

UNITED STATES BANKRUPTCY COURT

Northern District of Texas

PROOF OF CLAIM

Name of Debtor:
Opus West Corporation, et al

Case Number:
09-34356-hdh-11(Jtly. Admin.)

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):
King of Texas Roofing Company, L.P.

FILED

Check this box to indicate that this claim amends a previously filed claim.

Name and address where notices should be sent:
c/o Robert J. Ffrench
Law Offices of Robert J. Ffrench, P.C.
7500 San Felipe, No. 600/Houston, TX 77063
Telephone number: (713) 935-0341

SEP 24 2009
TAWANA C. MARSHALL, CLERK
U.S. BANKRUPTCY COURT
NORTHERN DISTRICT OF TEXAS

Court Claim Number: (if known)

Filed on:

Name and address where payment should be sent (if different from above):

RECEIVED

King of Texas Roofing Company, L.P.
307 Gilbert Circle
Grand Prairie, TX 75050-6579

SEP 25 2009

Telephone number: (972) 399-0003

BMC GROUP

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.

Check this box if you are the debtor or trustee in this case.

1. Amount of Claim as of Date Case Filed: \$ 250,520.00

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.

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.

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.

Specify the priority of the claim.

2. Basis for Claim: Labor/Mats/Equip - SubK
(See instruction #2 on reverse side.)

Domestic support obligations under 11 U.S.C. §507(a)(1)(A) or (a)(1)(B).

3. Last four digits of any number by which creditor identifies debtor: 4032

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).

3a. Debtor may have scheduled account as:
(See instruction #3a on reverse side.)

Contributions to an employee benefit plan - 11 U.S.C. §507 (a)(5).

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: Real Estate Motor Vehicle Other
Describe: Mechanic's and Materialmen's Liens

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).

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: M & M Liens

Amount of Secured Claim: \$ 250,520.00 Amount Unsecured: \$

Taxes or penalties owed to governmental units - 11 U.S.C. §507 (a)(8).

6. Credits: The amount of all payments on this claim has been credited for the purpose of making this proof of claim.

Other - Specify applicable paragraph of 11 U.S.C. §507 (a)().

7. Documents: Attach redacted copies of any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements of 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.)

Amount entitled to priority:

\$

DO NOT SEND ORIGINAL DOCUMENTS. ATTACHED DOCUMENTS MAY BE DESTROYED AFTER SCANNING.

If the documents are not available, please explain: N/A

*Amounts are subject to adjustment on 4/1/10 and every 3 years thereafter with respect to cases commenced on or after the date of adjustment.

Date: 09/09/2009

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.

FOR COURT USE ONLY

Nelson R. Braddy, Jr. - President/King of Texas Construction, Inc. - GP, King of Texas Roofing Co., L.P.

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.



INSTRUCTIONS FOR PROOF OF CLAIM FORM

The instructions and definitions below are general explanations of the law. In certain circumstances, such as bankruptcy cases not filed voluntarily by the debtor, there may be exceptions to these general rules.

Items to be completed in Proof of Claim form

Court, Name of Debtor, and Case Number:

Fill in the federal judicial district where the bankruptcy case was filed (for example, Central District of California), the bankruptcy debtor's name, and the bankruptcy case number. If the creditor received a notice of the case from the bankruptcy court, all of this information is located at the top of the notice.

Creditor's Name and Address:

Fill in the name of the person or entity asserting a claim and the name and address of the person who should receive notices issued during the bankruptcy case. A separate space is provided for the payment address if it differs from the notice address. The creditor has a continuing obligation to keep the court informed of its current address. See Federal Rule of Bankruptcy Procedure (FRBP) 2002(g).

1. Amount of Claim as of Date Case Filed:

State the total amount owed to the creditor on the date of the Bankruptcy filing. Follow the instructions concerning whether to complete items 4 and 5. Check the box if interest or other charges are included in the claim.

2. Basis for Claim:

State the type of debt or how it was incurred. Examples include goods sold, money loaned, services performed, personal injury/wrongful death, car loan, mortgage note, and credit card. If the claim is based on the delivery of health care goods or services, limit the disclosure of the goods or services so as to avoid embarrassment or the disclosure of confidential health care information. You may be required to provide additional disclosure if the trustee or another party in interest files an objection to your claim.

3. Last Four Digits of Any Number by Which Creditor Identifies Debtor:

State only the last four digits of the debtor's account or other number used by the creditor to identify the debtor.

3a. Debtor May Have Scheduled Account As:

Use this space to report a change in the creditor's name, a transferred claim, or any other information that clarifies a difference between this proof of claim and the claim as scheduled by the debtor.

4. Secured Claim:

Check the appropriate box and provide the requested information if the claim is fully or partially secured. Skip this section if the claim is entirely unsecured. (See DEFINITIONS, below.) State the type and the value of property that secures the claim, attach copies of lien documentation, and state annual interest rate and the amount past due on the claim as of the date of the bankruptcy filing.

5. Amount of Claim Entitled to Priority Under 11 U.S.C. §507(a).

If any portion of your claim falls in one or more of the listed categories, check the appropriate box(es) and state the amount entitled to priority. (See DEFINITIONS, below.) A claim may be partly priority and partly non-priority. For example, in some of the categories, the law limits the amount entitled to priority.

6. Credits:

An authorized signature on this proof of claim serves as an acknowledgment that when calculating the amount of the claim, the creditor gave the debtor credit for any payments received toward the debt.

7. Documents:

Attach to this proof of claim form redacted copies documenting the existence of the debt and of any lien securing the debt. You may also attach a summary. You must also attach copies of documents that evidence perfection of any security interest. You may also attach a summary. FRBP 3001(c) and (d). If the claim is based on the delivery of health care goods or services, see instruction 2. Do not send original documents, as attachments may be destroyed after scanning.

Date and Signature:

The person filing this proof of claim must sign and date it. FRBP 9011. If the claim is filed electronically, FRBP 5005(a)(2), authorizes courts to establish local rules specifying what constitutes a signature. Print the name and title, if any, of the creditor or other person authorized to file this claim. State the filer's address and telephone number if it differs from the address given on the top of the form for purposes of receiving notices. Attach a complete copy of any power of attorney. Criminal penalties apply for making a false statement on a proof of claim.

DEFINITIONS

INFORMATION

Debtor

A debtor is the person, corporation, or other entity that has filed a bankruptcy case.

Creditor

A creditor is a person, corporation, or other entity owed a debt by the debtor that arose on or before the date of the bankruptcy filing. See 11 U.S.C. §101 (10)

Claim

A claim is the creditor's right to receive payment on a debt owed by the debtor that arose on the date of the bankruptcy filing. See 11 U.S.C. §101 (5). A claim may be secured or unsecured.

Proof of Claim

A proof of claim is a form used by the creditor to indicate the amount of the debt owed by the debtor on the date of the bankruptcy filing. The creditor must file the form with the clerk of the same bankruptcy court in which the bankruptcy case was filed.

Secured Claim Under 11 U.S.C. §506(a)

A secured claim is one backed by a lien on property of the debtor. The claim is secured so long as the creditor has the right to be paid from the property prior to other creditors. The amount of the secured claim cannot exceed the value of the property. Any amount owed to the creditor in excess of the value of the property is an unsecured claim. Examples of liens on property include a mortgage on real estate or a security interest in a car.

A lien may be voluntarily granted by a debtor or may be obtained through a court proceeding. In some states, a court judgment is a lien. A claim also may be secured if the creditor owes the debtor money (has a right to setoff).

Unsecured Claim

An unsecured claim is one that does not meet the requirements of a secured claim. A claim may be partly unsecured if the amount of the claim exceeds the value of the property on which the creditor has a lien.

Claim Entitled to Priority Under 11 U.S.C. §507(a)

Priority claims are certain categories of unsecured claims that are paid from the available money or property in a bankruptcy case before other unsecured claims.

Redacted

A document has been redacted when the person filing it has masked, edited out, or otherwise deleted, certain information. A creditor should redact and use only the last four digits of any social-security, individual's tax-identification, or financial-account number, all but the initials of a minor's name and only the year of any person's date of birth.

Evidence of Perfection

Evidence of perfection may include a mortgage, lien, certificate of title, financing statement, or other document showing that the lien has been filed or recorded.

Acknowledgment of Filing of Claim

To receive acknowledgment of your filing, you may either enclose a stamped self-addressed envelope and a copy of this proof of claim or you may access the court's PACER system (www.pacer.psc.uscourts.gov) for a small fee to view your filed proof of claim.

Offers to Purchase a Claim

Certain entities are in the business of purchasing claims for an amount less than the face value of the claims. One or more of these entities may contact the creditor and offer to purchase the claim. Some of the written communications from these entities may easily be confused with official court documentation or communications from the debtor. These entities do not represent the bankruptcy court or the debtor. The creditor has no obligation to sell its claim. However, if the creditor decides to sell its claim, any transfer of such claim is subject to FRBP 3001(e), any applicable provisions of the Bankruptcy Code (11 U.S.C. § 101 *et seq.*), and any applicable orders of the bankruptcy court.

Method Sent

VIA CM/RRR NO. 7008 3230 0000 4439 0182

Opus West, L.P.
CSC - Lawyers Incorporating Service Company, Registered Agent
701 Brazos, Suite 1050
Austin, TX 78701.

Date Sent

May 4, 2009

VIA CM/RRR NO. 7008 3230 0000 4439 0175

Opus West Construction Corp.
15455 N. Dallas Parkway, Suite 450
Addison, TX 75001

May 4, 2009

9. One (1) copy of this Lien Affidavit and Claim is being sent by Certified Mail, Return Receipt Requested respectively to the Property owner and original contractor described above, addressed respectively to the last known address (as detailed above) of each.

KING OF TEXAS ROOFING COMPANY, L.P.

By: King of Texas Construction Company Inc.
Its: General Partner

[Handwritten Signature]

Nelson R. Braddy, Jr. - President

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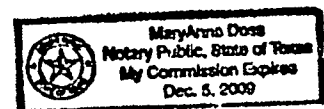
SWORN TO, SUBSCRIBED and ACKNOWLEDGED before me by the said Nelson R. Braddy, Jr., President of King of Texas Construction Company, Inc., the general partner of King of Texas Roofing Company, L.P. on this 4th day of May, 2009, to certify which witness my hand and seal of office.

[Handwritten Signature]

Notary Public - State of Texas

AFTER RECORDING RETURN TO:

Robert J. Ffrench
Law Offices of Robert J. Ffrench, P.C.
9337B Katy Freeway, No. 334
Houston, TX 77024



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.
THE STATE OF TEXAS
COUNTY OF HARRIS
I hereby certify that this instrument was FILED in File Number Sequence of the date and at the time stamped herein by me, and was duly RECORDED in the Official Public Records of Real Property of Harris County, Texas on

MAY - 6 2009



[Handwritten Signature]

COUNTY CLERK
HARRIS COUNTY, TEXAS

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off
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LIEN AFFIDAVIT AND CLAIM

THE STATE OF TEXAS §
§
COUNTY OF DALLAS §

BEFORE ME, the undersigned authority, personally appeared Nelson R. Braddy, Jr. who, upon his oath, deposed and stated the following:

1. My name is Nelson R. Braddy, Jr. I am a resident of Dallas County, TX and the President of King of Texas Construction Company, Inc., the general partner of King of Texas Roofing Company, L.P. ("Claimant") whose principal offices are located at 307 Gilbert Circle, Grand Prairie, TX 75050. I am authorized to make and do make this affidavit on behalf of Claimant.

2. The amount of this claim is \$214,100.00, including retainage of \$21,410.00. The amount is just and reasonable and is due and unpaid. Said claim constitutes the unpaid reasonable value of the materials furnished and labor performed after all credits, offsets and payments have been allowed.

(2)

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3. The name of the owner or reputed owner of the Property (as that term is hereinafter defined) is Opus West, L.P., c/o CSC - Lawyers Incorporating Service Company, Registered Agent, 701 Brazos, Suite 1050, Austin, TX 78701.

4. The real property sought to be charged with the lien is commonly known as the "Crossing at Ft. Bend", located at 14404-1/2 Hillcroft Street, Houston, TX 77085 and legally described as follows, the legal description and the street address collectively referred to hereinafter as the Property:

Restricted Reserve "A" of Crossings Fort Bend Parkway, As Shown On That Certain Subdivision And Development Plat Recorded At Film Code 597210 Of The Map Records Of Harris County, Texas

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5. Claimant furnished labor and materials for the installation of a roof system for the improvement of the Property pursuant to a written contract (including change orders) with Opus West Construction Corporation ("Opus") as further referred to in Claimant's below-referenced notices.

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6. Opus's last known address is 15455 N. Dallas Parkway, #450, Addison, TX 75001.

7. The month(s) that the labor was performed and/or materials were furnished for which payment is requested is April, 2009.

8. Notice of the claim was sent to the Owner and Opus as the original contractor on the following dates and by the following method:

Method Sent

Date Sent

VIA CM/RRR NO. 7008 3230 0000 4439 0199

May 4, 2009

Opus West, L.P.
c/o CSC - Lawyers Incorporating Service Company, RA
701 Brazos, Suite 1050
Austin, TX 78701

VIA CM/RRR NO. 7008 3230 0000 4439 0205

May 4, 2009

Opus West Construction Corp.
15455 N. Dallas Parkway, Suite 450
Addison, TX 75001

9. One (1) copy of this Lien Affidavit and Claim is being sent by Certified Mail, Return Receipt Requested respectively to the Property owner and original contractor described above, addressed respectively to the last known address (as described above) of each.

KING OF TEXAS ROOFING COMPANY, L.P.

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By: King of Texas Construction Company, Inc.
Its: General Partner

[Signature]

Nelson R. Braddy, Jr. - President

SWORN TO, SUBSCRIBED and ACKNOWLEDGED before me by the said Nelson R. Braddy, Jr., President of King of Texas Construction Company, Inc., the general partner of King of Texas Roofing Company, L.P. on this 4th day of May, 2009, to certify which witness my hand and seal of office.

[Signature]

Notary Public - State of Texas

AFTER RECORDING RETURN TO: *✓✓*

Robert J. Ffrench
Law Offices of Robert J. Ffrench, P.C.
9337B Katy Freeway, No. 334
Houston, TX 77024



FILED FOR RECORD
8:00 AM

MAY - 6 2009

[Signature]
County Clerk, Harris County, Texas

RP 064-55-1998

ANY PROVISION HEREIN WHICH RESTRICTS THE SALE, RENTAL OR USE OF THE DESCRIBED REAL
PROPERTY BECAUSE OF COLOR OR RACE IS NULL AND UNENFORCEABLE UNDER FEDERAL LAW.
THE STATE OF TEXAS
COUNTY OF HARRIS

THIS COPY OF THIS INSTRUMENT WAS FILED IN THE PUBLIC RECORDS OF REAL PROPERTY OF HARRIS
COUNTY, TEXAS, AND WAS RECORDED IN THE PUBLIC RECORDS OF REAL PROPERTY OF HARRIS
COUNTY, TEXAS ON

MAY - 6 2009



Beverly L. Kaufman
COUNTY CLERK
HARRIS COUNTY, TEXAS