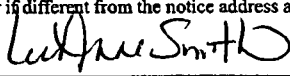


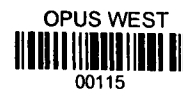
UNITED STATES BANKRUPTCY COURT FOR THE NORTHERN DISTRICT OF TEXAS		PROOF OF CLAIM
Name of Debtor: (Check Only One): <input type="checkbox"/> Opus West Corporation <input checked="" type="checkbox"/> Opus West Construction Corporation <input type="checkbox"/> O.W. Commercial, Inc. <input type="checkbox"/> Opus West LP <input type="checkbox"/> Opus West Partners, Inc.		Case Number: 09-34356
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. § 303.		
Name of Creditor (the person or other entity to whom the debtor owes money or property): Consolidated Rebar Inc. 4361 E. Tennessee Street Tuscon, Arizona 85714		<input type="checkbox"/> Check this box to indicate that this claim amends a previously filed claim. Court Claim Number: <i>(If known)</i> Filed on:
Name and address where notices should be sent: Same as above Telephone number: (800) 363-3953, ext 191 Email Address: lsmith@harrisrebar.com (LeeAnne Smith)		<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.
Name and address where payment should be sent (if different from above): Consolidated Rebar Inc. 4361 E. Tennessee Street Tucson, AZ 85714 Telephone number: (520) 295-8989		
1. Amount of Claim as of Date Case Filed: \$ <u>266,905.83</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.		5. Amount of Claim Entitled to Priority under 11 U.S.C. §507(a). 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)(). Amount entitled to priority: \$
2. Basis for Claim: <u>Goods Sold and Services Performed</u> (See instruction #2 on reverse side.) <u>Construction Contract</u>		
3. Last four digits of any number by which creditor identifies debtor: _____ 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: <input type="checkbox"/> Real Estate <input type="checkbox"/> Motor Vehicle <input type="checkbox"/> Equipment <input type="checkbox"/> Other 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 Unsecured: \$ _____		
6. Credits: The amount of all payments on this claim has been credited for the purpose of making this proof of claim. 7. 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 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: _____		
Date: August 6, 2009	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.  LeeAnne Smith	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)

RECEIVED

AUG 13 2009

BMC GROUP



A/R Detail by Cost Ctr/Address
 Statement of Account

Due Date	Remark	Number	Invoice Date	Open	Current	31 - 60	61 - 90	Aging	Over 90	Retained Amt
265535	Opus West Construction Co	11650048	Tempe Gateway							602 468-7000
06/24/09	o/s c/o's 34,38,4	26696	06/24/09	52,472.64				Bankrupt		
08/19/08	o/s ret'n held	950048	08/19/08	28,164.37				52472.64		
12/30/20	Retainage	90149769	05/20/08	10,465.89						28164.37
12/30/20	Retainage	90153028	07/18/08	3,523.03						10465.89
12/30/20	Retainage	90154666	08/20/08	26,913.83						3523.03
12/30/20	Retainage	90156429	09/20/08	53,100.86						26913.83
12/30/20	Retainage	90158272	10/20/08	51,961.40						53100.86
12/30/20	Retainage	90159995	11/20/08	16,335.95						51961.40
12/30/20	Retainage	90161508	12/12/08	17,545.06						16335.95
12/30/20	Retainage	90168286	04/30/09	4,616.29						17545.06
12/30/20	Retainage	90168328	05/01/09	1,806.51						4616.29
12/30/20	Retainage	90171078	07/02/09		214433.19					1806.51
	11650048 Tempe Gateway			266,905.83	214433.19			52472.64		214433.19-
	00265535 Opus West Construction Co			266,905.83	214433.19			52472.64		
	Grand Total:			266,905.83	214433.19			52472.64		



SUBCONTRACTOR APPLICATION FOR PAYMENT

Project Name: Tempe Gateway
 Subcontractor: Consolidated Rebar Inc.
 Address: 4361 E. Tennessee St.
 Address: Tucson, AZ 85714

Project Number: 10154
 Date of Application: June 30, 2009
 Application Number: 13
 Period From: _____ Period To: Part release of Retention
 (Parking Garage)

CONTRACT INFORMATION

ITEM	SALES TAX (\$) (if applicable)	TOTAL (\$)
ORIGINAL CONTRACT AMOUNT	\$ -	\$ 1,860,081.00
OPUS APPROVED CHANGE ORDER # 1 thru # 5	\$ -	\$ 225,948.00
CONTRACT AMOUNT TO DATE TOTAL	\$ -	\$ 2,086,029.00

G

APPLICATION INFORMATION

A	Total Completed & Stored to Date	\$ 2,086,029.00
B	Less Retainage	\$ 168,935.10
C	Total Earned less Retainage (A - B)	\$ 1,917,093.90
D	Less Previous Billings (previous req's line C)	\$ 1,877,426.10
E	Current Payment Due (C - D)	\$ 39,667.80
F	Balance to Finish, Plus Retainage (G - A + B)	\$ 168,935.10

SUBCONTRACTOR: Consolidated Rebar Inc.
 BY: Andrea Dellow Andrea Dellow
 DATE: July 8, 2009 Credit Administrator

APPLICATION BREAKDOWN

THIS SECTION MUST BE COMPLETED IN ORDER FOR THIS PAYMENT TO BE PROCESSED BY OPUS

Job #	Cost Code	Current Contract Amount	Total Completed & Stored to Date	Gross Amount this Application	Retainage Percent	Retainage Amount this Application	Net Payment
10154.03	B40-03140.00-S	\$ 1,120.00	\$ 1,120.00		10%	\$ -	
10154.10	C10-03241.34-S	\$ 20,835.00	\$ 20,835.00		10%	\$ -	
10154.10	C10-03260.34-S	\$ 109,456.00	\$ 109,456.00		10%	\$ -	
10154.10	C10-03282.34-S	\$ 2,732.00	\$ 2,732.00		10%	\$ -	
10154-10	C30-03300.34-S	\$ 11,274.00	\$ 11,274.00		10%	\$ -	
10154.10	D10-03530.34-S	\$ 1,377,296.00	\$ 1,377,296.00	\$ -	10%	\$ -	
10154.10	D10-03810.34-S	\$ 152,058.00	\$ 152,058.00	\$ -	10%	\$ -	
10154.10	M50-01641.00-S	\$ 14,580.00	\$ 14,580.00		10%	\$ -	
10154.20	C10-03210.34-S	\$ 10,636.00	\$ 10,636.00	\$ 1,063.60	0%	\$ -	\$ 1,063.60
10154.20	C10-03241.34-S	\$ 47,379.00	\$ 47,379.00	\$ 4,737.90	0%	\$ -	\$ 4,737.90
10154.20	C10-03260.34-S	\$ 106,004.00	\$ 106,004.00	\$ 10,600.40	0%	\$ -	\$ 10,600.40
10154.20	C10-03270.34-S	\$ 39,709.00	\$ 39,709.00	\$ 3,970.90	0%	\$ -	\$ 3,970.90
10154.20	C10-03282.34-S	\$ 2,895.00	\$ 2,895.00	\$ 289.50	0%	\$ -	\$ 289.50
10154.20	C20-03705.34-S	\$ 127,573.00	\$ 127,573.00	\$ 12,757.30	0%	\$ -	\$ 12,757.30
10154.20	C30-03300.34-S	\$ 62,482.00	\$ 62,482.00	\$ 6,248.20	0%	\$ -	\$ 6,248.20
	Change Orders						
Total		\$ 2,086,029.00	\$ 2,086,029.00	\$ 39,667.80		\$ -	\$ 39,667.80

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Entered By: _____ Accounting Date _____ Approved By: _____ Project Manager Date _____

SHADED AREA FOR OPUS ACCOUNTING USE ONLY

Vendor ID: _____	Vendor Inv# _____	Date _____	W/C/L/Exp _____
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CONDITIONAL WAIVER AND RELEASE UPON
PROGRESS PAYMENT
(Pursuant to A.R.S. 33-1008)

Project Name: Tempe Gateway
Project No. 11650048

On receipt by the undersigned of a check from Opus West Construction Corporation in the sum of \$39,667.80 payable to Consolidated Rebar Inc. and when the check has been properly endorsed and has been paid by the bank on which it is drawn, this document becomes effective to release any Mechanic's Lien, any state or federal statutory bond right, any private bond right, any claim for payment and any rights under any similar ordinance, rule or statute related to claim or payment rights for the persons in the undersigned's position that the undersigned has on the job of Tempe Gateway located at 222 South Mill Avenue, Tempe, AZ, 85281 to the following extent.

This release covers a progress payment for all labor, services, equipment, or material furnished to the jobsite or to Opus West Construction Corporation through June 30, 2009 (Part Retention Parking Garage) only and does not cover any retention, pending modifications and changes, or items furnished after that date. Before any recipient of this document relies on it, that person should verify evidence of payment to the undersigned.

The undersigned warrants that he either has already paid, or will use the monies he receives from this progress payment to promptly pay in full all his laborers, subcontractors, materialmen and suppliers for all work, materials, equipment or services provided for or to the above referenced project up to the date of this waiver.

In addition, this waiver and release does not extend to the balance of \$58,302.93 (change orders 34, 38, 42, 56, 57 and 59) outstanding as at June 30, 2009.

Dated: July 8, 2009

Consolidated Rebar Inc.
(Company Name)

By: Andrea Dellow

Name: **Andrea Dellow**
~~Credit Administrator~~

Title: _____



SUBCONTRACTOR APPLICATION FOR PAYMENT

Project Name: Tempe Gateway
 Subcontractor: Consolidated Rebar Inc.
 Address: 4361 E. Tennessee St.
 Address: Tucson, AZ 85714

Project Number: 10154
 Date of Application: June 30, 2009
 Application Number: 14
 Period From: _____ Period To: Part release of Retention
 (Office Building)

CONTRACT INFORMATION

ITEM	SALES TAX (\$) (if applicable)	TOTAL (\$)
ORIGINAL CONTRACT AMOUNT	\$ -	\$ 1,860,081.00
OPUS APPROVED CHANGE ORDER # 1 thru # 5	\$ -	\$ 225,948.00
CONTRACT AMOUNT TO DATE TOTAL	\$ -	\$ 2,086,029.00

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APPLICATION INFORMATION

A	Total Completed & Stored to Date	\$ 2,086,029.00
B	Less Retainage	_____
C	Total Earned less Retainage (A - B)	\$ 2,086,029.00
D	Less Previous Billings (previous req's line C)	\$ 1,917,093.90
E	Current Payment Due (C - D)	\$ 168,935.10
F	Balance to Finish, Plus Retainage (G - A + B)	\$ -

SUBCONTRACTOR: Consolidated Rebar Inc. **Andrea Dellow**
 BY: Andrea Dellow Credit Administrator
 DATE: July 8, 2009

APPLICATION BREAKDOWN

THIS SECTION MUST BE COMPLETED IN ORDER FOR THIS PAYMENT TO BE PROCESSED BY OPUS

Job #	Cost Code	Current Contract Amount	Total Completed & Stored to Date	Gross Amount this Application	Retainage Percent	Retainage Amount this Application	Net Payment
10154.03	B40-03140.00-S	\$ 1,120.00	\$ 1,120.00	\$ 112.00	0%	\$ -	\$ 112.00
10154.10	C10-03241.34-S	\$ 20,835.00	\$ 20,835.00	\$ 2,083.50	0%	\$ -	\$ 2,083.50
10154.10	C10-03260.34-S	\$ 109,456.00	\$ 109,456.00	\$ 10,945.60	0%	\$ -	\$ 10,945.60
10154.10	C10-03282.34-S	\$ 2,732.00	\$ 2,732.00	\$ 273.20	0%	\$ -	\$ 273.20
10154-10	C30-03300.34-S	\$ 11,274.00	\$ 11,274.00	\$ 1,127.40	0%	\$ -	\$ 1,127.40
10154.10	D10-03530.34-S	\$ 1,377,296.00	\$ 1,377,296.00	\$ 137,729.60	0%	\$ -	\$ 137,729.60
10154.10	D10-03810.34-S	\$ 152,058.00	\$ 152,058.00	\$ 15,205.80	0%	\$ -	\$ 15,205.80
10154.10	M50-01641.00-S	\$ 14,580.00	\$ 14,580.00	\$ 1,458.00	0%	\$ -	\$ 1,458.00
10154.20	C10-03210.34-S	\$ 10,636.00	\$ 10,636.00		0%		
10154.20	C10-03241.34-S	\$ 47,379.00	\$ 47,379.00		0%		
10154.20	C10-03260.34-S	\$ 106,004.00	\$ 106,004.00		0%		
10154.20	C10-03270.34-S	\$ 39,709.00	\$ 39,709.00		0%		
10154.20	C10-03282.34-S	\$ 2,895.00	\$ 2,895.00		0%		
10154.20	C20-03705.34-S	\$ 127,573.00	\$ 127,573.00		0%		
10154.20	C30-03300.34-S	\$ 62,482.00	\$ 62,482.00		0%		
	Change Orders						
Total		\$ 2,086,029.00	\$ 2,086,029.00	\$ 168,935.10		\$ -	\$ 168,935.10

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Entered By: _____ Accounting Date _____ Approved By: _____ Project Manager Date _____

SHADED AREA FOR OPUS ACCOUNTING USE ONLY

Vendor ID	Vendor Inv. #	Date	G/L Exp.

CONDITIONAL WAIVER AND RELEASE UPON
PROGRESS PAYMENT
(Pursuant to A.R.S. 33-1008)

Project Name: Tempe Gateway
Project No. 11650048

On receipt by the undersigned of a check from Opus West Construction Corporation in the sum of \$168,935.10 payable to Consolidated Rebar Inc. and when the check has been properly endorsed and has been paid by the bank on which it is drawn, this document becomes effective to release any Mechanic's Lien, any state or federal statutory bond right, any private bond right, any claim for payment and any rights under any similar ordinance, rule or statute related to claim or payment rights for the persons in the undersigned's position that the undersigned has on the job of Tempe Gateway located at 222 South Mill Avenue, Tempe, AZ, 85281 to the following extent.

This release covers a progress payment for all labor, services, equipment, or material furnished to the jobsite or to Opus West Construction Corporation through June 30, 2009 (Part Retention Office Building) only and does not cover any retention, pending modifications and changes, or items furnished after that date. Before any recipient of this document relies on it, that person should verify evidence of payment to the undersigned.

The undersigned warrants that he either has already paid, or will use the monies he receives from this progress payment to promptly pay in full all his laborers, subcontractors, materialmen and suppliers for all work, materials, equipment or services provided for or to the above referenced project up to the date of this waiver.

In addition, this waiver and release does not extend to the balance of \$58,302.93 (change orders 34, 38, 42, 56, 57 and 59) outstanding as at June 30, 2009.

Dated: July 8, 2009

Consolidated Rebar Inc.
(Company Name)

By: Andrea Dellow

Name: Andrea Dellow
Credit Administrator

Title: _____



SUBCONTRACTOR APPLICATION FOR PAYMENT

Project Name: Tempe Gateway
 Subcontractor: Consolidated Rebar Inc.
 Address: 4361 E. Tennessee St.
 Address: Tucson, AZ 85714

Project Number: 10154
 Date of Application: June 30, 2009
 Application Number: 15
 Period From: _____ Period To: _____

CONTRACT INFORMATION

ITEM	SALES TAX (\$) (if applicable)	TOTAL (\$)
ORIGINAL CONTRACT AMOUNT	\$ -	\$ 1,860,081.00
OPUS APPROVED CHANGE ORDER # 1 thru # 5	\$ -	\$ 225,948.00
CHANGE ORDERS 34,38,42 56,57,59		\$ 58,302.93
CONTRACT AMOUNT TO DATE TOTAL	\$ -	\$ 2,144,331.93

APPLICATION INFORMATION

A	Total Completed & Stored to Date	\$ 2,144,331.93
B	Less Retainage	\$ -
C	Total Earned less Retainage (A - B)	\$ 2,144,331.93
D	Less Previous Billings (previous req's line C)	\$ 2,086,029.00
E	Current Payment Due (C - D)	\$ 58,302.93
F	Balance to Finish, Plus Retainage (G - A + B)	\$ -

SUBCONTRACTOR: Consolidated Rebar Inc.
 BY: Andrea Dellow **Andrea Dellow**
 DATE: July 8, 2009 **Credit Administrator**

APPLICATION BREAKDOWN

THIS SECTION MUST BE COMPLETED IN ORDER FOR THIS PAYMENT TO BE PROCESSED BY OPUS

Job #	Cost Code	Current Contract Amount	Total Completed & Stored to Date	Gross Amount this Application	Retainage Percent	Retainage Amount this Application	Net Payment
10154.03	B40-03140.00-S	\$ 1,120.00	\$ 1,120.00				
10154.10	C10-03241.34-S	\$ 20,835.00	\$ 20,835.00				
10154.10	C10-03260.34-S	\$ 109,456.00	\$ 109,456.00				
10154.10	C10-03282.34-S	\$ 2,732.00	\$ 2,732.00				
10154-10	C30-03300.34-S	\$ 11,274.00	\$ 11,274.00				
10154.10	D10-03530.34-S	\$ 1,377,296.00	\$ 1,377,296.00				
10154.10	D10-03810.34-S	\$ 152,058.00	\$ 152,058.00				
10154.10	M50-01641.00-S	\$ 14,580.00	\$ 14,580.00				
10154.20	C10-03210.34-S	\$ 10,636.00	\$ 10,636.00		0%		
10154.20	C10-03241.34-S	\$ 47,379.00	\$ 47,379.00		0%		
10154.20	C10-03260.34-S	\$ 106,004.00	\$ 106,004.00		0%		
10154.20	C10-03270.34-S	\$ 39,709.00	\$ 39,709.00		0%		
10154.20	C10-03282.34-S	\$ 2,895.00	\$ 2,895.00		0%		
10154.20	C20-03705.34-S	\$ 127,573.00	\$ 127,573.00		0%		
10154.20	C30-03300.34-S	\$ 62,482.00	\$ 62,482.00		0%		
Outstanding Change Orders		\$ 58,302.93	\$ 58,302.93	\$ 58,302.93			\$ 58,302.93
Total		\$ 2,144,331.93	\$ 2,144,331.93	\$ 58,302.93		\$ -	\$ 58,302.93

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Entered By: _____ Accounting Date _____ Approved By: _____ Project Manager Date _____

SHADED AREA FOR OPUS ACCOUNTING USE ONLY

Vendor ID	Vendor Inv. #	Date	G/L - Exp.
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CONDITIONAL WAIVER AND RELEASE ON
FINAL PAYMENT

Project: Tempe Gateway
Job: 11650048

On receipt by the undersigned of a check from Opus West Construction Corporation in the sum of \$266,905.83 payable to Consolidated Rebar Inc. when the check has been properly endorsed and has been paid by the bank on which it is drawn, this document becomes effective to release any Mechanic's Lien, any state or federal statutory bond right, any private bond right, any claim or payment and any rights under any similar ordinance, rule or statute related to claim or payment rights for the persons in the undersigned's position that the undersigned has on the job of Tempe Gateway, Tempe, AZ.

This release covers the final payment for all labor, services, equipment, or material furnished to the jobsite or to Opus West Construction Corporation except for disputed claims in the amount of \$0.00. Before any recipient of this document relies on it, that person should verify evidence of payment to the undersigned.

The undersigned warrants that he either has already paid, or will use the monies he receives from this final payment to promptly pay in full all his laborers, subcontractors, materialmen and suppliers for all work, materials, equipment, or services provided for or to the above referenced project up to the date of this waiver.

Dated: July 8, 2009

Consolidated Rebar Inc.
(Company Name)

By: Andrea Dellow

Name: Andrea Dellow

Title: Credit Administrator