
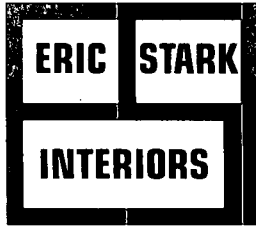


UNITED STATES BANKRUPTCY COURT _____ DISTRICT OF <u>TEXAS DALLAS</u>		PROOF OF CLAIM
Name of Debtor OPUS WEST CONSTRUCTION CORPORATION		Case Number 09-34360-11
NOTE: This form should not be used to make a claim for an administrative expense arising after the commencement of the case. A "request" for payment of an administrative expense may 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): ERIC STARK INTERIORS, INC.		<input type="checkbox"/> Check 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 box if you have never received any notices from the bankruptcy court in this case. <input type="checkbox"/> Check box if the address differs from the address on the envelope sent to you by the court.
Name and address where notices should be sent: ERIC STARK INTERIORS, INC. 2284 PARAGON DRIVE SAN JOSE, CA 95131 Telephone number: 408/441-6136		
Account or other number by which creditor identifies debtor: 074		Check here <input type="checkbox"/> replaces a previously filed claim, dated: _____ <input type="checkbox"/> amends
1. Basis for Claim <input type="checkbox"/> Goods sold <input checked="" type="checkbox"/> RECEIVED Services performed <input type="checkbox"/> Money loaned <input type="checkbox"/> Personal injury/wrongful death <input type="checkbox"/> Taxes <input type="checkbox"/> Other _____ BMC GROUP		
<input type="checkbox"/> Retiree benefits as defined in 11 U.S.C. § 1114(a) <input type="checkbox"/> Wages, salaries, and compensation (fill out below) Your SS #: _____ Unpaid compensation for services performed from _____ to _____ (date) (date)		
2. Date debt was incurred: <u>12/01/09</u>		3. If court judgment, date obtained:
4. Total Amount of Claim at Time Case Filed: \$ <u>9387.20</u>		
If all or part of your claim is secured or entitled to priority, also complete Item 5 or 6 below. <input type="checkbox"/> Check this box if claim includes interest or other charges in addition to the principal amount of the claim. Attach itemized statement of all interest or additional charges.		
5. Secured Claim. <input type="checkbox"/> Check this box if your claim is secured by collateral (including a right of setoff). Brief Description of Collateral: <input type="checkbox"/> Real Estate <input type="checkbox"/> Motor Vehicle <input type="checkbox"/> Other _____ Value of Collateral: \$ _____ Amount of arrearage and other charges at time case filed included in secured claim, if any: \$ _____		6. Unsecured Priority Claim. <input checked="" type="checkbox"/> Check this box if you have an unsecured priority claim Amount entitled to priority \$ <u>9387.00</u> Specify the priority of the claim: <input type="checkbox"/> Wages, salaries, or commissions (up to \$4,650)* earned within 90 days before filing of the bankruptcy petition or cessation of the debtor's business, whichever is earlier - 11 U.S.C. § 507(a)(3). <input type="checkbox"/> Contributions to an employee benefit plan - 11 U.S.C. § 507(a)(4). <input type="checkbox"/> Up to \$2,100* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use - 11 U.S.C. § 507(a)(6). <input type="checkbox"/> Alimony, maintenance, or support owed to a spouse, former spouse, or child - 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)(____). <small>*Amounts are subject to adjustment on 4/1/04 and every 3 years thereafter with respect to cases commenced on or after the date of adjustment.</small>
7. Credits: The amount of all payments on this claim has been credited and deducted for the purpose of making this proof of claim. 8. Supporting Documents: Attach copies of supporting documents, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, court judgments, mortgages, security agreements, and evidence of perfection of lien. DO NOT SEND ORIGINAL DOCUMENTS. If the documents are not available, explain. If the documents are voluminous, attach a summary. 9. Date-Stamped Copy: To receive an acknowledgment of the filing of your claim, enclose a stamped, self-addressed envelope and copy of this proof of claim.		THIS SPACE IS FOR COURT USE ONLY
Date 8-10-09	Sign and print the name and title, if any, of the creditor or other person authorized to file this claim (attach copy of power of attorney, if any): ERIC M. STARK, PRESIDENT	
OPUS WEST  00072		
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.		



- METAL STUDS • DRYWALL • TAPING
- DOORS, FRAMES AND HARDWARE
- DEMOUNTABLE PARTITIONS
- ACOUSTICAL CEILINGS

OPUS WEST CONSTRUCTION

#2166 - 4000 SHORELINE 2ND FLOOR CORRIDOR

Original Drywall Contract	\$ 11,152.00
Original Acoustical Contract	<u>\$ 5,100.00</u>
Change Order #1	\$ 56,115.00
Change Order #2	\$ 1,105.00
Field Change Order #2714	\$ 510.00
Field Change Order #10082	<u>\$ 1,530.00</u>
REVISED CONTRACT AMOUNT	\$ 75,512.00

<u>BILLED</u>	<u>DATE</u>	<u>AMOUNT</u>	<u>PAID</u>	<u>BALANCE</u>
Invoice #11007	7/25/2008	\$ 4,388.04	\$ 4,388.04	
Invoice #11100	8/25/2008	\$ 5,850.72	\$ 5,850.72	
Invoice #11208	9/25/2008	\$ 4,388.04	\$ 4,388.04	
Invoice #11321	10/25/2008	\$ 50,503.50	\$ 50,503.50	
Invoice #11544	12/25/2008	\$ 994.50	\$ 994.50	
Invoice #11545	12/25/2008	\$ 1,836.00		\$ 1,836.00
Invoice #11546-Retention	12/25/2008	\$ 7,551.20		\$ 7,551.20
Total Billed (See A/R History)		\$ 75,512.00	\$ 66,124.80	\$ 9,387.20
		<u>\$ 75,512.00</u>	<u>\$ 66,124.80</u>	<u>\$ 9,387.20</u>





Opus West Construction Corporation
SUBCONTRACT CHANGE ORDER

RECEIVED

FEB 13 2009

2166

ERIC STARK INTERIORS

Change Order Date: 02/11/2009

Change Order #: 4

To Subcontract Agreement dated: 07/08/2008

Drywall & ACT
CON-11121.02-8

See Subcontract Sum Breakdown

TO: Eric Stark Interiors
2284 Paragon Drive
San Jose, CA 95131

PROJECT: 4000 Shoreline 2nd Floor Corridor
4000 Shoreline Ct., 2nd Floor
South San Francisco, CA 94080

CHANGE DETAILS

Item	Description	Amount
1	Repair to stairwells; reference Stark FCO 2714.	\$510.00
2	By signing this Change Order, Subcontractor and Contractor agree that all previous change order requests, and claims (if any) made by this Subcontractor for work performed on this Project are settled; and that no additional requests for change will be made for any issue.	\$0.00
		\$510.00

SCHEDULE

Completion date of original contract will not be adjusted, unless noted herein.

CONTRACT SUMMARY

Cost Code	Previous Amount	This Change Order	Current Contract Amount
11121.01-F10-09000.00-S	\$850.00	\$0.00	\$850.00
11121.02-F10-09000.00-S	\$40,922.00	\$510.00	\$41,432.00
11121.02-F10-09510.00-S	\$33,230.00	\$0.00	\$33,230.00
	\$75,002.00	\$510.00	\$75,512.00

Original Contract Amount.....	\$16,252.00
Previously Approved Change Orders.....	\$58,750.00
Amount this Change Order.....	\$510.00
Contract Amount to Date.....	\$75,512.00

ACKNOWLEDGEMENT

Please sign and return all original copies

Eric Stark Interiors

Opus West Construction Corporation

Eric M. Stark
Printed Name

02-17-09
Date

Reggie Hanna
Printed Name

2/20/09
Date

Reference this change order number on all Application for Payment documents.

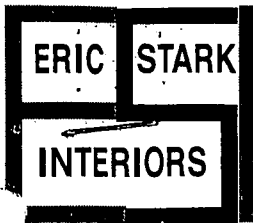
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FEB 22 2009

ERIC STARK INTERIORS

RECEIVED
FEB 19 2009

Mike
X-1700



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- DEMOUNTABLE PARTITIONS
- ACOUSTICAL CEILINGS

INVOICE

Invoice #: **11546R**
 Date: 25-Dec-08
 ESI Job #: 2166
 Contract/P.O. #: 11121.02
 Payment Request #: 7

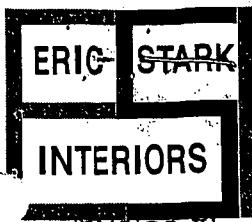
BILL TO:**REMIT PAYMENT TO:**

Opus West Construction Corporation
 Attn: Accounts Payable
 6160 Stoneridge Mall Rd., Suite 360
 Pleasanton, CS 94566

Eric Stark Interiors, Inc.
 2284 Paragon Drive
 San Jose, CA 95131

Project Name: 400 Shoreline 2nd Floor Corridor
 Address: 4000 Shoreline Ct., 2nd Floor, So. San Francisco, CA
 Project Manager: Reggie Hanna

ORIGINAL CONTRACT:		\$ 16,252.00
Add: Current Approved Change Orders:		
C/O #2	\$ 1,105.00	
FCO #2714	\$ 510.00	
FCO #10082	\$ 1,530.00	
	\$ -	
	\$ -	
Total Current Change Orders:		\$ 3,145.00
Add: Previous Approved Change Orders		\$ 56,115.00
REVISED CONTRACT AMOUNT:		\$ 75,512.00
Work Completed to Date:	100%	\$ 75,512.00
Less Previous Billing:		\$ 67,960.80
CURRENT BILLING:		\$ 7,551.20
LESS RETENTION:		\$ -
NET CURRENT BILLING:		\$ 7,551.20



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- ACOUSTICAL CEILINGS

INVOICE

Invoice #: **11545**
 Date: 25-Dec-08
 ESI Job #: 2166
 Contract/P.O. #: 11121.02
 Payment Request #: 6

BILL TO:

REMIT PAYMENT TO:

Opus West Construction Corporation
 Attn: Accounts Payable
 6160 Stoneridge Mall Rd., Suite 360
 Pleasanton, CS 94566

Eric Stark Interiors, Inc.
 2284 Paragon Drive
 San Jose, CA 95131

Project Name: 400 Shoreline 2nd Floor Corridor
 Address: 4000 Shoreline Ct., 2nd Floor, So. San Francisco, CA
 Project Manager: Reggie Hanna

ORIGINAL CONTRACT: \$ 16,252.00

Add: Current Approved Change Orders:

C/O #2	\$	1,105.00
FCO #2714	\$	510.00
FCO #10082	\$	1,530.00
	\$	-
	\$	-

Total Current Change Orders:	\$	<u>3,145.00</u>
Add: Previous Approved Change Orders	\$	56,115.00

REVISED CONTRACT AMOUNT: \$ 75,512.00

Work Completed to Date:	100%	\$	75,512.00
Less Previous Billing:		\$	73,472.00

CURRENT BILLING: \$ 2,040.00

LESS RETENTION: 10% \$ 204.00

NET CURRENT BILLING: \$ 1,836.00



PRELIMINARY NOTICE INFORMATION
as of July 8, 2008

PROJECT: Number: 11121.01
Name: **comScore Tenant Improvement**
Address: 4000 Shoreline Ct., 2nd Floor
South San Francisco, CA 94080

OWNER: Name: **Sierra Point Ten, Limited Partnership**
Address: 6160 Stoneridge Mall Road, Suite 360
Pleasanton, CA 94588
Phone: (925) 463-9254 / Fax: (925) 463-9368

CONTRACTOR: Name: **OPUS WEST CONSTRUCTION CORPORATION**
Address: 6160 Stoneridge Mall Road, Suite 360
Pleasanton, CA 94588
Phone: (925) 463-9254 / Fax: (925) 416-2291

Contacts: *Senior Project Manager*
Project Manager:
Project Admin:
Accounts Payable (all invoicing & insurance):
Project Superintendent:
Superintendent Mobile No:

Jonas Vass
Reggie Hanna
Cynthia Daste
Barbara Johnson
Jim Riley
916-275-8795

LENDER: N/A
