

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

In re:

BUILDING MATERIALS HOLDING  
CORPORATION, *et al.*,<sup>1</sup>

Debtors.

Chapter 11

Case No. 09-12074 (KJC)

Jointly Administered

**Ref. Docket Nos. 805**

**CERTIFICATION OF COUNSEL REGARDING ORDER APPROVING STIPULATION  
BETWEEN THE DEBTORS AND MURRAY RIDGE OWNERS ASSOCIATION AND  
LAURA ALVSTAD, *ET AL.* REGARDING JOINT MOTION FOR RELIEF FROM STAY  
TO ALLOW STATE COURT LITIGATION TO PROCEED**

On June 16, 2009, Building Materials Holding Corporation and its affiliates, as debtors and debtors in possession (collectively, the “Debtors”) each filed a voluntary petition for relief under chapter 11 of the Bankruptcy Code. On October 30, 2009, Murray Ridge Owners Association and Laura Alvstad *et. al.* (together, the “Movants,”) filed their *Joint Motion for Relief From Stay to Allow State Court Litigation to Proceed* [Docket No. 805] (the “Motion”). The Debtors and the Movants (together, the “Parties”), in an effort to reach a consensual resolution with respect to the relief requested in the Motion, have agreed to adjourn the Motion to December 15, 2009 at 1:00 p.m. (ET) or such other date and time as ordered by the Court or mutually agreed upon by the Parties. The terms of the agreement are embodied in the stipulation (the “Stipulation”) attached as Exhibit 1 to the proposed order (the “Order”), attached hereto as Exhibit A.


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<sup>1</sup> 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.

WHEREFORE, the Parties respectfully request that the Court enter the Order,  
attached hereto as Exhibit A, approving the Stipulation, without further notice or hearing at the  
Court's earliest convenience.

Dated: Wilmington, Delaware  
November 20, 2009

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ATTORNEYS FOR THE DEBTORS  
AND DEBTORS IN POSSESSION

**EXHIBIT A**

Order

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

In re:

BUILDING MATERIALS HOLDING  
CORPORATION, *et al.*,<sup>1</sup>

Debtors.

Chapter 11

Case No. 09-12074 (KJC)

Jointly Administered

Ref. Docket Nos. 805 & \_\_\_\_\_

**ORDER APPROVING STIPULATION BETWEEN THE DEBTORS AND  
MURRAY RIDGE OWNERS ASSOCIATION AND LAURA ALVSTAD, ET AL.  
REGARDING JOINT MOTION FOR RELIEF FROM STAY TO ALLOW  
STATE COURT LITIGATION TO PROCEED**

Upon consideration of the *Stipulation Between the Debtors and Murray Ridge Owners Association and Laura Alvstad, et al. Regarding Joint Motion for Relief from Stay to Allow State Court Litigation to Proceed* (the "Stipulation," a copy of which is attached hereto as Exhibit 1);<sup>2</sup> and it appearing that the Stipulation is in the best interests of the Debtors, their estates and creditors and other parties in interest; and upon the agreement of the Parties that a hearing on the Motion shall be held at the omnibus hearing currently scheduled in the Debtors' chapter 11 cases for December 15, 2009 at 1:00 p.m. (ET) or such other date and time as ordered by the Court or mutually agreed upon by the Parties; and after due deliberation and sufficient cause appearing therefor, it is hereby:

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<sup>1</sup> 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.

<sup>2</sup> Capitalized terms used but not otherwise defined herein shall have the meanings ascribed to such terms in the Stipulation.

ORDERED that the Stipulation is approved pursuant to sections 105(a) and 362 of the Bankruptcy Code, and the terms and conditions of the Stipulation are incorporated in this Order by reference as if fully set forth herein; and it is further

ORDERED that this Court shall retain jurisdiction with respect to all matters arising from or related to the implementation or interpretation of this Order.

Dated: Wilmington, Delaware  
November \_\_\_\_, 2009

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Kevin J. Carey  
Chief United States Bankruptcy Judge

**EXHIBIT 1**

Stipulation

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

In re:

BUILDING MATERIALS HOLDING  
CORPORATION, *et al.*,<sup>1</sup>

Debtors.

Chapter 11

Case No. 09-12074 (KJC)

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**Ref. Docket No.: 805**

**STIPULATION BETWEEN THE DEBTORS AND MURRAY RIDGE OWNERS  
ASSOCIATION AND LAURA ALVSTAD, ET AL. REGARDING JOINT MOTION FOR  
RELIEF FROM STAY TO ALLOW STATE COURT LITIGATION TO PROCEED**

Building Materials Holding Corporation and its affiliates, as debtors and debtors in possession (collectively, the “Debtors”) in the above-captioned cases, and Murray Ridge Owners Association and Laura Alvstad *et. al.* (together, the “Movants,” and together with the Debtors, the “Parties”) hereby stipulate and agree (this “Stipulation”), as of the date hereof, pursuant to section 105(a) and 362 of title 11 of the United States Code, 11 U.S.C. §§ 101 *et seq.* (the “Bankruptcy Code”), as follows:

**WHEREAS**, on June 16, 2009, each of the Debtors filed a voluntary petition for relief under chapter 11 of the Bankruptcy Code. The Debtors continue to operate their businesses and manage their property as debtors in possession pursuant to sections 1107(a) and 1108 of the Bankruptcy Code;

**WHEREAS**, on October 30, 2009, the Movants filed their *Joint Motion for Relief From Stay to Allow State Court Litigation to Proceed* [Docket No. 805] (the “Motion”); and

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<sup>1</sup> 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.

**WHEREAS**, in an effort to reach a consensual resolution with respect to the relief requested in the Motion, the Parties have agreed to adjourn the Motion to December 15, 2009 at 1:00 p.m. (ET) or such other date and time mutually agreed upon by the Parties.

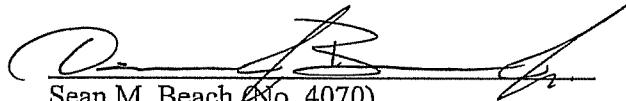
**NOW**, the Parties hereby stipulate and agree as follows:

1. The Parties hereby acknowledge and agree that, pursuant to section 362(e)(1) of the Bankruptcy Code, the automatic stay shall continue in effect pending the conclusion of a hearing currently scheduled for December 15, 2009 and the determination under section 362(d) of the Bankruptcy Code with respect to the relief requested in the Motion or upon further order of the Court.

2. The Parties hereby acknowledge and agree that this Stipulation may be executed by the Parties in counterparts, each of which shall be an original, with the same effect as if the signatures thereto were on the same instrument, and such counterparts shall be construed together as one instrument, and that facsimile, .pdf or other electronic signatures shall be deemed original signatures.



**YOUNG CONAWAY STARGATT  
& TAYLOR, LLP**



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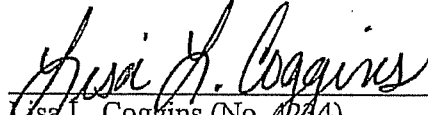
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Dated: November 20, 2009

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Dated: November 20, 2009