

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

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

DECLARATION OF

Carlos J. Pena

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

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

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

2. In my proof of claim, I seek approximately
\$ 11,520.00 for unpaid overtime and other wages which one
or more of the Debtors owes to me as a result of my employment.

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

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

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

Carlos J. Pardo

CO. 554 FILE 000942 DEPT. 702010 CLOCK 894 NUMBER 0000208819 1
00000129

178-0007

Earnings Statement



SELECTBUILD NEVADA INC.
PO BOX 70006
BOISE, ID 83707-0106

Period Beginning: 06/19/2008
Period Ending: 06/25/2008
Pay Date: 07/03/2008

Taxable Marital Status: Married
Exemptions/Allowances:
Federal: 7
NV: No State Income Tax

CARLOS J PENA
3904 ALAMEDA AVENUE
LAS VEGAS NV 89110

Social Security Number: XXX-XX-9888

Earnings	rate	hours	this period	year to date	Other Benefits and Information	this period	total to date
Piecework		40.00	914.00	19,267.00	401K Elig Wages	914.00	
Gross Pay			\$914.00	19,267.00			
Deductions	Statutory						
	Federal Income Tax		-28.90	547.77			
	Social Security Tax		-56.66	1,194.55			
	Medicare Tax		-13.25	279.37			
	Other						
	Uniforms/Safety			11.75			
Net Pay			\$815.19				

Your federal taxable wages this period are \$914.00

KBI Stucco, Inc.

HOURS		RATE	EARNINGS		OTHER PAY				PAY PERIOD
REGULAR	OVERTIME		REGULAR	OVERTIME	BASIS	RATE	AMOUNT	DESCRIPTION	
					40.00		650.00	Pc Wrk	8-13 to 8-19-06
									No. 34010
									TOTAL PAY
									650.00
DEDUCTIONS THIS PERIOD									
FWH	5.19	MED	9.43	SOC	40.30				
									TOTAL DEDUCTIONS
									54.92
EMPLOYEE INFORMATION				YEAR - TO - DATE TOTALS				NET PAY	
PEDRO W PENA-SALAZAR				GROSS	3264.59	FICA	249.74	ESSP	.00
567-99-8033	68473			FWH	6.38	401K	.00	NET	3008.47
									595.08

PLEASE DETACH THIS PORTION AND RETAIN FOR YOUR RECORDS