference on May 7, 2009. | 1.0 | 185.00 |
| 05/07/09 | Smith | Attended Mandatory Settlement Conference session conducted by Special Master Jonathan Margolis in San Jose (includes roundtrip travel between Sacramento and San Jose - 240 miles). | 7.0 | 1,295.00 |
| 05/19/09 | Smith | Receipt and analysis of Special Master Jonathan Margolis's proposed Case Management Order No. 15 establishing a discovery committee. | 0.1 | 18.50 |

31121
0062

BUILDING MATERIALS HOLDING CORPORATION
Andrade vs. Morrison Homes, Inc.

Invoice Number 213361
06/29/09
Page 2

| Date | Name | Description of Service | Hours | Fee |
|-------------|-------|--|-------|-------|
| 05/26/09 | Smith | E-mail communications with Gayle Deneen regarding status of settlement negotiations. | 0.1 | 18.50 |
| TOTAL HOURS | | | 8.9 | |

TIME SUMMARY:

| Name | Hours | Rate | Fee |
|---------------|-------|------------|----------|
| Zachary Smith | 8.9 | at \$185 = | 1,646.50 |
| CURRENT FEES | | | 1,646.50 |

FOR COSTS ADVANCED AND EXPENSES INCURRED:

| Date | Amount |
|------------------|--|
| 05/25/09 | Meal expense: U.S. Bank / 5/7/2009 - VISA - SMITH - PAOLO'S. Lunch during mediation of matter in San Jose, CA. 15.91 |
| 05/01/09 | Computer assisted legal research on WestLaw by Zac Smith on 4/27/2009. 10.33 |
| 06/29/09 | Administrative Charge 65.86 |
| CURRENT EXPENSES | 92.10 |

TOTAL AMOUNT OF THIS INVOICE 1,738.60

TOTAL BALANCE DUE UPON RECEIPT 1,738.60

McDONOUGH HOLLAND & ALLEN PC

Attorneys at Law

500 Capitol Mall, 18th Floor
Sacramento, California 95814
(916) 444-3900

Buildings Materials Holding Corporation
ATTN: Paul Street
General Counsel
720 Park Boulevard, Suite 200
Boise, ID 83712-7764

Invoice: 213881
Date: 07/21/09

BUILDING MATERIALS HOLDING CORPORATION

Client No: 31121

**For Legal Services rendered through June 30, 2009 as fully
described on the attached detailed billing:**

| | |
|------------------------------|------------------------|
| Total Fees | \$55.50 |
| Total Costs | <u>\$288.02</u> |
| TOTAL DUE THIS BILL | \$343.52 |
| TOTAL BALANCE NOW DUE | <u>\$343.52</u> |

McDONOUGH HOLLAND & ALLEN PC

Attorneys at Law

500 Capitol Mall, 18th Floor
Sacramento, California 95814
(916) 444-3900

Buildings Materials Holding Corporat
ATTN: Paul Street
General Counsel
720 Park Boulevard, Suite 200
Boise, ID 83712-7764

Invoice Number 213881
Invoice Date 07/21/09
Client Number 31121
Matter Number 0062

Re: Andrade vs. Morrison Homes, Inc.

FOR PROFESSIONAL SERVICES RENDERED THROUGH 06/30/09:

| Date | Name | Description of Service | Hours | Fee |
|-------------|-------|---|-------|-------|
| 06/25/09 | Smith | Preparation of Notice of Stay for filing with San Joaquin County Superior Court and service on all counsel. | 0.3 | 55.50 |
| TOTAL HOURS | | | 0.3 | |

TIME SUMMARY:

| Name | Hours | Rate | Fee |
|---------------|-------|------------|-------|
| Zachary Smith | 0.3 | at \$185 = | 55.50 |
| CURRENT FEES | | | 55.50 |

FOR COSTS ADVANCED AND EXPENSES INCURRED:

| Date | Amount |
|----------|---|
| 05/28/09 | Outside professional services: Jonathan Margolis, P.C / BMC portion of invoice for Special Master Jonathan Margolis services September 2008 - May 2009. (Invoice Total: \$12,502.97) |
| 07/20/09 | Administrative Charge |

31121
0062

BUILDING MATERIALS HOLDING CORPORATION
Andrade vs. Morrison Homes, Inc.

Invoice Number 213881
07/21/09
Page 2

CURRENT EXPENSES

288.02

TOTAL AMOUNT OF THIS INVOICE

343.52

TOTAL BALANCE DUE UPON RECEIPT

343.52
=====

McDONOUGH HOLLAND & ALLEN PC

Attorneys at Law

500 Capitol Mall, 18th Floor
Sacramento, California 95814
(916) 444-3900

| | | |
|---|----------|----------|
| BMHC Administrative Service Center | Invoice: | 211269 |
| ATTN: Susan Reimers, Executive/Legal Assistan | Date: | 04/16/09 |
| Legal Department | | |
| 720 Park Boulevard, Suite 200 | | |
| Boise, ID 83712-7714 | | |

BUILDING MATERIALS HOLDING CORPORATION

Client No: 31121

For Legal Services rendered through March 31, 2009 as fully
described on the attached detailed billing:

| | |
|-----------------------|----------------|
| Total Fees | \$80.00 |
| Total Costs | <u>\$3.20</u> |
| TOTAL DUE THIS BILL | \$83.20 |
| TOTAL BALANCE NOW DUE | <u>\$83.20</u> |

McDONOUGH HOLLAND & ALLEN PC

Attorneys at Law

500 Capitol Mall, 18th Floor
Sacramento, California 95814
(916) 444-3900

BMHC Administrative Service Center
ATTN: Susan Reimers, Executive/Legal
Department
720 Park Boulevard, Suite 200
Boise, ID 83712-7714

Invoice Number 211269
Invoice Date 04/16/09
Client Number 31121
Matter Number 0064

Re: Bautista vs. H&S Homes et al.

FOR PROFESSIONAL SERVICES RENDERED THROUGH 03/31/09:

| Date | Name | Description of Service | Hours | Fee |
|-------------|-------|--|-------|-------|
| 03/24/09 | Smith | Review status of case in response to email from Gayle Deneen of NovaPro. | 0.2 | 80.00 |
| TOTAL HOURS | | | 0.2 | |

TIME SUMMARY:

| Name | Hours | Rate | Fee |
|---------------|-------|------------|-------|
| Zachary Smith | 0.2 | at \$400 = | 80.00 |
| CURRENT FEES | | | 80.00 |

FOR COSTS ADVANCED AND EXPENSES INCURRED:

| Date | Amount |
|-----------------------|----------------------------|
| 04/16/09 | Administrative Charge 3.20 |
| CURRENT EXPENSES 3.20 | |

TOTAL AMOUNT OF THIS INVOICE 83.20

31121
0064

BUILDING MATERIALS HOLDING CORPORATION
Bautista vs. H&S Homes et al.

Invoice Number 211269
04/16/09
Page 2

TOTAL BALANCE DUE UPON RECEIPT

83.20
=====

McDONOUGH HOLLAND & ALLEN PC

Attorneys at Law

500 Capitol Mall, 18th Floor
Sacramento, California 95814
(916) 444-3900

| | | |
|---|----------|----------|
| BMHC Administrative Service Center | Invoice: | 213363 |
| ATTN: Susan Reimers, Executive/Legal Assistan | Date: | 06/29/09 |
| Legal Department | | |
| 720 Park Boulevard, Suite 200 | | |
| Boise, ID 83712-7714 | | |

BUILDING MATERIALS HOLDING CORPORATION

Client No: 31121

For Legal Services rendered through May 31, 2009 as fully
described on the attached detailed billing:

| | |
|-----------------------|-----------------------|
| Total Fees | \$55.50 |
| Total Costs | <u>\$2.22</u> |
| TOTAL DUE THIS BILL | \$57.72 |
| TOTAL BALANCE NOW DUE | <u><u>\$57.72</u></u> |

McDONOUGH HOLLAND & ALLEN PC

Attorneys at Law

500 Capitol Mall, 18th Floor
Sacramento, California 95814
(916) 444-3900

BMHC Administrative Service Center
ATTN: Susan Reimers, Executive/Legal
Department
720 Park Boulevard, Suite 200
Boise, ID 83712-7714

Invoice Number 213363
Invoice Date 06/29/09
Client Number 31121
Matter Number 0066

Re: McKinney (Ennis Homes)

FOR PROFESSIONAL SERVICES RENDERED THROUGH 05/31/09:

| Date | Name | Description of Service | Hours | Fee |
|----------|-------|---|-------------|-------|
| ----- | ----- | ----- | ----- | ----- |
| 05/27/09 | Smith | Short status report to insurance representatives. | 0.3 | 55.50 |
| | | | | |
| | | | TOTAL HOURS | 0.3 |

TIME SUMMARY:

| Name | Hours | Rate | Fee |
|---------------|-------|------------|--------------|
| ----- | ----- | ----- | ----- |
| Zachary Smith | 0.3 | at \$185 = | 55.50 |
| | | | |
| | | | CURRENT FEES |
| | | | 55.50 |

FOR COSTS ADVANCED AND EXPENSES INCURRED:

| Date | Amount |
|------------------|----------------------------|
| ----- | ----- |
| 06/29/09 | Administrative Charge 2.22 |
| | |
| CURRENT EXPENSES | |
| 2.22 | |

TOTAL AMOUNT OF THIS INVOICE 57.72

31121
0066

BUILDING MATERIALS HOLDING CORPORATION
McKinney (Ennis Homes)

Invoice Number 213363
06/29/09
Page 2

TOTAL BALANCE DUE UPON RECEIPT

57.72
=====

McDONOUGH HOLLAND & ALLEN PC

Attorneys at Law

500 Capitol Mall, 18th Floor
Sacramento, California 95814
(916) 444-3900

Buildings Materials Holding Corporation
ATTN: Paul Street
General Counsel
720 Park Boulevard, Suite 200
Boise, ID 83712-7764

Invoice: 213886
Date: 07/21/09

BUILDING MATERIALS HOLDING CORPORATION

Client No: 31121

**For Legal Services rendered through June 30, 2009 as fully
described on the attached detailed billing:**

| | |
|------------------------------|-------------------------------|
| Total Fees | \$240.50 |
| Total Costs | <u>\$9.62</u> |
| TOTAL DUE THIS BILL | \$250.12 |
| TOTAL BALANCE NOW DUE | <u><u>\$250.12</u></u> |

McDONOUGH HOLLAND & ALLEN PC

Attorneys at Law

500 Capitol Mall, 18th Floor
Sacramento, California 95814
(916) 444-3900

Buildings Materials Holding Corporat
ATTN: Paul Street
General Counsel
720 Park Boulevard, Suite 200
Boise, ID 83712-7764

Invoice Number 213886
Invoice Date 07/21/09
Client Number 31121
Matter Number 0067

Re: Alvarado vs. Ennis Homes

FOR PROFESSIONAL SERVICES RENDERED THROUGH 06/30/09:

| Date | Name | Description of Service | Hours | Fee |
|-------------|-------|--|-------|--------|
| ----- | ----- | ----- | ----- | ----- |
| 06/04/09 | Smith | Review file in preparation for Mandatory Settlement Conference scheduled for June 5, 2009 in Monterey (.6); Multiple telephone and e-mail communications with Special Master Jonathan Margolis in an effort to obtain permission to be excused from personal attendance in order to save expense of traveling to Monterey for MSC (.4) | 1.0 | 185.00 |
| 06/25/09 | Smith | Prepared Notice of Stay for filing with Tulare County Superior Court and for service on all counsel and Special Master | 0.3 | 55.50 |
| TOTAL HOURS | | | 1.3 | |

TIME SUMMARY:

| Name | Hours | Rate | Fee |
|---------------|-------|------------|--------|
| ----- | ----- | ----- | ----- |
| Zachary Smith | 1.3 | at \$185 = | 240.50 |

CURRENT FEES

240.50

31121
0067

BUILDING MATERIALS HOLDING CORPORATION
Alvarado vs. Ennis Homes

Invoice Number 213886
07/21/09
Page 2

FOR COSTS ADVANCED AND EXPENSES INCURRED:

| Date | | Amount | |
|----------|--------------------------------|--------|--------------------------|
| ----- | | ----- | |
| 07/20/09 | Administrative Charge | 9.62 | |
| | CURRENT EXPENSES | | ----- 9.62 |
| | TOTAL AMOUNT OF THIS INVOICE | | 250.12 |
| | TOTAL BALANCE DUE UPON RECEIPT | | ----- 250.12 ===== |

McDONOUGH HOLLAND & ALLEN PC

Attorneys at Law

500 Capitol Mall, 18th Floor
Sacramento, California 95814
(916) 444-3900

| | | |
|---|----------|----------|
| BMHC Administrative Service Center | Invoice: | 212699 |
| ATTN: Susan Reimers, Executive/Legal Assistan | Date: | 06/05/09 |
| Legal Department | | |
| 720 Park Boulevard, Suite 200 | | |
| Boise, ID 83712-7714 | | |

BUILDING MATERIALS HOLDING CORPORATION

Client No: 31121

**For Legal Services rendered through April 30, 2009 as fully
described on the attached detailed billing:**

| | |
|------------------------------|------------------------|
| Total Fees | \$185.00 |
| Total Costs | <u>\$7.40</u> |
| TOTAL DUE THIS BILL | \$192.40 |
| TOTAL BALANCE NOW DUE | <u>\$192.40</u> |

McDONOUGH HOLLAND & ALLEN PC

Attorneys at Law

500 Capitol Mall, 18th Floor
Sacramento, California 95814
(916) 444-3900

BMHC Administrative Service Center
ATTN: Susan Reimers, Executive/Lega
Legal Department
720 Park Boulevard, Suite 200
Boise, ID 83712-7714

Invoice Number 212699
Invoice Date 06/05/09
Client Number 31121
Matter Number 0068

Re: Perez, Sabas, vs. Workman Brothers Development et al.

FOR PROFESSIONAL SERVICES RENDERED THROUGH 04/30/09:

| Date | Name | Description of Service | Hours | Fee |
|-------------|-------|---|-------|--------|
| ----- | ----- | ----- | ----- | ----- |
| 04/27/09 | Smith | Receipt and analysis of motion and related memorandum of points and authorities, exhibits and request for judicial notice filed by Workman Bros. seeking to consolidate case with a related case Barraza, et al. v. Workman Bros. (.6); Revision to comprehensive CD case status report to Paul Street (.2); Short status report to insurance representatives (.2). | 1.0 | 185.00 |
| TOTAL HOURS | | | 1.0 | |

TIME SUMMARY:

| Name | Hours | Rate | Fee |
|---------------|-------|------------|--------|
| ----- | ----- | ----- | ----- |
| Zachary Smith | 1.0 | at \$185 = | 185.00 |

CURRENT FEES 185.00

31121
0068

BUILDING MATERIALS HOLDING CORPORATION
Perez, Sabas, vs. Workman Brothers Devel

Invoice Number 212699
06/05/09
Page 2

FOR COSTS ADVANCED AND EXPENSES INCURRED:

| Date | | Amount | |
|----------|--------------------------------|--------|--------------------------|
| ----- | | ----- | |
| 05/07/09 | Administrative Charge | 7.40 | |
| | CURRENT EXPENSES | | ----- 7.40 |
| | TOTAL AMOUNT OF THIS INVOICE | | 192.40 |
| | TOTAL BALANCE DUE UPON RECEIPT | | ----- 192.40 ===== |

McDONOUGH HOLLAND & ALLEN PC

Attorneys at Law

500 Capitol Mall, 18th Floor
Sacramento, California 95814
(916) 444-3900

BMHC Administrative Service Center Invoice: 213364
ATTN: Susan Reimers, Executive/Legal Assistan Date: 06/29/09
Legal Department
720 Park Boulevard, Suite 200
Boise, ID 83712-7714

BUILDING MATERIALS HOLDING CORPORATION

Client No: 31121

For Legal Services rendered through May 31, 2009 as fully
described on the attached detailed billing:

| | |
|-----------------------|------------------------|
| Total Fees | \$277.50 |
| Total Costs | <u>\$206.10</u> |
| TOTAL DUE THIS BILL | \$483.60 |
| TOTAL BALANCE NOW DUE | <u><u>\$483.60</u></u> |

McDONOUGH HOLLAND & ALLEN PC

Attorneys at Law

500 Capitol Mall, 18th Floor
Sacramento, California 95814
(916) 444-3900

BMHC Administrative Service Center
ATTN: Susan Reimers, Executive/Legal
Legal Department
720 Park Boulevard, Suite 200
Boise, ID 83712-7714

Invoice Number 213364
Invoice Date 06/29/09
Client Number 31121
Matter Number 0068

Re: Perez, Sabas, vs. Workman Brothers Development et al.

FOR PROFESSIONAL SERVICES RENDERED THROUGH 05/31/09:

| Date | Name | Description of Service | Hours | Fee |
|----------|-------|--|-------------|--------|
| ----- | ----- | ----- | ----- | ----- |
| 05/07/09 | Smith | Receipt and review of court's minute order scheduling trial setting conference for June 17, 2009. | 0.1 | 18.50 |
| 05/18/09 | Smith | Receipt and analysis of documents provided by Workman Bros. relating to BMC West Corporation including contracts for supply of lumber, roof packages and exterior doors; purchase order logs, homeowner matrixes for Perez case homeowners and Barraza homeowners. | 1.3 | 240.50 |
| 05/19/09 | Smith | Receipt and analysis of correspondence from developer's counsel regarding motion for consolidation of Perez case with the Barraza case. | 0.1 | 18.50 |
| | | | ----- | |
| | | | TOTAL HOURS | 1.5 |

TIME SUMMARY:

| Name | Hours | Rate | Fee |
|---------------|-------|------------|--------|
| ----- | ----- | ----- | ----- |
| Zachary Smith | 1.5 | at \$185 = | 277.50 |

31121
0068

BUILDING MATERIALS HOLDING CORPORATION
Perez, Sabas, vs. Workman Brothers Devel

Invoice Number 213364
06/29/09
Page 2

CURRENT FEES

277.50

FOR COSTS ADVANCED AND EXPENSES INCURRED:

| Date | | Amount |
|----------|--|--------|
| ----- | | ----- |
| 04/27/09 | Client cost incurred re: U.S. Bank / 4/6/2009 - VISA - WOOD - COURTCALL. Scheduling of CourtCall appearance for RJ Wood at 4/28/2009 hearing in Fresno County Superior Court. [Appearance No. 2756026] | 65.00 |
| 05/25/09 | Client cost incurred re: U.S. Bank / 5/6/2009 - VISA - SMITH - COURTCALL. Scheduling of CourtCall appearance for at 5/20/2009 hearing in Fresno County Superior Court. [Appearance No. 2815212] | 65.00 |
| 05/25/09 | Client cost incurred re: U.S. Bank / 5/11/2009 - VISA - SMITH - COURTCALL. Scheduling of CourtCall appearance for at 6/17/2009 hearing in Fresno County Superior Court. [Appearance No. 2823122] | 65.00 |
| 06/29/09 | Administrative Charge | 11.10 |

CURRENT EXPENSES

206.10

TOTAL AMOUNT OF THIS INVOICE

483.60

TOTAL BALANCE DUE UPON RECEIPT

483.60
=====

McDONOUGH HOLLAND & ALLEN PC

Attorneys at Law

500 Capitol Mall, 18th Floor
Sacramento, California 95814
(916) 444-3900

BMHC Administrative Service Center Invoice: 213887
ATTN: Susan Reimers, Executive/Legal Assistan Date: 07/21/09
Legal Department
720 Park Boulevard, Suite 200
Boise, ID 83712-7714

BUILDING MATERIALS HOLDING CORPORATION

Client No: 31121

**For Legal Services rendered through June 30, 2009 as fully
described on the attached detailed billing:**

| | |
|------------------------------|------------------------|
| Total Fees | \$555.00 |
| Total Costs | <u>\$22.20</u> |
| TOTAL DUE THIS BILL | \$577.20 |
| TOTAL BALANCE NOW DUE | <u>\$577.20</u> |

McDONOUGH HOLLAND & ALLEN PC

Attorneys at Law

500 Capitol Mall, 18th Floor
Sacramento, California 95814
(916) 444-3900

BMHC Administrative Service Center
ATTN: Susan Reimers, Executive/Lega
Legal Department
720 Park Boulevard, Suite 200
Boise, ID 83712-7714

Invoice Number 213887
Invoice Date 07/21/09
Client Number 31121
Matter Number 0068

Re: Perez, Sabas, vs. Workman Brothers Development et al.

FOR PROFESSIONAL SERVICES RENDERED THROUGH 06/30/09:

| Date | Name | Description of Service | Hours | Fee |
|----------|-------|--|-------|--------|
| ----- | ----- | ----- | ----- | ----- |
| 06/01/09 | Smith | Receipt and analysis of Workman Bros. cross-complaint in Barraza v. Workman Bros., with which Perez v Workman Bros. was recently consolidated by order of Fresno County Superior Court (1.2); Preparation of answer on behalf of BMC West Corporation (1.0). | 2.2 | 407.00 |
| 06/02/09 | Smith | Status report to Gayle Deneen of NovaPro regarding consolidation of Perez case with Barraza case and service of summons and cross-complaint by Workman Bros. in the Barazza case. | 0.3 | 55.50 |
| 06/16/09 | Smith | Receipt and analysis of proposed stipulation for appointment of Jube Najarian as Special Master and proposed order regarding Special Master's powers and jurisdiction. | 0.2 | 37.00 |
| 06/26/09 | Smith | Preparation of Notice of Stay for filing in Fresno County and for service on all counsel. | 0.3 | 55.50 |
| | | TOTAL HOURS | 3.0 | |

31121 BUILDING MATERIALS HOLDING CORPORATION
0068 Perez, Sabas, vs. Workman Brothers Devel

Invoice Number 213887
07/21/09
Page 2

TIME SUMMARY:

| Name | Hours | Rate | Fee |
|---------------|-------|------------|--------|
| Zachary Smith | 3.0 | at \$185 = | 555.00 |
| CURRENT FEES | | | 555.00 |

FOR COSTS ADVANCED AND EXPENSES INCURRED:

| Date | Amount |
|--------------------------------|--------|
| 07/20/09 Administrative Charge | 22.20 |
| CURRENT EXPENSES | 22.20 |

TOTAL AMOUNT OF THIS INVOICE 577.20

TOTAL BALANCE DUE UPON RECEIPT 577.20
=====

McDONOUGH HOLLAND & ALLEN PC

Attorneys at Law

500 Capitol Mall, 18th Floor
Sacramento, California 95814
(916) 444-3900

BMHC Administrative Service Center Invoice: 212702
ATTN: Susan Reimers, Executive/Legal Assistan Date: 06/05/09
Legal Department
720 Park Boulevard, Suite 200
Boise, ID 83712-7714

BUILDING MATERIALS HOLDING CORPORATION

Client No: 31121

For Legal Services rendered through April 30, 2009 as fully
described on the attached detailed billing:

| | |
|-----------------------|-------------------|
| Total Fees | \$1,313.50 |
| Total Costs | <u>\$52.54</u> |
| TOTAL DUE THIS BILL | \$1,366.04 |
| TOTAL BALANCE NOW DUE | <u>\$1,366.04</u> |

McDONOUGH HOLLAND & ALLEN PC

Attorneys at Law

500 Capitol Mall, 18th Floor
Sacramento, California 95814
(916) 444-3900

BMHC Administrative Service Center
ATTN: Susan Reimers, Executive/Legal
Legal Department
720 Park Boulevard, Suite 200
Boise, ID 83712-7714

Invoice Number 212702
Invoice Date 06/05/09
Client Number 31121
Matter Number 0071

Re: Chaffin vs. Morrison Homes et al.

FOR PROFESSIONAL SERVICES RENDERED THROUGH 04/30/09:

| Date | Name | Description of Service | Hours | Fee |
|----------|-------|--|-------|--------|
| ----- | ----- | ----- | ----- | ----- |
| 04/02/09 | Smith | Participated in conference call with Special Master Pete Dekker and all counsel (.5); Prepared short status report to NovaPro and AIG (.2) | 0.7 | 129.50 |
| 04/03/09 | Smith | Receipt and review of Pete Dekker's proposed "Pre-Trial Order No. 2." | 0.1 | 18.50 |
| 04/07/09 | Smith | Continued work on preparing discovery responses pursuant to prevailing case management order. | 2.3 | 425.50 |
| 04/13/09 | Smith | Individual meeting with Special master Pete Dekker regarding discovery issues and regarding potential for early settlement as to BMC West Corporation (includes roundtrip travel between Sacramento and San Ramon (miles) (3.7)). | 3.7 | 684.50 |
| 04/14/09 | Smith | Telephone conference with Joe Zuendel regarding collection of BMC West Corporation documents for deposit in central repository. | 0.2 | 37.00 |
| 04/24/09 | Smith | Receipt and review of Case Management Order from the Stanislaus County Superior Court. | 0.1 | 18.50 |
| | | | ----- | |
| | | TOTAL HOURS | 7.1 | |

31121 BUILDING MATERIALS HOLDING CORPORATION
0071 Chaffin vs. Morrison Homes et al.

Invoice Number 212702
06/05/09
Page 2

TIME SUMMARY:

| Name | Hours | Rate | Fee |
|---------------|-------|------------|----------|
| Zachary Smith | 7.1 | at \$185 = | 1,313.50 |
| CURRENT FEES | | | 1,313.50 |

FOR COSTS ADVANCED AND EXPENSES INCURRED:

| Date | Amount |
|--------------------------------|--------|
| 05/07/09 Administrative Charge | 52.54 |
| CURRENT EXPENSES | 52.54 |

TOTAL AMOUNT OF THIS INVOICE 1,366.04

TOTAL BALANCE DUE UPON RECEIPT 1,366.04

McDONOUGH HOLLAND & ALLEN PC

Attorneys at Law

500 Capitol Mall, 18th Floor
Sacramento, California 95814
(916) 444-3900

| | | |
|---|----------|----------|
| BMHC Administrative Service Center | Invoice: | 213365 |
| ATTN: Susan Reimers, Executive/Legal Assistan | Date: | 06/29/09 |
| Legal Department | | |
| 720 Park Boulevard, Suite 200 | | |
| Boise, ID 83712-7714 | | |

BUILDING MATERIALS HOLDING CORPORATION

Client No: 31121

For Legal Services rendered through May 31, 2009 as fully
described on the attached detailed billing:

| | |
|-----------------------|----------------|
| Total Fees | \$55.50 |
| Total Costs | <u>\$2.22</u> |
| TOTAL DUE THIS BILL | \$57.72 |
| TOTAL BALANCE NOW DUE | <u>\$57.72</u> |

McDONOUGH HOLLAND & ALLEN PC

Attorneys at Law

500 Capitol Mall, 18th Floor
Sacramento, California 95814
(916) 444-3900

BMHC Administrative Service Center
ATTN: Susan Reimers, Executive/Lega
Legal Department
720 Park Boulevard, Suite 200
Boise, ID 83712-7714

Invoice Number 213365
Invoice Date 06/29/09
Client Number 31121
Matter Number 0071

Re: Chaffin vs. Morrison Homes et al.

FOR PROFESSIONAL SERVICES RENDERED THROUGH 05/31/09:

| Date | Name | Description of Service | Hours | Fee |
|----------|-------|---|-------------|-------|
| ----- | ----- | ----- | ----- | ----- |
| 05/13/09 | Smith | Receipt and analysis of request by plaintiffs' attorney to Special Master Pete Dekker that Mr. Dekker recommend to the Stansilaus County Superior Court that it enter an order permitting Rajinderpal and Surinderpal Dhaliwal to be added to the action as plaintiffs. | 0.1 | 18.50 |
| 05/19/09 | Smith | Receipt and analysis of objection by Morrison Homes to the proposed addition of one house to the plaintiffs' group in the litigation. | 0.1 | 18.50 |
| 05/26/09 | Smith | Receipt and analysis of plaintiffs' amended notice of deposit into document repository including defects list and cost of repair estimate. | 0.1 | 18.50 |
| | | | ----- | |
| | | | TOTAL HOURS | 0.3 |

TIME SUMMARY:

| Name | Hours | Rate | Fee |
|---------------|-------|------------|-------|
| ----- | ----- | ----- | ----- |
| Zachary Smith | 0.3 | at \$185 = | 55.50 |

31121 BUILDING MATERIALS HOLDING CORPORATION
0071 Chaffin vs. Morrison Homes et al.

Invoice Number 213365
06/29/09
Page 2

CURRENT FEES

55.50

FOR COSTS ADVANCED AND EXPENSES INCURRED:

| Date | | Amount |
|----------|-----------------------|--------|
| ----- | | ----- |
| 06/29/09 | Administrative Charge | 2.22 |

CURRENT EXPENSES

2.22

TOTAL AMOUNT OF THIS INVOICE

57.72

TOTAL BALANCE DUE UPON RECEIPT

57.72
=====

McDONOUGH HOLLAND & ALLEN PC

Attorneys at Law

500 Capitol Mall, 18th Floor
Sacramento, California 95814
(916) 444-3900

BMHC Administrative Service Center Invoice: 213890
ATTN: Susan Reimers, Executive/Legal Assistan Date: 07/21/09
Legal Department
720 Park Boulevard, Suite 200
Boise, ID 83712-7714

BUILDING MATERIALS HOLDING CORPORATION

Client No: 31121

For Legal Services rendered through June 30, 2009 as fully
described on the attached detailed billing:

| | |
|-----------------------|-----------------|
| Total Fees | \$314.50 |
| Total Costs | <u>\$72.08</u> |
| TOTAL DUE THIS BILL | \$386.58 |
| TOTAL BALANCE NOW DUE | <u>\$386.58</u> |

McDONOUGH HOLLAND & ALLEN PC

Attorneys at Law

500 Capitol Mall, 18th Floor
Sacramento, California 95814
(916) 444-3900

BMHC Administrative Service Center
ATTN: Susan Reimers, Executive/Lega
Legal Department
720 Park Boulevard, Suite 200
Boise, ID 83712-7714

Invoice Number 213890
Invoice Date 07/21/09
Client Number 31121
Matter Number 0071

Re: Chaffin vs. Morrison Homes et al.

FOR PROFESSIONAL SERVICES RENDERED THROUGH 06/30/09:

| Date | Name | Description of Service | Hours | Fee |
|-------------|-------|---|-------|--------|
| 06/02/09 | Smith | Email communication with Rob Pollard regarding search for documents. | 0.1 | 18.50 |
| 06/04/09 | Smith | Receipt and review of voluminous set of invoices received from Rob Pollard at Modesto facility in preparation for deposit in the central document repository pursuant to Case Management Order. | 1.2 | 222.00 |
| 06/05/09 | Smith | Receipt and review of letter from Special Master Pete Dekker regarding change in agenda for upcoming meeting on June 11. | 0.1 | 18.50 |
| 06/26/09 | Smith | Preparation of Notice of Stay for filing in Stanislaus County and for service on all counsel. | 0.3 | 55.50 |
| TOTAL HOURS | | | 1.7 | |

TIME SUMMARY:

| Name | Hours | Rate | Fee |
|---------------|-------|------------|--------|
| Zachary Smith | 1.7 | at \$185 = | 314.50 |

CURRENT FEES

314.50

31121 BUILDING MATERIALS HOLDING CORPORATION
0071 Chaffin vs. Morrison Homes et al.

Invoice Number 213890
07/21/09
Page 2

FOR COSTS ADVANCED AND EXPENSES INCURRED:

| Date | | Amount | |
|----------|---|--------|--------------------------|
| ----- | | ----- | |
| 06/03/09 | Filing One Legal, LLC. / of BMC West Corporation's CMC Statement in Stanislaus County Superior Court. [Service Fee: \$34.50; Surcharge: \$25] | 59.50 | |
| 07/20/09 | Administrative Charge | 12.58 | |
| | CURRENT EXPENSES | | ----- 72.08 |
| | TOTAL AMOUNT OF THIS INVOICE | | 386.58 |
| | TOTAL BALANCE DUE UPON RECEIPT | | ----- 386.58 ===== |

McDONOUGH HOLLAND & ALLEN PC

Attorneys at Law

500 Capitol Mall, 18th Floor
Sacramento, California 95814
(916) 444-3900

BMHC Administrative Service Center Invoice: 212703
ATTN: Susan Reimers, Executive/Legal Assistan Date: 06/05/09
Legal Department
720 Park Boulevard, Suite 200
Boise, ID 83712-7714

BUILDING MATERIALS HOLDING CORPORATION

Client No: 31121

For Legal Services rendered through April 30, 2009 as fully
described on the attached detailed billing:

| | |
|-----------------------|-----------------|
| Total Fees | \$425.50 |
| Total Costs | <u>\$17.02</u> |
| TOTAL DUE THIS BILL | \$442.52 |
| TOTAL BALANCE NOW DUE | <u>\$442.52</u> |

McDONOUGH HOLLAND & ALLEN PC

Attorneys at Law

500 Capitol Mall, 18th Floor
Sacramento, California 95814
(916) 444-3900

BMHC Administrative Service Center
ATTN: Susan Reimers, Executive/Lega
Legal Department
720 Park Boulevard, Suite 200
Boise, ID 83712-7714

Invoice Number 212703
Invoice Date 06/05/09
Client Number 31121
Matter Number 0072

Re: Baluyot vs Morrison Homes et al.

FOR PROFESSIONAL SERVICES RENDERED THROUGH 04/30/09:

| Date | Name | Description of Service | Hours | Fee |
|-------------|-------|---|-------|--------|
| ----- | ----- | ----- | ----- | ----- |
| 04/14/09 | Smith | Receipt and analysis of plaintiffs' complaint, Morrison's answer to complaint and Morrison's cross-complaint against BMC West Corporation and other subcontractors and suppliers (1.0); Preparation of answer to Morrison's cross-complaint and preparation of cross-complaint by BMC West Corporation against Morrison (1.0); Prepared letter to attorneys for Morrison requesting information (.3). | 2.3 | 425.50 |
| TOTAL HOURS | | | 2.3 | |

TIME SUMMARY:

| Name | Hours | Rate | Fee |
|---------------|-------|------------|--------|
| ----- | ----- | ----- | ----- |
| Zachary Smith | 2.3 | at \$185 = | 425.50 |
| CURRENT FEES | | | 425.50 |

31121
0072

BUILDING MATERIALS HOLDING CORPORATION
Baluyot vs Morrison Homes et al.

Invoice Number 212703
06/05/09
Page 2

FOR COSTS ADVANCED AND EXPENSES INCURRED:

| Date | | Amount | |
|----------|--------------------------------|--------|--------------------------|
| ----- | | ----- | |
| 05/07/09 | Administrative Charge | 17.02 | |
| | CURRENT EXPENSES | | ----- 17.02 |
| | TOTAL AMOUNT OF THIS INVOICE | | 442.52 |
| | TOTAL BALANCE DUE UPON RECEIPT | | ----- 442.52 ===== |

McDONOUGH HOLLAND & ALLEN PC

Attorneys at Law

500 Capitol Mall, 18th Floor
Sacramento, California 95814
(916) 444-3900

BMHC Administrative Service Center Invoice: 213891
ATTN: Susan Reimers, Executive/Legal Assistan Date: 07/21/09
Legal Department
720 Park Boulevard, Suite 200
Boise, ID 83712-7714

BUILDING MATERIALS HOLDING CORPORATION

Client No: 31121

For Legal Services rendered through June 30, 2009 as fully
described on the attached detailed billing:

| | |
|-----------------------|------------------------|
| Total Fees | \$111.00 |
| Total Costs | <u>\$438.94</u> |
| TOTAL DUE THIS BILL | \$549.94 |
| TOTAL BALANCE NOW DUE | <u><u>\$549.94</u></u> |

McDONOUGH HOLLAND & ALLEN PC

Attorneys at Law

500 Capitol Mall, 18th Floor
Sacramento, California 95814
(916) 444-3900

BMHC Administrative Service Center
ATTN: Susan Reimers, Executive/Lega
Legal Department
720 Park Boulevard, Suite 200
Boise, ID 83712-7714

Invoice Number 213891
Invoice Date 07/21/09
Client Number 31121
Matter Number 0072

Re: Baluyot vs Morrison Homes et al.

FOR PROFESSIONAL SERVICES RENDERED THROUGH 06/30/09:

| Date | Name | Description of Service | Hours | Fee |
|-------------|-------|--|-------|-------|
| ----- | ----- | ----- | ----- | ----- |
| 06/25/09 | Smith | Preparation of Notice of Stay due to chapter 11 bankruptcy filing for filing with Stanislaus County Superior Court and service on all counsel. | 0.3 | 55.50 |
| 06/26/09 | Smith | Preparation of Notice of Stay for filing in San Joaquin County and for service on all counsel. | 0.3 | 55.50 |
| TOTAL HOURS | | | 0.6 | |

TIME SUMMARY:

| Name | Hours | Rate | Fee |
|---------------|-------|------------|--------|
| ----- | ----- | ----- | ----- |
| Zachary Smith | 0.6 | at \$185 = | 111.00 |
| CURRENT FEES | | | 111.00 |

FOR COSTS ADVANCED AND EXPENSES INCURRED:

| Date | Amount |
|----------|--|
| ----- | ----- |
| 05/08/09 | Filing One Legal, LLC. / of BMC's Answer to Morrison's Cross-Complaint and |
| | 434.50 |

31121
0072

BUILDING MATERIALS HOLDING CORPORATION
Baluyot vs Morrison Homes et al.

Invoice Number 213891
07/21/09
Page 2

| Date | | Amount | |
|----------|---|--------|--------|
| ----- | | ----- | |
| | Cross-Complaint with San Joaquin County Superior Court. [Service: \$60; Filing Fee: \$350; Check Fee: \$24.50] | | |
| 07/20/09 | Administrative Charge | 4.44 | |
| | | | ----- |
| | CURRENT EXPENSES | | 438.94 |
| | | | |
| | TOTAL AMOUNT OF THIS INVOICE | | 549.94 |
| | | | |
| | TOTAL BALANCE DUE UPON RECEIPT | | ----- |
| | | | 549.94 |
| | | | ===== |

McDONOUGH HOLLAND & ALLEN PC

Attorneys at Law

500 Capitol Mall, 18th Floor
Sacramento, California 95814
(916) 444-3900

BMHC Administrative Service Center Invoice: 212704
ATTN: Susan Reimers, Executive/Legal Assistan Date: 06/05/09
Legal Department
720 Park Boulevard, Suite 200
Boise, ID 83712-7714

BUILDING MATERIALS HOLDING CORPORATION

Client No: 31121

For Legal Services rendered through April 30, 2009 as fully
described on the attached detailed billing:

| | |
|-----------------------|------------------------|
| Total Fees | \$740.00 |
| Total Costs | <u>\$29.60</u> |
| TOTAL DUE THIS BILL | \$769.60 |
| TOTAL BALANCE NOW DUE | <u><u>\$769.60</u></u> |

McDONOUGH HOLLAND & ALLEN PC

Attorneys at Law

500 Capitol Mall, 18th Floor
Sacramento, California 95814
(916) 444-3900

BMHC Administrative Service Center
ATTN: Susan Reimers, Executive/Legal
Legal Department
720 Park Boulevard, Suite 200
Boise, ID 83712-7714

Invoice Number 212704
Invoice Date 06/05/09
Client Number 31121
Matter Number 0073

Re: Serna vs. Arnaiz et al.
Claim No. 683-239226

FOR PROFESSIONAL SERVICES RENDERED THROUGH 04/30/09:

| Date | Name | Description of Service | Hours | Fee |
|----------|-------|---|-------------|--------|
| ----- | ----- | ----- | ----- | ----- |
| 04/01/09 | Smith | Study of documents obtained from developer (1.0), location and review of plaintiffs' lot files at central repository (1.7), and preparation of and other parties and preparation of status report to insurance representatives (1.0). | 3.7 | 684.50 |
| 04/03/09 | Wood | Conferred with Z. Smith re: e-mail from opposing counsel requesting information re: BMC West cross-complaint; reviewed file in preparation for April 6 case management conference. | 0.2 | 37.00 |
| 04/24/09 | Smith | Receipt and review of Amendment to Jeld-Wen cross-complaint to bring F.G. Edwards & Company into case. | 0.1 | 18.50 |
| | | | ----- | |
| | | | TOTAL HOURS | 4.0 |

TIME SUMMARY:

| Name | Hours | Rate | Fee |
|----------------|-------|------------|--------|
| ----- | ----- | ----- | ----- |
| Zachary Smith | 3.8 | at \$185 = | 703.00 |
| Robert J. Wood | 0.2 | at \$185 = | 37.00 |

31121
0073

BUILDING MATERIALS HOLDING CORPORATION
Serna vs. Arnaiz et al.

Invoice Number 212704
06/05/09
Page 2

CURRENT FEES

740.00

FOR COSTS ADVANCED AND EXPENSES INCURRED:

| Date | | Amount |
|----------|-----------------------|--------|
| 05/07/09 | Administrative Charge | 29.60 |

CURRENT EXPENSES

29.60

TOTAL AMOUNT OF THIS INVOICE

769.60

TOTAL BALANCE DUE UPON RECEIPT

769.60

McDONOUGH HOLLAND & ALLEN PC

Attorneys at Law

500 Capitol Mall, 18th Floor
Sacramento, California 95814
(916) 444-3900

| | | |
|---|----------|----------|
| BMHC Administrative Service Center | Invoice: | 213366 |
| ATTN: Susan Reimers, Executive/Legal Assistan | Date: | 06/29/09 |
| Legal Department | | |
| 720 Park Boulevard, Suite 200 | | |
| Boise, ID 83712-7714 | | |

BUILDING MATERIALS HOLDING CORPORATION

Client No: 31121

For Disbursements advanced through May 31, 2009 as fully
described on the attached detailed billing:

| | |
|-----------------------|----------------|
| Total Costs | \$95.00 |
| TOTAL DUE THIS BILL | \$95.00 |
| TOTAL BALANCE NOW DUE | <u>\$95.00</u> |

McDONOUGH HOLLAND & ALLEN PC

Attorneys at Law

500 Capitol Mall, 18th Floor
Sacramento, California 95814
(916) 444-3900

BMHC Administrative Service Center
ATTN: Susan Reimers, Executive/Lega
Legal Department
720 Park Boulevard, Suite 200
Boise, ID 83712-7714

Invoice Number 213366
Invoice Date 06/29/09
Client Number 31121
Matter Number 0073

Re: Serna vs. Arnaiz et al.
Claim No. 683-239226

FOR COSTS ADVANCED AND EXPENSES INCURRED:

| Date | | Amount |
|----------|--|-------------------------|
| ----- | | ----- |
| 04/27/09 | Client cost incurred re: U.S. Bank / 3/27/2009 - VISA - WOOD - COURTCALL. Scheduling of CourtCall appearance for RJ Wood at 4/1/2009 hearing in San Joaquin County Superior Court. [Appearance ID 2739295] | 95.00 |
| | CURRENT EXPENSES | ----- 95.00 |
| | TOTAL AMOUNT OF THIS INVOICE | 95.00 |
| | TOTAL BALANCE DUE UPON RECEIPT | ----- 95.00 ===== |

McDONOUGH HOLLAND & ALLEN PC

Attorneys at Law

500 Capitol Mall, 18th Floor
Sacramento, California 95814
(916) 444-3900

| | | |
|---|----------|----------|
| BMHC Administrative Service Center | Invoice: | 213892 |
| ATTN: Susan Reimers, Executive/Legal Assistan | Date: | 07/21/09 |
| Legal Department | | |
| 720 Park Boulevard, Suite 200 | | |
| Boise, ID 83712-7714 | | |

BUILDING MATERIALS HOLDING CORPORATION

Client No: 31121

For Legal Services rendered through June 30, 2009 as fully
described on the attached detailed billing:

| | |
|-----------------------|-----------------|
| Total Fees | \$555.00 |
| Total Costs | <u>\$22.20</u> |
| TOTAL | \$577.20 |
| Less Retainer | <u>\$136.68</u> |
| TOTAL DUE THIS BILL | \$440.52 |
| TOTAL BALANCE NOW DUE | <u>\$440.52</u> |

McDONOUGH HOLLAND & ALLEN PC

Attorneys at Law

500 Capitol Mall, 18th Floor
Sacramento, California 95814
(916) 444-3900

BMHC Administrative Service Center
ATTN: Susan Reimers, Executive/Legal
Legal Department
720 Park Boulevard, Suite 200
Boise, ID 83712-7714

Invoice Number 213892
Invoice Date 07/21/09
Client Number 31121
Matter Number 0073

Re: Serna vs. Arnaiz et al.
Claim No. 683-239226

FOR PROFESSIONAL SERVICES RENDERED THROUGH 06/30/09:

| Date | Name | Description of Service | Hours | Fee |
|-------------|-------|---|-------|--------|
| ----- | ----- | ----- | ----- | ----- |
| 06/05/09 | Smith | Receipt and analysis of Pre-Trial Order No. 3, issued May 28 (.1); Receipt and review of index of documents lodged in central repository by Arnaiz to identify documents potentially pertinent to BMC West Corporation (.1) | 0.2 | 37.00 |
| 06/12/09 | Smith | Review and analysis of invoices received from Rob Pollard at Modesto facility and initial draft of notice of production and deposit of documents into central repository pursuant to Case Management Order. | 2.2 | 407.00 |
| 06/12/09 | Smith | Receipt and review of letter from Cindy Sanders of AIG to Arnaiz's lawyers rejecting developer's Additional Insured tender. | 0.1 | 18.50 |
| 06/16/09 | Smith | Receipt and analysis of answer by Arnaiz Development to cross-complaint by BMC West Corporation. | 0.2 | 37.00 |
| 06/25/09 | Smith | Preparation of Notice of Stay due to chapter 11 bankruptcy filing for filing with Stanislaus County Superior Court and service on all counsel. | 0.3 | 55.50 |
| TOTAL HOURS | | | 3.0 | |

31121 BUILDING MATERIALS HOLDING CORPORATION
0073 Serna vs. Arnaiz et al.

Invoice Number 213892
07/21/09
Page 2

TIME SUMMARY:

| Name | Hours | Rate | Fee |
|---------------|-------|------------|--------|
| Zachary Smith | 3.0 | at \$185 = | 555.00 |
| CURRENT FEES | | | 555.00 |

FOR COSTS ADVANCED AND EXPENSES INCURRED:

| Date | Amount |
|--------------------------------|--------|
| 07/20/09 Administrative Charge | 22.20 |
| CURRENT EXPENSES | 22.20 |

TOTAL AMOUNT OF THIS INVOICE 577.20
LESS RETAINER APPLIED TO INVOICE -136.68

NET AMOUNT OF THIS INVOICE 440.52

TOTAL BALANCE DUE UPON RECEIPT 440.52

McDONOUGH HOLLAND & ALLEN PC

Attorneys at Law

500 Capitol Mall, 18th Floor
Sacramento, California 95814
(916) 444-3900

BMHC Administrative Service Center Invoice: 213367
ATTN: Susan Reimers, Executive/Legal Assistan Date: 06/29/09
Legal Department
720 Park Boulevard, Suite 200
Boise, ID 83712-7714

BUILDING MATERIALS HOLDING CORPORATION

Client No: 31121

For Legal Services rendered through May 31, 2009 as fully
described on the attached detailed billing:

| | |
|-----------------------|------------------------|
| Total Fees | \$185.00 |
| Total Costs | <u>\$100.40</u> |
| TOTAL DUE THIS BILL | \$285.40 |
| TOTAL BALANCE NOW DUE | <u><u>\$285.40</u></u> |

McDONOUGH HOLLAND & ALLEN PC

Attorneys at Law

500 Capitol Mall, 18th Floor
Sacramento, California 95814
(916) 444-3900

BMHC Administrative Service Center
ATTN: Susan Reimers, Executive/Legal
Legal Department
720 Park Boulevard, Suite 200
Boise, ID 83712-7714

Invoice Number 213367
Invoice Date 06/29/09
Client Number 31121
Matter Number 0074

Re: Bates vs. Inland Village

FOR PROFESSIONAL SERVICES RENDERED THROUGH 05/31/09:

| Date | Name | Description of Service | Hours | Fee |
|-------------|-------|---|-------|-------|
| ----- | ----- | ----- | ----- | ----- |
| 05/15/09 | Smith | Preparation and filing of Case Management Conference Statement | 0.3 | 55.50 |
| 05/21/09 | Smith | Participated in conference call with Special Master to be, Jonathan Margolis, and all counsel regarding initial planning/timetable for getting all parties at issue, dissemination of defects reports, and inspections of plaintiffs' homes, etc. | 0.4 | 74.00 |
| 05/29/09 | Smith | Receipt and analysis of revised proposed Pre-Trial Order No. 1 served by Jonathan Margolis. | 0.3 | 55.50 |
| TOTAL HOURS | | | 1.0 | |

TIME SUMMARY:

| Name | Hours | Rate | Fee |
|---------------|-------|------------|--------|
| ----- | ----- | ----- | ----- |
| Zachary Smith | 1.0 | at \$185 = | 185.00 |

CURRENT FEES 185.00

31121 BUILDING MATERIALS HOLDING CORPORATION
0074 Bates vs. Inland Village

Invoice Number 213367
06/29/09
Page 2

FOR COSTS ADVANCED AND EXPENSES INCURRED:

| Date | | Amount | |
|----------|--|--------|--------------------------|
| ----- | | ----- | |
| 05/15/09 | Filing One Legal, LLC. / of BMC's Case Management Conference Statement in Stanislaus County Superior Court. | 58.00 | |
| 06/01/09 | Computer assisted legal research on LexisNexis File & Serve on 5/28/2009. | 35.00 | |
| 06/29/09 | Administrative Charge | 7.40 | |
| | CURRENT EXPENSES | | ----- 100.40 |
| | TOTAL AMOUNT OF THIS INVOICE | | 285.40 |
| | TOTAL BALANCE DUE UPON RECEIPT | | ----- 285.40 ===== |

McDONOUGH HOLLAND & ALLEN PC

Attorneys at Law

500 Capitol Mall, 18th Floor
Sacramento, California 95814
(916) 444-3900

Buildings Materials Holding Corporation
ATTN: Paul Street
General Counsel
720 Park Boulevard, Suite 200
Boise, ID 83712-7764

Invoice: 212705
Date: 06/05/09

BUILDING MATERIALS HOLDING CORPORATION

Client No: 31121

For Legal Services rendered through April 30, 2009 as fully
described on the attached detailed billing:

| | |
|-----------------------|-----------------|
| Total Fees | \$166.50 |
| Total Costs | <u>\$6.66</u> |
| TOTAL DUE THIS BILL | \$173.16 |
| TOTAL BALANCE NOW DUE | <u>\$173.16</u> |

31121
0076

BUILDING MATERIALS HOLDING CORPORATION
Bro-Hahn Construction vs.

Invoice Number 212705
06/05/09
Page 2

TOTAL BALANCE DUE UPON RECEIPT

173.16
=====

McDONOUGH HOLLAND & ALLEN PC

Attorneys at Law

500 Capitol Mall, 18th Floor
Sacramento, California 95814
(916) 444-3900

Buildings Materials Holding Corporation
ATTN: Paul Street
General Counsel
720 Park Boulevard, Suite 200
Boise, ID 83712-7764

Invoice: 213368
Date: 06/29/09

BUILDING MATERIALS HOLDING CORPORATION

Client No: 31121

**For Legal Services rendered through May 31, 2009 as fully
described on the attached detailed billing:**

| | |
|------------------------------|------------------------|
| Total Fees | \$166.50 |
| Total Costs | <u>\$39.66</u> |
| TOTAL DUE THIS BILL | \$206.16 |
| TOTAL BALANCE NOW DUE | <u>\$206.16</u> |

McDONOUGH HOLLAND & ALLEN PC

Attorneys at Law

500 Capitol Mall, 18th Floor
Sacramento, California 95814
(916) 444-3900

Buildings Materials Holding Corporat
ATTN: Paul Street
General Counsel
720 Park Boulevard, Suite 200
Boise, ID 83712-7764

Invoice Number 213368
Invoice Date 06/29/09
Client Number 31121
Matter Number 0076

Re: Bro-Hahn Construction vs.

FOR PROFESSIONAL SERVICES RENDERED THROUGH 05/31/09:

| Date | Name | Description of Service | Hours | Fee |
|----------|-------|--|-------------|--------|
| ----- | ----- | ----- | ----- | ----- |
| 05/04/09 | Wood | Reviewed file and appeared via telephone on behalf of BMC West Corporation at Case Management Conference. | 0.6 | 111.00 |
| 05/15/09 | Smith | Receipt and analysis of letter dated May 12, 2009, from Cindy Sanders at AIG requesting information as to when alleged property damage is claimed to have commenced. | 0.1 | 18.50 |
| 05/19/09 | Smith | Receipt and analysis of Case Management Conference Statements from all adverse parties. | 0.2 | 37.00 |
| | | | ----- | |
| | | | TOTAL HOURS | 0.9 |

TIME SUMMARY:

| Name | Hours | Rate | Fee |
|----------------|-------|------------|--------|
| ----- | ----- | ----- | ----- |
| Zachary Smith | 0.3 | at \$185 = | 55.50 |
| Robert J. Wood | 0.6 | at \$185 = | 111.00 |

CURRENT FEES 166.50

31121
0076

BUILDING MATERIALS HOLDING CORPORATION
Bro-Hahn Construction vs.

Invoice Number 213368
06/29/09
Page 2

FOR COSTS ADVANCED AND EXPENSES INCURRED:

| Date | | Amount | |
|----------|---|--------|--------------------------|
| ----- | | ----- | |
| 04/17/09 | Filing One Legal, LLC. / of Case Management Conference Statement with San Joaquin County Superior Court. | 33.00 | |
| 06/29/09 | Administrative Charge | 6.66 | |
| | CURRENT EXPENSES | | ----- 39.66 |
| | TOTAL AMOUNT OF THIS INVOICE | | 206.16 |
| | TOTAL BALANCE DUE UPON RECEIPT | | ----- 206.16 ===== |

McDONOUGH HOLLAND & ALLEN PC

Attorneys at Law

500 Capitol Mall, 18th Floor
Sacramento, California 95814
(916) 444-3900

Buildings Materials Holding Corporation
ATTN: Paul Street
General Counsel
720 Park Boulevard, Suite 200
Boise, ID 83712-7764

Invoice: 212707
Date: 06/05/09

BUILDING MATERIALS HOLDING CORPORATION

Client No: 31121

**For Legal Services rendered through April 30, 2009 as fully
described on the attached detailed billing:**

| | |
|------------------------------|------------------------|
| Total Fees | \$185.00 |
| Total Costs | <u>\$7.40</u> |
| TOTAL DUE THIS BILL | \$192.40 |
| TOTAL BALANCE NOW DUE | <u>\$192.40</u> |

McDONOUGH HOLLAND & ALLEN PC

Attorneys at Law

500 Capitol Mall, 18th Floor
Sacramento, California 95814
(916) 444-3900

Buildings Materials Holding Corporat
ATTN: Paul Street
General Counsel
720 Park Boulevard, Suite 200
Boise, ID 83712-7764

Invoice Number 212707
Invoice Date 06/05/09
Client Number 31121
Matter Number 0078

Re: Karan Investments vs. Hughes Development - Habelt

FOR PROFESSIONAL SERVICES RENDERED THROUGH 04/30/09:

| Date | Name | Description of Service | Hours | Fee |
|----------|-------|---|-------------|--------|
| ----- | ----- | ----- | ----- | ----- |
| 04/06/09 | Wood | Appeared via telephone on behalf of BMC West Corporation at case management conference. | 1.0 | 185.00 |
| | | | ----- | |
| | | | TOTAL HOURS | 1.0 |

TIME SUMMARY:

| Name | Hours | Rate | Fee |
|----------------|-------|------------|--------------|
| ----- | ----- | ----- | ----- |
| Robert J. Wood | 1.0 | at \$185 = | 185.00 |
| | | | ----- |
| | | | CURRENT FEES |
| | | | 185.00 |

FOR COSTS ADVANCED AND EXPENSES INCURRED:

| Date | Amount | |
|----------|-----------------------|------------------|
| ----- | ----- | |
| 05/07/09 | Administrative Charge | |
| | 7.40 | |
| | | ----- |
| | | CURRENT EXPENSES |
| | | 7.40 |

TOTAL AMOUNT OF THIS INVOICE 192.40

31121
0078

BUILDING MATERIALS HOLDING CORPORATION
Karan Investments vs. Hughes Development

Invoice Number 212707
06/05/09
Page 2

TOTAL BALANCE DUE UPON RECEIPT

192.40
=====

McDONOUGH HOLLAND & ALLEN PC

Attorneys at Law

500 Capitol Mall, 18th Floor
Sacramento, California 95814
(916) 444-3900

Buildings Materials Holding Corporation
ATTN: Paul Street
General Counsel
720 Park Boulevard, Suite 200
Boise, ID 83712-7764

Invoice: 213369
Date: 06/29/09

BUILDING MATERIALS HOLDING CORPORATION

Client No: 31121

**For Legal Services rendered through May 31, 2009 as fully
described on the attached detailed billing:**

| | |
|------------------------------|------------------------|
| Total Fees | \$277.50 |
| Total Costs | <u>\$134.10</u> |
| TOTAL DUE THIS BILL | \$411.60 |
| TOTAL BALANCE NOW DUE | <u>\$411.60</u> |

McDONOUGH HOLLAND & ALLEN PC

Attorneys at Law

500 Capitol Mall, 18th Floor
Sacramento, California 95814
(916) 444-3900

Buildings Materials Holding Corporat
ATTN: Paul Street
General Counsel
720 Park Boulevard, Suite 200
Boise, ID 83712-7764

Invoice Number 213369
Invoice Date 06/29/09
Client Number 31121
Matter Number 0078

Re: Karan Investments vs. Hughes Development - Habelt

FOR PROFESSIONAL SERVICES RENDERED THROUGH 05/31/09:

| Date | Name | Description of Service | Hours | Fee |
|-------------|-------|---|-------|--------|
| ----- | ----- | ----- | ----- | ----- |
| 05/15/09 | Smith | Preparation and filing of Case Management Conference Statement. | 0.3 | 55.50 |
| 05/18/09 | Smith | Receipt and analysis of Quirring Corporation's First Amendment to Second Amended Cross-Complaint joining BMHC and BMC West Corporation and Preparation of answer to cross-complaint and cross-complaint on behalf of BMC West Corporation against Quirring Corporation. | 1.2 | 222.00 |
| TOTAL HOURS | | | 1.5 | |

TIME SUMMARY:

| Name | Hours | Rate | Fee |
|---------------|-------|------------|--------|
| ----- | ----- | ----- | ----- |
| Zachary Smith | 1.5 | at \$185 = | 277.50 |

CURRENT FEES

277.50

31121
0078

BUILDING MATERIALS HOLDING CORPORATION
Karan Investments vs. Hughes Development

Invoice Number 213369
06/29/09
Page 2

FOR COSTS ADVANCED AND EXPENSES INCURRED:

| Date | | Amount |
|----------|--|--------------------------|
| ----- | | ----- |
| 05/15/09 | Filing One Legal, LLC. / of CMC Statement on behalf of BMHC and BMC West in Stanislaus County Superior Court. [Service: \$33; Surcharge: \$25] | 58.00 |
| 04/27/09 | Client cost incurred re: U.S. Bank / 4/1/2009 - VISA - WOOD - COURTCALL. Scheduling of CourtCall appearance for RJ Wood at 4/6/2009 hearing in Stanislaus County Superior Court. [Appearance ID 2748181] | 65.00 |
| 06/29/09 | Administrative Charge | 11.10 |
| | CURRENT EXPENSES | ----- 134.10 |
| | TOTAL AMOUNT OF THIS INVOICE | 411.60 |
| | TOTAL BALANCE DUE UPON RECEIPT | ----- 411.60 ===== |

McDONOUGH HOLLAND & ALLEN PC

Attorneys at Law

500 Capitol Mall, 18th Floor
Sacramento, California 95814
(916) 444-3900

BMHC Administrative Service Center Invoice: 212708
ATTN: Susan Reimers, Executive/Legal Assistan Date: 06/05/09
Legal Department
720 Park Boulevard, Suite 200
Boise, ID 83712-7714

BUILDING MATERIALS HOLDING CORPORATION

Client No: 31121

For Legal Services rendered through April 30, 2009 as fully
described on the attached detailed billing:

| | |
|-----------------------|-------------------|
| Total Fees | \$1,498.50 |
| Total Costs | <u>\$59.94</u> |
| TOTAL DUE THIS BILL | \$1,558.44 |
| TOTAL BALANCE NOW DUE | <u>\$1,558.44</u> |

McDONOUGH HOLLAND & ALLEN PC

Attorneys at Law

500 Capitol Mall, 18th Floor
Sacramento, California 95814
(916) 444-3900

BMHC Administrative Service Center
ATTN: Susan Reimers, Executive/Legal
Legal Department
720 Park Boulevard, Suite 200
Boise, ID 83712-7714

Invoice Number 212708
Invoice Date 06/05/09
Client Number 31121
Matter Number 0079

Re: Bryant et al. vs Arnaiz Development et al.

FOR PROFESSIONAL SERVICES RENDERED THROUGH 04/30/09:

| Date | Name | Description of Service | Hours | Fee |
|----------|-------|--|-------|--------|
| ----- | ----- | ----- | ----- | ----- |
| 04/06/09 | Smith | Reviewed file material and documents from developer and prepared answer to Arnaiz's cross-complaint and cross-complaint on behalf of BMC West Corporation against Arnaiz (2.4); Prepared letter to Arnaiz's attorneys demanding information (1.0); Prepared initial status report to insurance representatives (1.2) | 4.6 | 851.00 |
| 04/13/09 | Smith | Review file | 0.3 | 55.50 |
| 04/13/09 | Smith | Receipt and analysis of materials provided by developer's counsel including plaintiffs' experts reports of defects, contract documents, certificates of insurance showing Arnaiz as additional insureds on policies issued by Royal and National Union, homeowner matrixes and previously issued pre-trial orders. | 1.7 | 314.50 |
| 04/17/09 | Smith | Receipt and review of copy of letter from Gayle Deneen to Paul Street transmitting Arrowpoint/Royal's acceptance of defense of BMC West Corporation subject to a reservation of rights. | 0.1 | 18.50 |
| 04/28/09 | Wood | Conferred with Z. Smith, reviewed file, revised draft answer and | 1.1 | 203.50 |

31121
0079

BUILDING MATERIALS HOLDING CORPORATION
Bryant et al. vs Arnaiz Development et a

Invoice Number 212708
06/05/09
Page 2

| Date | Name | Description of Service | Hours | Fee |
|-------------|-------|---|-------|-------|
| 04/29/09 | Smith | cross-complaint of BMC West Corporation and prepared pleadings for filing. Finalized answer to cross-complaint and cross-complaint on behalf of BMC West Corporation and supervised electronic filing. | 0.3 | 55.50 |
| TOTAL HOURS | | | 8.1 | |

TIME SUMMARY:

| Name | Hours | Rate | Fee |
|----------------|-------|------------|----------|
| Zachary Smith | 7.0 | at \$185 = | 1,295.00 |
| Robert J. Wood | 1.1 | at \$185 = | 203.50 |
| CURRENT FEES | | | 1,498.50 |

FOR COSTS ADVANCED AND EXPENSES INCURRED:

| Date | Amount |
|------------------------|-----------------------------|
| 05/07/09 | Administrative Charge 59.94 |
| CURRENT EXPENSES 59.94 | |

TOTAL AMOUNT OF THIS INVOICE 1,558.44

TOTAL BALANCE DUE UPON RECEIPT 1,558.44

McDONOUGH HOLLAND & ALLEN PC

Attorneys at Law

500 Capitol Mall, 18th Floor
Sacramento, California 95814
(916) 444-3900

BMHC Administrative Service Center Invoice: 213370
ATTN: Susan Reimers, Executive/Legal Assistan Date: 06/29/09
Legal Department
720 Park Boulevard, Suite 200
Boise, ID 83712-7714

BUILDING MATERIALS HOLDING CORPORATION

Client No: 31121

For Disbursements advanced through May 31, 2009 as fully
described on the attached detailed billing:

| | |
|-----------------------|-----------------|
| Total Costs | \$433.00 |
| TOTAL DUE THIS BILL | \$433.00 |
| TOTAL BALANCE NOW DUE | <u>\$433.00</u> |

McDONOUGH HOLLAND & ALLEN PC

Attorneys at Law

500 Capitol Mall, 18th Floor
Sacramento, California 95814
(916) 444-3900

BMHC Administrative Service Center
ATTN: Susan Reimers, Executive/Lega
Legal Department
720 Park Boulevard, Suite 200
Boise, ID 83712-7714

Invoice Number 213370
Invoice Date 06/29/09
Client Number 31121
Matter Number 0079

Re: Bryant et al. vs Arnaiz Development et al.

FOR COSTS ADVANCED AND EXPENSES INCURRED:

| Date | | Amount |
|----------|---|--------------------------|
| ----- | | ----- |
| 04/29/09 | Filing One Legal, LLC. / of Answer and Cross-Complaint with San Joaquin County Superior Court. [Service: \$58.50; Filing Fee: \$350; Advanced Fee: \$24.50] | 433.00 |
| | CURRENT EXPENSES | ----- 433.00 |
| | TOTAL AMOUNT OF THIS INVOICE | 433.00 |
| | TOTAL BALANCE DUE UPON RECEIPT | ----- 433.00 ===== |

McDONOUGH HOLLAND & ALLEN PC

Attorneys at Law

500 Capitol Mall, 18th Floor
Sacramento, California 95814
(916) 444-3900

BMHC Administrative Service Center Invoice: 213897
ATTN: Susan Reimers, Executive/Legal Assistan Date: 07/21/09
Legal Department
720 Park Boulevard, Suite 200
Boise, ID 83712-7714

BUILDING MATERIALS HOLDING CORPORATION

Client No: 31121

For Legal Services rendered through June 30, 2009 as fully
described on the attached detailed billing:

| | |
|-----------------------|-----------------|
| Total Fees | \$388.50 |
| Total Costs | <u>\$15.54</u> |
| TOTAL DUE THIS BILL | \$404.04 |
| TOTAL BALANCE NOW DUE | <u>\$404.04</u> |

McDONOUGH HOLLAND & ALLEN PC

Attorneys at Law

500 Capitol Mall, 18th Floor
Sacramento, California 95814
(916) 444-3900

BMHC Administrative Service Center
ATTN: Susan Reimers, Executive/Lega
Legal Department
720 Park Boulevard, Suite 200
Boise, ID 83712-7714

Invoice Number 213897
Invoice Date 07/21/09
Client Number 31121
Matter Number 0079

Re: Bryant et al. vs Arnaiz Development et al.

FOR PROFESSIONAL SERVICES RENDERED THROUGH 06/30/09:

| Date | Name | Description of Service | Hours | Fee |
|-------------|-------|--|-------|--------|
| ----- | ----- | ----- | ----- | ----- |
| 06/09/09 | Smith | Email communications with Rob Pollard regarding gathering of documents from BMC West's files. | 0.1 | 18.50 |
| 06/12/09 | Smith | Review and analyze documents (invoices) received from Rob Pollard in preparation for production into central repository pursuant to Case Management Order. | 1.7 | 314.50 |
| 06/24/09 | Smith | Prepare Notice of Stay for filing with San Joaquin County Superior Court and service on counsel for all parties. | 0.3 | 55.50 |
| TOTAL HOURS | | | 2.1 | |

TIME SUMMARY:

| Name | Hours | Rate | Fee |
|---------------|-------|------------|--------|
| ----- | ----- | ----- | ----- |
| Zachary Smith | 2.1 | at \$185 = | 388.50 |

CURRENT FEES

388.50

31121 BUILDING MATERIALS HOLDING CORPORATION
0079 Bryant et al. vs Arnaiz Development et a

Invoice Number 213897
07/21/09
Page 2

FOR COSTS ADVANCED AND EXPENSES INCURRED:

| Date | | Amount | |
|----------|--------------------------------|--------|--------------------------|
| ----- | | ----- | |
| 07/20/09 | Administrative Charge | 15.54 | |
| | CURRENT EXPENSES | | ----- 15.54 |
| | TOTAL AMOUNT OF THIS INVOICE | | 404.04 |
| | TOTAL BALANCE DUE UPON RECEIPT | | ----- 404.04 ===== |

McDONOUGH HOLLAND & ALLEN PC

Attorneys at Law

500 Capitol Mall, 18th Floor
Sacramento, California 95814
(916) 444-3900

Buildings Materials Holding Corporation
ATTN: Paul Street
General Counsel
720 Park Boulevard, Suite 200
Boise, ID 83712-7764

Invoice: 213898
Date: 07/21/09

BUILDING MATERIALS HOLDING CORPORATION

Client No: 31121

For Legal Services rendered through June 30, 2009 as fully
described on the attached detailed billing:

| | |
|-----------------------|-------------------|
| Total Fees | \$851.00 |
| Total Costs | <u>\$384.04</u> |
| TOTAL DUE THIS BILL | \$1,235.04 |
| TOTAL BALANCE NOW DUE | <u>\$1,235.04</u> |

McDONOUGH HOLLAND & ALLEN PC

Attorneys at Law

500 Capitol Mall, 18th Floor
Sacramento, California 95814
(916) 444-3900

Buildings Materials Holding Corporat
ATTN: Paul Street
General Counsel
720 Park Boulevard, Suite 200
Boise, ID 83712-7764

Invoice Number 213898
Invoice Date 07/21/09
Client Number 31121
Matter Number 0080

Re: Akhtar, Ali, vs. Arnaiz Development

FOR PROFESSIONAL SERVICES RENDERED THROUGH 06/30/09:

| Date | Name | Description of Service | Hours | Fee |
|----------|-------|--|-------|--------|
| ----- | ----- | ----- | ----- | ----- |
| 05/08/09 | Smith | Receipt and analysis of developer's letter to National Union tendering defense and indemnity including copy of homeowners' complaint and matrix of homeowners of 68 houses; Review of letter of May 6, 2009 from AIG to developer's counsel; Preparation of outline of answer and cross-complaint for anticipated lawsuit by developer; organize file and conduct conflicts check. | 1.5 | 277.50 |
| 06/04/09 | Smith | Review pleadings forwarded by Susan Reimers, conduct conflicts check and review the results and initiate procedures for opening new litigation file; Rough draft answer to cross-complaint by Arnaiz and cross-complaint on behalf of BMC West Corporation against Arnaiz Development. | 2.5 | 462.50 |
| 06/12/09 | Smith | Receipt and review of correspondence, contract documents homeowner matrix provided by developer's attorneys in response to our request for such information. | 0.3 | 55.50 |
| 06/24/09 | Smith | Preparation of Notice of Stay for filing in San Joaquin County Superior Court and for service on counsel for all parties. | 0.3 | 55.50 |

31121 BUILDING MATERIALS HOLDING CORPORATION
0080 Akhtar, Ali, vs. Arnaiz Development

Invoice Number 213898
07/21/09
Page 2

TOTAL HOURS 4.6

TIME SUMMARY:

| Name | Hours | Rate | Fee |
|---------------|-------|------------|--------|
| Zachary Smith | 4.6 | at \$185 = | 851.00 |
| CURRENT FEES | | | 851.00 |

FOR COSTS ADVANCED AND EXPENSES INCURRED:

| Date | | Amount |
|------------------|--|--------|
| 06/26/09 | Filing San Joaquin County Superior Court / Fee for First Appearance/first filing of BMC West for Notice of Automatic Stay with San Joaquin County per Zachary Smith. | 350.00 |
| 07/20/09 | Administrative Charge | 34.04 |
| CURRENT EXPENSES | | 384.04 |

TOTAL AMOUNT OF THIS INVOICE 1,235.04

TOTAL BALANCE DUE UPON RECEIPT 1,235.04

- [Home](#)
- [Claims Register](#)
- [Creditor Search](#)

Claims Register

| Select Search Field | | | |
|---|-------------------------------------|--|---|
| <input checked="" type="radio"/> Claim No | <input type="radio"/> Creditor Name | <input type="radio"/> Creditor Address | <input type="radio"/> Search All Fields |
| Enter Claim No : 2157 | | | |

All claimants on the claims register may be found through the above search. If you wish to view the actual **Claims Register**, please [click here](#). If you have any questions concerning this case, please write to us at the following address:

The Garden City Group, Inc.
 Attn: Building Materials Holding Corporation
 P.O. Box 9393
 Dublin, OH 43017-4293

| U.S. Bankruptcy Court - District of Delaware Claims Register Report 09-12074 BUILDING MATERIALS HOLDING CORPORATION, ET AL. Judge HONORABLE KEVIN J. CAREY | | |
|---|---|---|
| Claim No: 2157 | Debtor Name: SELECTBUILD NORTHERN CALIFORNIA, INC. Creditor Name: ZACHARY SMITH MCONOUGH HOLLAND & ALLEN PC 500 CAPITOL MALL 18TH FLOOR SACRAMENTO CA 95814 | Last Date to File Claims: 08/31/09 Last Date to File (govt): Filing Status: Docket Status: Late: |
| Claim Date: 08/28/09 | Amends Claim No: Amended By Claim No: | Duplicates Claim No: Duplicated By Claim No: |
| Class | Amount Claimed | Amount Allowed |
| Secured | | |
| Unsecured | \$5,529.89 | |
| Priority | | |
| Total | \$5,529.89 | |
| Description: | | |
| Remarks: | | |

- [Home](#)
- [Claims Register](#)
- [Creditor Search](#)

Claims Register

| Select Search Field | | | |
|--------------------------------|--|--|---|
| <input type="radio"/> Claim No | <input checked="" type="radio"/> Creditor Name | <input type="radio"/> Creditor Address | <input type="radio"/> Search All Fields |
| Enter Creditor Name : | | | |

All claimants on the claims register may be found through the above search. If you wish to view the actual **Claims Register**, [please click here](#). If you have any questions concerning this case, please write to us at the following address:

The Garden City Group, Inc.
 Attn: Building Materials Holding Corporation
 P.O. Box 9393
 Dublin, OH 43017-4293

U.S. Bankruptcy Court - District of Delaware

Claims Register Report

09-12074 BUILDING MATERIALS HOLDING CORPORATION, ET AL.
 Judge HONORABLE KEVIN J. CAREY

| | | |
|-------------------------|--|--|
| Claim No: 2510 | Debtor Name: SELECTBUILD NORTHERN CALIFORNIA, INC. | Last Date to File Claims: 08/31/09 Last Date to File (govt): Filing Status: Docket Status: Late: |
| | Creditor Name: MCDONOUGH HOLLAND & ALLEN ATTN ZACHARY SMITH 500 CAPITOL MALL 18TH FLOOR SACRAMENTO CA 95814 | |
| Claim Date: 09/02/09 | Amends Claim No: Amended By Claim No: | Duplicates Claim No: Duplicated By Claim No: |
| Class | Amount Claimed | Amount Allowed |
| Secured | | |
| Unsecured | \$5,529.15 | |
| Priority | | |
| Total | \$5,529.15 | |
| Description: | | |
| Remarks: | | |

Found 5 Creditors

| Claim No | Name | Address | City | State | Zip |
|----------|---------------------------|--|---------------|-------|-----|
| *** 2112 | MCDONOUGH HOLLAND & ALLEN | ATTN ZACHARY SMITH 500 CAPITOL MALL 18TH FLOOR | SACRAMENTO CA | 95814 | |
| *** 2515 | MCDONOUGH HOLLAND & ALLEN | ATTN: ZACHARY SMITH 500 CAPITOL MALL 18TH FLOOR | SACRAMENTO CA | 95814 | |
| *** 2511 | MCDONOUGH HOLLAND & ALLEN | ATTN ZACHARY SMITH 500 CAPITOL MALL 18TH FLOOR | SACRAMENTO CA | 95814 | |
| *** 2510 | MCDONOUGH HOLLAND & ALLEN | ATTN ZACHARY SMITH 500 CAPITOL MALL 18TH FLOOR | SACRAMENTO CA | 95814 | |
| *** 2219 | MCDONOUGH HOLLAND & | ZACHARY SMITH 500 CAPITOL MALL 18TH FLOOR | SACRAMENTO CA | 95814 | |

duplicate

- [Home](#)
- [Claims Register](#)
- [Creditor Search](#)

Claims Register

| Select Search Field | | | |
|--------------------------------|--|--|---|
| <input type="radio"/> Claim No | <input checked="" type="radio"/> Creditor Name | <input type="radio"/> Creditor Address | <input type="radio"/> Search All Fields |
| Enter Creditor Name : | | | |

Start Search

All claimants on the claims register may be found through the above search. If you wish to view the actual **Claims Register**, [please click here](#). If you have any questions concerning this case, please write to us at the following address:

The Garden City Group, Inc.
Attn: Building Materials Holding Corporation
P.O. Box 9393
Dublin, OH 43017-4293

| U.S. Bankruptcy Court - District of Delaware Claims Register Report 09-12074 BUILDING MATERIALS HOLDING CORPORATION, ET AL. Judge HONORABLE KEVIN J. CAREY | | |
|---|--|---|
| Claim No: 2218 | Debtor Name: BUILDING MATERIALS HOLDING CORPORATION Creditor Name: MCDONOUGH HOLLAND & ALLEN PC ZACHARY SMITH 500 CAPITOL MALL 18TH FL SACRAMENTO CA 95814 | Last Date to File Claims: 08/31/09 Last Date to File (govt): Filing Status: Docket Status: Late: |
| Claim Date: 08/28/09 | Amends Claim No: Amended By Claim No: | Duplicates Claim No: Duplicated By Claim No: |
| Class | Amount Claimed | Amount Allowed |
| Secured | | |
| Unsecured | \$10,000.04 | |
| Priority | | |
| Total | \$10,000.04 | |
| Description: | | |
| Remarks: | | |

Found 5 Creditors

| Claim No | Name | Address | City | State | Zip |
|----------|---------------------------|--|---------------|-------|-------|
| *** 2112 | MCDONOUGH HOLLAND & ALLEN | ATTN ZACHARY SMITH 500 CAPITOL MALL 18TH FLR | SACRAMENTO CA | | 95814 |
| *** 2515 | MCDONOUGH HOLLAND & ALLEN | ATTN: ZACHARY SMITH 500 CAPITOL MALL 18TH FLOOR | SACRAMENTO CA | | 95814 |
| *** 2511 | MCDONOUGH HOLLAND & ALLEN | ATTN ZACHARY SMITH 500 CAPITOL MALL 18TH FLOOR | SACRAMENTO CA | | 95814 |
| *** 2510 | MCDONOUGH HOLLAND & ALLEN | ATTN ZACHARY SMITH 500 CAPITOL MALL 18TH FLOOR | SACRAMENTO CA | | 95814 |
| *** 2218 | MCDONOUGH HOLLAND & | ZACHARY SMITH 500 CAPITOL MALL 18TH SACRA | | | |

EXHIBIT G

- [Home](#)
- [Claims Register](#)
- [Creditor Search](#)

Claims Register

| Select Search Field | | | |
|--------------------------------|--|--|---|
| <input type="radio"/> Claim No | <input checked="" type="radio"/> Creditor Name | <input type="radio"/> Creditor Address | <input type="radio"/> Search All Fields |
| Enter Creditor Name : | | | |

All claimants on the claims register may be found through the above search. If you wish to view the actual **Claims Register**, [please click here](#). If you have any questions concerning this case, please write to us at the following address:

The Garden City Group, Inc.
 Attn: Building Materials Holding Corporation
 P.O. Box 9393
 Dublin, OH 43017-4293

| U.S. Bankruptcy Court - District of Delaware | | |
|---|---|---|
| Claims Register Report | | |
| 09-12074 BUILDING MATERIALS HOLDING CORPORATION, ET AL. | | |
| Judge HONORABLE KEVIN J. CAREY | | |
| Claim No: 2511 | Debtor Name: BUILDING MATERIALS HOLDING CORPORATION Creditor Name: MCDONOUGH HOLLAND & ALLEN ATTN ZACHARY SMITH 500 CAPITOL MALL 18TH FLOOR SACRAMENTO CA 95814 | Last Date to File Claims: 08/31/09 Last Date to File (govt): Filing Status: Docket Status: Late: |
| Claim Date: 09/02/09 | Amends Claim No: Amended By Claim No: | Duplicates Claim No: Duplicated By Claim No: |
| Class | Amount Claimed | Amount Allowed |
| Secured | | |
| Unsecured | \$10,000.04 | |
| Priority | | |
| Total | \$10,000.04 | |
| Description: | | |
| Remarks: | | |

Found 5 Creditors

| Claim No | Name | Address | City | State | Zip |
|----------|---------------------------|--|---------------|-------|-----|
| *** 2112 | MCDONOUGH HOLLAND & ALLEN | ATTN ZACHARY SMITH 500 CAPITOL MALL 18TH FLR | SACRAMENTO CA | 95814 | |
| *** 2515 | MCDONOUGH HOLLAND & ALLEN | ATTN: ZACHARY SMITH 500 CAPITOL MALL 18TH FLOOR | SACRAMENTO CA | 95814 | |
| *** 2511 | MCDONOUGH HOLLAND & ALLEN | ATTN ZACHARY SMITH 500 CAPITOL MALL 18TH FLOOR | SACRAMENTO CA | 95814 | |
| *** 2510 | MCDONOUGH HOLLAND & ALLEN | ATTN ZACHARY SMITH 500 CAPITOL MALL 18TH FLOOR | SACRAMENTO CA | 95814 | |
| *** 2212 | MCDONOUGH HOLLAND & | ZACHARY SMITH 500 CAPITOL MALL 18TH FLOOR | SACRAMENTO CA | 95814 | |

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- [Home](#)
- [Claims Register](#)
- [Creditor Search](#)

Claims Register

| Select Search Field | | | |
|--------------------------------|--|--|---|
| <input type="radio"/> Claim No | <input checked="" type="radio"/> Creditor Name | <input type="radio"/> Creditor Address | <input type="radio"/> Search All Fields |
| Enter Creditor Name : | | | |

All claimants on the claims register may be found through the above search. If you wish to view the actual **Claims Register**, [please click here](#). If you have any questions concerning this case, please write to us at the following address:

The Garden City Group, Inc.
 Attn: Building Materials Holding Corporation
 P.O. Box 9393
 Dublin, OH 43017-4293

| U.S. Bankruptcy Court - District of Delaware | | |
|---|---|--|
| Claims Register Report | | |
| 09-12074 BUILDING MATERIALS HOLDING CORPORATION, ET AL. | | |
| Judge HONORABLE KEVIN J. CAREY | | |
| Claim No: 2112 | Debtor Name: BMC WEST CORPORATION Creditor Name: MCDONOUGH HOLLAND & ALLEN ATTN ZACHARY SMITH 500 CAPITOL MALL 18TH FLR SACRAMENTO CA 95814 | Last Date to File Claims: 08/31/09 Last Date to File (govt): Filing Status: Docket Status: Late: |
| Claim Date: 08/28/09 | Amends Claim No: Amended By Claim No: | Duplicates Claim No: Duplicated By Claim No: |
| Class | Amount Claimed | Amount Allowed |
| Secured | | |
| Unsecured | \$19,445.58 | |
| Priority | | |
| Total | \$19,445.58 | |
| Description: | | |
| Remarks: | | |

Found 5 Creditors

| | Claim No | Name | Address | City | State | Zip |
|-----|----------|---------------------------|--|---------------|-------|-------|
| *** | 2112 | MCDONOUGH HOLLAND & ALLEN | ATTN ZACHARY SMITH 500 CAPITOL MALL 18TH FLR | SACRAMENTO CA | | 95814 |
| *** | 2515 | MCDONOUGH HOLLAND & ALLEN | ATTN: ZACHARY SMITH 500 CAPITOL MALL 18TH FLOOR | SACRAMENTO CA | | 95814 |
| *** | 2511 | MCDONOUGH HOLLAND & ALLEN | ATTN ZACHARY SMITH 500 CAPITOL MALL 18TH FLOOR | SACRAMENTO CA | | 95814 |
| *** | 2510 | MCDONOUGH HOLLAND & ALLEN | ATTN ZACHARY SMITH 500 CAPITOL MALL 18TH FLOOR | SACRAMENTO CA | | 95814 |
| *** | 2510 | MCDONOUGH HOLLAND & ALLEN | ZACHARY SMITH 500 CAPITOL MALL 18TH FLOOR | SACRAMENTO CA | | 95814 |

EXHIBIT H

- [Home](#)
- [Claims Register](#)
- [Creditor Search](#)

Claims Register

| Select Search Field | | | |
|--------------------------------|--|--|---|
| <input type="radio"/> Claim No | <input checked="" type="radio"/> Creditor Name | <input type="radio"/> Creditor Address | <input type="radio"/> Search All Fields |
| Enter Creditor Name : | | | |

All claimants on the claims register may be found through the above search. If you wish to view the actual **Claims Register**, please [click here](#). If you have any questions concerning this case, please write to us at the following address:

The Garden City Group, Inc.
 Attn: Building Materials Holding Corporation
 P.O. Box 9393
 Dublin, OH 43017-4293

| U.S. Bankruptcy Court - District of Delaware | | |
|---|--|--|
| Claims Register Report | | |
| 09-12074 BUILDING MATERIALS HOLDING CORPORATION, ET AL, Judge HONORABLE KEVIN J. CAREY | | |
| Claim No: 2515 | Debtor Name: BMC WEST CORPORATION Creditor Name: MCDONOUGH HOLLAND & ALLEN ATTN: ZACHARY SMITH 500 CAPITOL MALL 18TH FLOOR SACRAMENTO CA 95814 | Last Date to File Claims: 08/31/09 Last Date to File (govt): Filing Status: Docket Status: Late: |
| Claim Date: 09/02/09 | Amends Claim No: Amended By Claim No: | Duplicates Claim No: Duplicated By Claim No: |
| Class | Amount Claimed | Amount Allowed |
| Secured | | |
| Unsecured | \$19,445.58 | |
| Priority | | |
| Total | \$19,445.58 | |
| Description: | | |
| Remarks: | | |

duplicate

Found 5 Creditors

| | Claim No | Name | Address | City | State | Zip |
|-----|----------|---------------------------|--|---------------|-------|-------|
| *** | 2112 | MCDONOUGH HOLLAND & ALLEN | ATTN ZACHARY SMITH 500 CAPITOL MALL 18TH FLOOR | SACRAMENTO CA | | 95814 |
| *** | 2515 | MCDONOUGH HOLLAND & ALLEN | ATTN: ZACHARY SMITH 500 CAPITOL MALL 18TH FLOOR | SACRAMENTO CA | | 95814 |
| *** | 2511 | MCDONOUGH HOLLAND & ALLEN | ATTN ZACHARY SMITH 500 CAPITOL MALL 18TH FLOOR | SACRAMENTO CA | | 95814 |
| *** | 2510 | MCDONOUGH HOLLAND & ALLEN | ATTN ZACHARY SMITH 500 CAPITOL MALL 18TH FLOOR | SACRAMENTO CA | | 95814 |
| *** | 2510 | MCDONOUGH HOLLAND & ALLEN | ZACHARY SMITH 500 CAPITOL MALL 18TH FLOOR | SACRAMENTO CA | | 95814 |