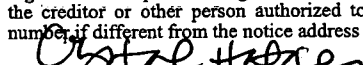


UNITED STATES BANKRUPTCY COURT FOR THE NORTHERN DISTRICT OF TEXAS		PROOF OF CLAIM
<b>Name of Debtor: (Check Only One):</b> <input type="checkbox"/> Opus West Corporation <input checked="" type="checkbox"/> Opus West Construction Corporation <input type="checkbox"/> O.W. Commercial, Inc. <input type="checkbox"/> Opus West LP <input type="checkbox"/> Opus West Partners, Inc.		<b>Case Number:</b>  09-34360
NOTE: This form should not be used to make a claim for an administrative expense arising after the commencement of the case. All other requests for payment of an administrative expense may be filed pursuant to 11 U.S.C. § 503.		
<b>Name of Creditor (the person or other entity to whom the debtor owes money or property):</b>  JOHNSON EQUIPMENT COMPANY P O BOX 802009 DALLAS, TX 75380-2009		<input type="checkbox"/> Check this box to indicate that this claim amends a previously filed claim.  <b>Court Claim Number:</b> <i>(If known)</i>  Filed on:
<b>Name and address where notices should be sent:</b>  SEE ABOVE <b>Telephone number:</b> 972-661-9822 <b>Email Address:</b> SCROWDER@JEQUIP.COM		<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.
<b>Name and address where payment should be sent (if different from above):</b>  SEE ABOVE  <b>Telephone number:</b>		
<b>1. Amount of Claim as of Date Case Filed:</b> \$ <u>113,985.00</u> 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. <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.		<b>5. Amount of Claim Entitled to Priority under 11 U.S.C. §507(a).</b> If any portion of your claim falls in one of the following categories, check the box and state the amount.  Specify the priority of the claim. <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)( ).  <b>Amount entitled to priority:</b>  \$
<b>2. Basis for Claim:</b> <u>SERVICES PERFORMED</u> (See instruction #2 on reverse side.)		
<b>3. Last four digits of any number by which creditor identifies debtor:</b> <u>5000</u> <b>3a. Debtor may have scheduled account as:</b> _____ (See instruction §3a on reverse side).		
<b>4. Secured Claim (See instruction #4 on reverse side.)</b> Check the appropriate box if your claim is secured by a lien on property or a right of setoff and provide the requested information. <b>Nature of property or right of setoff:</b> <input checked="" type="checkbox"/> Real Estate <input type="checkbox"/> Motor Vehicle <input type="checkbox"/> Equipment <input type="checkbox"/> Other <b>Value of Property:</b> \$ <u>7,899,000.00</u> <b>Amount of arrearage and other charges as of time case filed included in secured claim, if any:</b> \$ <u>113,985.00</u> <b>Basis for perfection:</b> <u>MECHANICS LIEN</u> <b>Amount Unsecured:</b> \$ _____		
<b>6. Credits:</b> The amount of all payments on this claim has been credited for the purpose of making this proof of claim. <b>7. Documents:</b> 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 7 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: _____		
<b>Date:</b>  7-30-09	<b>Signature:</b> 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.  CRYSTAL HATCHER, CONTROLLER	
		<b>FOR COURT USE ONLY</b>

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)

FILED

AUG 03 2009

BMC GROUP



**UNITED STATES BANKRUPTCY COURT Northern District of Texas**

**Notice of  
Chapter 11 Bankruptcy Cases, Meeting of Creditors, & Deadlines**

Chapter 11 bankruptcy cases concerning the debtors listed below were filed on 7/6/09.

You may be a creditor of the debtors. **This notice lists important deadlines.** You may want to consult an attorney to protect your rights. All documents filed in these cases may be inspected at the bankruptcy clerk's office at the address listed below.

NOTE: The staff of the bankruptcy clerk's office cannot give legal advice.

**See Reverse Side for Important Explanations**

Debtors (names used by the debtors in the last 8 years, including married, maiden, trade, and address):

**Opus West Corporation**  
2555 E Camelback Road, Suite 800  
Phoenix, Arizona 85016  
Tax ID No.: 86-0811533  
Case No.: 09-34356

**O. W. Commercial, Inc.**  
2555 E Camelback Road, Suite 800  
Phoenix, Arizona 85016  
Tax ID No.: 20-2789134  
Case No.: 09-34363

**Opus West Partners, Inc.**  
2555 E Camelback Road, Suite 800  
Phoenix, Arizona 85016  
Tax ID No.: 81-0545537  
Case No.: 09-34373

**Opus West Construction Corporation**  
2555 E Camelback Road, Suite 800  
Phoenix, Arizona 85016  
Tax ID No.: 41-0855917 #140-11118  
Case No.: 09-34360

**Opus West LP**  
2555 E Camelback Road, Suite 800  
Phoenix, Arizona 85016  
Tax ID No.: 81-0545535  
Case No.: 09-34334

**Attorneys for Opus West Corporation, Opus West Construction Corporation, and O. W. Commercial, Inc. (names and addresses):**  
Clifton R. Jessup, Jr.  
Greenberg Traurig, LLP  
2200 Ross Avenue, Suite 5200  
Dallas, TX 75201  
Telephone: 214-665-3600  
Facsimile: 214-665-5938

**Attorneys for Opus West Partners, Inc., and Opus West LP: (names and addresses):**  
Peter Franklin  
Doug Skierski  
Franklin Skierski Lovall Hayward, LLP  
10501 N. Central Expressway, Suite 106  
Dallas, TX 75231  
Telephone: 214-702-4061  
Facsimile: 214-723-5345

**Meeting of Creditors**

Date: **August 12, 2009**

Time: **2:00 P.M.**

Location: **Office of the U.S. Trustee, 1100 Commerce St., Room 976, Dallas, TX 75242**

**Deadline to File a Proof of Claim**

Proof of claim must be *received* by the BMC Group, Debtors' Claims Agent, by the following deadline:

For all creditors (except a governmental unit): **11/9/09**

For a governmental unit: \_\_\_\_\_

**Claims Should be Sent to:**

**IF BY MAIL:**

Opus West Corporation, et al  
c/o BMC Group  
P.O. Box 3020  
Chanhassen, MN 55317-3020

**IF BY HAND OR OVERNIGHT COURIER:**

Opus West Corporation, et al  
c/o BMC Group  
18750 Lake Drive East  
Chanhassen, MN 55317

**Creditors with a Foreign Address:**

A Creditor to whom this notice is sent at a foreign address should read the information under "claims" on the reverse side.

**Deadline to File a Complaint to Determine Dischargeability of Certain Debts:**

**Creditors May Not Take Certain Actions:**

In most instances, the filing of the bankruptcy case automatically stays certain collection and other actions against the debtors and the debtors' property. Under certain circumstances, the stay may be limited to 30 days or not exist at all, although the debtors can request the court to extend or impose a stay. If you attempt to collect a debt or take other action in violation of the Bankruptcy Code, you may be penalized. Consult a lawyer to determine your rights in this case.

**Address of the Bankruptcy Clerk's Office:**  
1100 Commerce Street, Room 1254  
Dallas, Texas 75242  
Telephone number: 214-753-2000

**For the Court:**  
Clerk of the Bankruptcy Court:  
Tawana C. Marshall

Hours Open: Monday – Friday 8:30 AM – 4:30 PM

Ref # 140-11118

## EXPLANATIONS

<b>Filing of Chapter 11 Bankruptcy Case</b>	<p>Bankruptcy cases under Chapter 11 of the Bankruptcy Code (title 11, United States Code) have been filed in this court by the debtors listed on the front side, and orders for relief have been entered. Chapter 11 allows a debtor to reorganize or liquidate pursuant to a plan. A plan is not effective unless confirmed by the court. You may be sent a copy of the plan and a disclosure statement telling you about the plan, and you might have the opportunity to vote on the plan. You will be sent a notice of the date of confirmation hearing, and you may object to confirmation of the plan and attend the confirmation hearing. Unless a trustee is serving, the debtor will remain in possession of the debtor's property and may continue to operate any business.</p>
<b>Legal Advice</b>	<p>The staff of the bankruptcy clerk's office cannot give legal advice. Consult a lawyer to determine your rights in these cases.</p>
<b>Creditors Generally May Not Take Certain Actions</b>	<p>Prohibited collection actions are listed in Bankruptcy Code § 362. Common examples of prohibited actions include contacting the debtor by telephone, mail or otherwise to demand repayment; taking actions to collect money or obtain property from the debtor; repossessing the debtor's property; and starting or continuing lawsuits or foreclosures. Under certain circumstances, the stay may be limited to 30 days or not exist at all, although the debtor can request the court to extend or impose a stay.</p>
<b>Meeting of Creditors</b>	<p>A meeting of creditors is scheduled for the date, time and location listed on the front side. <i>The debtor's representative must be present at the meeting to be questioned under oath by the trustee and by creditors.</i> Creditors are welcome to attend, but are not required to do so. The meeting may be continued and concluded at a later date without further notice. The court, after notice and a hearing, may order that the United States trustee not convene the meeting if the debtor has filed a plan for which the debtor solicited acceptances before filing the case.</p>
<b>Claims</b>	<p>A Proof of Claim is a signed statement describing a creditor's claim. If a Proof of Claim form is not included with this notice, you can obtain one at any bankruptcy clerk's office, You may look at the schedules that have been or will be filed at the bankruptcy clerk's office. If your claim is scheduled and is not listed as disputed, contingent, or unliquidated, it will be allowed in the amount scheduled unless you filed a Proof of Claim or you are sent further notice about the claim. Whether or not your claim is scheduled, you are permitted to file a Proof of Claim. If your claim is not listed at all or if your claim is listed as disputed, contingent, or unliquidated, then you must file a Proof of Claim or you might not be paid any money on your claim and may be unable to vote on the plan. A secured creditor retains rights in its collateral regardless of whether that creditor files a Proof of Claim. Filing a Proof of Claim submits the creditor to the jurisdiction of the bankruptcy court, with consequences a lawyer can explain. For example, a secured creditor who files a Proof of Claim may surrender important nonmonetary rights, including the right to a jury trial. <b>Filing Deadline for a Creditor with a Foreign Address:</b> The deadlines for filing claims set forth on the front of this notice apply to all creditors. If this notice has been mailed to a creditor at a foreign address, the creditor may file a motion requesting the court to extend the deadline.</p>
<b>Discharge of Debts</b>	<p>Confirmation of a chapter 11 plan may result in a discharge of debts, which may include all or part of your debt. See Bankruptcy Code § 1141(d). A discharge means that you may never try to collect the debt from the debtor, except as provided in the plan. If you believe that a debt owed to you is not dischargeable under Bankruptcy Code § 1141(d)(6)(A), you must start a lawsuit by filing a complaint in the bankruptcy clerk's office by the "Deadline to File a Complaint to Determine Dischargeability of Certain Debts" listed on the front side. The bankruptcy clerk's office must receive the complaint and any required filing fee by that Deadline.</p>
<b>Bankruptcy Clerk's Office</b>	<p>Any paper that you file in this bankruptcy case should be filed at the bankruptcy clerk's office at the address listed on the front side, You may inspect all papers filed, including the list of the debtor's property and debts and the list of the property claimed as exempt, at the bankruptcy clerk's office.</p>
<b>Creditor with a Foreign Address</b>	<p>Consult a lawyer familiar with United States bankruptcy law if you have any questions regarding your rights in these cases.</p>

Denton County  
Cynthia Mitchell  
County Clerk  
Denton, Tx 76202



70 2009 00071562

Instrument Number: 2009-71562

Recorded On: June 12, 2009

As  
Affidavit

Parties: JOHNSON EQUIPMENT CO

To

Billable Pages: 7

Number of Pages: 7

Comment:

( Parties listed above are for Clerks reference only )

**\*\* Examined and Charged as Follows: \*\***

Affidavit	35.00
<b>Total Recording:</b>	<b>35.00</b>

\*\*\*\*\* DO NOT REMOVE. THIS PAGE IS PART OF THE INSTRUMENT \*\*\*\*\*

Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY because of color or race is invalid and unenforceable under federal law.

**File Information:**

Document Number: 2009-71562  
Receipt Number: 593496  
Recorded Date/Time: June 12, 2009 03:43:47P

**Record and Return To:**

CHANDLER AND CHANDLER PC  
5646 MILTON ST STE 734  
DALLAS TX 75206

User / Station: J Morris - Cash Station 1



THE STATE OF TEXAS }  
COUNTY OF DENTON }

I hereby certify that this instrument was FILED in the File Number sequence on the date/time printed herein, and was duly RECORDED in the Official Records of Denton County, Texas.

*Cynthia Mitchell*

County Clerk  
Denton County, Texas

**LIEN AFFIDAVIT AND CLAIM**

**CLAIMANT:** JOHNSON EQUIPMENT COMPANY, INC., P.O. Box 802009, Dallas, Texas 75380-2009.

**OWNER:** Opus West Corporation, 15455 North Dallas Parkway, Suite 450, Addison, Texas 75001.

**ORIGINAL CONTRACTOR:** Opus West Construction Corporation, 15455 North Dallas Parkway, Suite 450, Addison, Texas 75001.

Claimant, whose address is P.O. Box 802009, Dallas, Texas 75380-2009, having furnished materials and/or labor to improve the property described herein, for the purpose of perfecting a lien on said property and improvements to secure the amount of the claim therefor, makes this affidavit and states:

**1. OWNER:** The owner or reputed owner of said land and the improvements thereon is: Opus West Corporation and the Owner's business address is: 15455 North Dallas Parkway, Suite 450, Addison, Texas 75001.

**2. ORIGINAL CONTRACTOR:** The Original Contractor on the job or that portion thereof for which the hereinafter described materials and/or labor were furnished is: Opus West Construction Corporation and the Original Contractor's address is: 15455 North Dallas Parkway, Suite 450, Addison, Texas 75001.

**3. CONTRACT:** The materials and/or labor were furnished to the Contractor pursuant to a contract between the Contractor and the Claimant dated October 22, 2009.

**4. PROPERTY:** The labor and/or materials were furnished for the improvement of property located at: **121 Lakepointe Crossing Phase 2** located at 2525 E. State Highway 121, Lewisville, Texas 75056 and more particularly described as Crossroads Centre North, Block A, Lots 4r and 1r-1 an addition to the City of Lewisville, Denton County, Texas.

**5. CLAIM:** The amount of this claim, after all just and lawful offsets, payments and credits is \$113,985.00 and the amount is just, reasonable, and unpaid. A true and exact copy of the Invoices for such materials and labor is attached hereto and incorporated herein as Exhibit "A."

6. **LABOR, MATERIALS AND DATE(S) WORK DONE:** Provide all materials, labor, equipment and tools necessary for the installation of Overhead Doors. Claimant provided worked and materials through April 2009 when the project was suspended by the Original Contractor on April 27, 2009.

7. **NOTICES:** Notices of unpaid claims were sent to each of the following person(s) or entities by certified mail, return receipt requested on the dates indicated:

**Original Contractor:** April 23, 2009, May 14, 2009;

**Owner:** April 23, 2009, May 14, 2009.

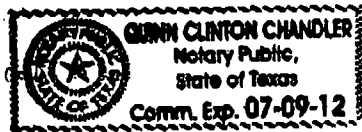
This lien and claim for the amount shown above is upon the land and improvements described above.

Johnson Equipment Company.

By:

*[Signature]*  
Frank D. Chandler, Counsel

SWORN AND SUBSCRIBED TO before me the undersigned authority to certify which witness my hand and seal of office this 10<sup>th</sup> day of June, 2009.



*[Signature]*  
Notary Public in and for  
the State of T E X A S

My Commission Expires: 7-9-12

**AFTER RECORDING RETURN TO:**  
CHANDLER & CHANDLER, P.C.  
5646 Milton Street, Suite 734  
Dallas, Texas 75206



**REL TO:  
JOHNSON EQUIPMENT COMPANY**

P.O. BOX 802009 • DALLAS, TEXAS 75380-2009  
PHONE (972) 661-9822 • FAX (972) 701-8938

INVOICE

JC32837

REFER TO THIS NUMBER  
IN ANY CORRESPONDENCE.

S O L D T O  
OPU5000  
OPUS WEST CONSTRUCTION  
ATTN: ACCOUNTS PAYABLE  
15455 NORTH DALLAS PKWY, #450  
ADDISON TX 75001

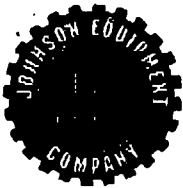
S H I P T O  
121 LAKEPOINTE CROSSING  
2525 E HWY 121  
LEWISVILLE TX 75056

CUSTOMER ORDER NO.	SALESPERSON	TERMS	DATE SHIPPED	INVOICE DATE
97306	140-11118	NET 10		2/23/2009
QUANTITY	DESCRIPTION	UNIT PRICE	AMOUNT	
	PAY APPLICATION #1 (108) 9 X 10 CLOPAY DOORS TOTAL INCLUDES SALES TAX, FREIGHT AND INSTALLATION			
		Bill Amt:	\$84,780.00	
		Retainage:	\$8,478.00	
		Ret. Due:	\$0.00	
		Freight:	\$0.00	
		Total Due:	\$76,302.00	

**EXHIBIT**  
"A"

THIS INVOICE DUE AND PAYABLE IN DALLAS, DALLAS COUNTY TEXAS

Seller represents that with respect to the articles covered by this invoice, it has fully complied with Section 12(a) of the Fair Labor Standards Act of 1938, as amended.



**RE. TO:**  
**JOHNSON EQUIPMENT COMPANY**  
 P.O. BOX 802009 • DALLAS, TEXAS 75380-2009  
 PHONE (972) 661-9822 • FAX (972) 701-8938

INVOICE

JC33019

REFER TO THIS NUMBER  
 IN ANY CORRESPONDENCE.

OPU5000

**S  
O  
L  
D  
T  
O**  
 OPUS WEST CONSTRUCTION  
 ATTN: ACCOUNTS PAYABLE  
 15455 NORTH DALLAS PKWY, #450  
 ADDISON TX 75001

**S  
H  
I  
P  
T  
O**  
 121 LAKEPOINTE CROSSING  
 2525 E HWY 121  
 LEWISVILLE TX 75056

CUSTOMER ORDER NO.	SALES PERSON	TERMS	DATE SHIPPED	INVOICE DATE
97306	140-11118	NET 10		3/24/2009
QUANTITY	DESCRIPTION	UNIT PRICE	AMOUNT	
	PAY APPLICATION #2  (2) 12 X 14 CLOPAY DOORS (30) 9 X 10 CLOPAY DOORS  TOTAL INCLUDES SALES TAX, FREIGHT AND INSTALLATION			
		Bill Amt:		\$26,580.00
		Retainage:		\$2,658.00
		Ret. Due:		\$0.00
		Freight:		\$0.00
		Total Due:		\$23,922.00

THIS INVOICE DUE AND PAYABLE IN DALLAS, DALLAS COUNTY TEXAS

Seller represents that with respect to the articles covered by this invoice, it has fully complied with Section 12(a) of the Fair Labor Standards Act of 1938, as amended.





**REM TO:**  
**JOHNSON EQUIPMENT COMPANY**

P.O. BOX 802009 • DALLAS, TEXAS 75380-2009  
PHONE (972) 661-9822 • FAX (972) 701-8938

INVOICE

JC33235

REFER TO THIS NUMBER  
IN ANY CORRESPONDENCE.

S  
O  
L  
D  
T  
O

OPU5000  
OPUS WEST CONSTRUCTION  
ATTN: ACCOUNTS PAYABLE  
15455 NORTH DALLAS PKWY, #450  
ADDISON TX 75001

S  
H  
I  
P  
T  
O

121 LAKEPOINTE CROSSING  
2525 E HWY 121  
LEWISVILLE TX 75056

CUSTOMER ORDER NO.	SALESPERSON	TERMS	DATE SHIPPED	INVOICE DATE
97306	140-11118	NET 10		4/20/2009
QUANTITY	DESCRIPTION	UNIT PRICE	AMOUNT	
	PAY APPLICATION #3  CHANGE ORDER #1 ADD OVERHEAD DOOR  TOTAL INCLUDES SALES TAX, FREIGHT AND INSTALLATION			
		Bill Amt:	\$2,625.00	
		Retainage:	\$262.50	
		Ret. Due:	\$0.00	
		Freight:	\$0.00	
		<b>Total Due:</b>	<b>\$2,362.50</b>	

THIS INVOICE DUE AND PAYABLE IN DALLAS, DALLAS COUNTY TEXAS

Seller represents that with respect to the articles covered by this invoice, it has fully complied with Section 12(a) of the Fair Labor Standards Act of 1938, as amended.



**REM TO:  
JOHNSON EQUIPMENT COMPANY**

P.O. BOX 802009 - DALLAS, TEXAS 75380-2009  
PHONE (972) 661-9822 - FAX (972) 701-8938

INVOICE **RT33235**

REFER TO THIS NUMBER  
IN ANY CORRESPONDENCE.

S O L D T O  
**OPU5000**  
**OPUS WEST CONSTRUCTION**  
**ATTN: ACCOUNTS PAYABLE**  
**15455 NORTH DALLAS PKWY, #450**  
**ADDISON TX 75001**

S H I P T O  
**121 LAKEPOINTE CROSSING**  
**2525 E HWY 121**  
**LEWISVILLE TX 75056**

CUSTOMER ORDER NO.	SALESPERSON	TERMS	DATE SHIPPED	INVOICE DATE
	140-11118	NET 10		5/14/2009
QUANTITY	DESCRIPTION	UNIT PRICE	AMOUNT	
	RETAINAGE DUE			
			Bill Amt:	\$0.00
			Retainage:	\$0.00
			Ret. Due:	\$11,398.50
			Freight:	0.00
			<b>Total Due:</b>	<b>\$11,398.50</b>

THIS INVOICE DUE AND PAYABLE IN DALLAS, DALLAS COUNTY TEXAS

Seller represents that with respect to the articles covered by this invoice, it has fully complied with Section 12(a) of the Fair Labor Standards Act of 1938, as amended.