

UNITED STATES BANKRUPTCY COURT FOR THE NORTHERN DISTRICT OF TEXAS		PROOF OF CLAIM
Name of Debtor: (Check Only One): <input checked="" type="checkbox"/> Opus West Corporation <input 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. § 503.		
Name of Creditor (the person or other entity to whom the debtor owes money or property): GLENN FREY 2209 W. BONANZA LANE PHOENIX, AZ 85085		<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: GLENN FREY 2209 W. BONANZA LN. PHOENIX, AZ 85085 Telephone number: 623-587-1499 Email Address: GLENN.FREY@COX.NET		<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): OCT 02 2009 BMC GROUP Telephone number: 623-587-1499		
1. Amount of Claim as of Date Case Filed: \$ 9,494.50 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 checked="" 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: \$9,494.50
2. Basis for Claim: SERVICES PERFORMED (See instruction #2 on reverse side.)		
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: 9-29-09	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. GLENN FREY (FORMER EMPLOYEE)	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)



Opus West Construction Corporation
Year End Incentive Worksheet

Location: Phoenix
Title: SPM

glenn frey

Incentive Target:		\$ 15,000
	<u>weight</u>	<u>factor</u>
Opus West Corporation vs. Business Plan	25%	TBD
OWCC regional net revenue vs. plan	25%	104%
Safety Accountability Program	5%	110%
Individual Performance Modifier	45%	100%
Incentive Total:		\$ 11,489
Other:		\$ -
Total		\$ 11,489

DUE FULL AMOUNT OF OPUS WEST CORP VS. BUSINESS PLAN. FACTORED @ 100%. THIS WOULD EQUAL AN ADDITIONAL \$ 3,750.00

DUE 2ND HALF OF 2008 INCENTIVE, COMPENSATION TOTAL. \$ 5,744.50

Please contact your local Sr. Director or VP of Construction with any questions. 2008 ROE calculations for Opus West Corporation are not yet finalized. As a result, ROE related amounts are not currently included in above.

↑
REFERS TO "OPUS WEST CORPORATION VS. BUSINESS PLAN" LINE ITEM.



THE OPUS GROUP
ARCHITECTS
CONTRACTORS
DEVELOPERS

2

OPUS WEST CORPORATION
A member of The Opus Group

2555 East Camelback Road, Suite 800 • Phoenix, AZ 85016

Phone: 602-468-7000 • Fax: 602-468-7000

www.opuscorp.com

Memorandum

To: Opus West Employees
From: Tom Roberts
Date: March 10, 2009
Re: 2008 Incentive Compensation

Attached is the summary of your 2008 Incentive Compensation.

The ROE and bottom line portions of your Incentive Compensation will be delayed until finalization of the 2008 Audit. In addition, fifty percent (50%) of the Subjective portion will be paid in cash on March 13, 2009, with the balance being delayed due to Company cash flow. This will apply to both existing and laid off employees.

Opus is committed to making all payments due to employees. Our goal is to have all payments made by year-end 2009.

Thank you for your patience and understanding.

Frey, Glenn
2209 W Bonanza Lane
Phoenix, AZ 85085

Opus West Construction Corp
2555 East Camelback Road
Suite 800
Phoenix AZ 85016

Earnings Statement

Pay Period: 3/1/2009 to 3/15/2009
Route: I-ONLINE Pay Date: 3/13/2009

Employee# 1047315
Frey, Glenn
2209 W Bonanza Lane
Phoenix, AZ 85085

Earnings	Hours	Rate	This Period	Year to Date	Deductions -		This Period	Year to Date
					Statutory and Other			
Regular Pay				15,435.85	Gross Wages		5744.50	23,328.56
PTO Taken				1,230.80	FIT		1436.13	3,490.30
Incen-NonDis			5,744.50	5,744.50	FICA-EE		356.16	1,446.84
GTL				7.50	Medi - EE		83.29	338.37
MedSal Waive				181.25	AZ SIT		359.03	872.57
Auto Allow				275.00	EE Sup Lif-S		0.00	104.00
Auto Expense				461.16	SpLife		0.00	32.50
					401k		0.00	1,666.65
							0.00	
				<u>Total Gross Pay</u>			<u>Total Deductions</u>	<u>2,234.61</u>
				<u>PTO Balance:</u>	<u>132.00 hrs</u>		<u>* Net Pay</u>	<u>3,509.89</u>

↑
REFLECTS THE
ONE AND ONLY
PAYMENT TOWARDS
MY INCENTIVE COMPENSATION
EARNED IN 2008.



Opus West Construction Corp
2555 East Camelback Road
Suite 800
Phoenix AZ 85016

Payment Distribution	Advice/Check #	Bank Name	Account #	Transit #	Amount
Auto Deposit	33905	BANK OF AMERICA-AZ	XXXXXX5112	122101706	3,509.89

Mail To: Frey, Glenn
2209 W Bonanza Lane
Phoenix, AZ 85085

Non-Negotiable

September 10, 2009

Glenn Frey
2209 W. Bonanza Lane
Phoenix, AZ 85085


Re: Proof of Claim Summary

Dear Court, Judge, or Governing Authority:

I am submitting a Proof of Claim for the unpaid balance of my 2008 Incentive Compensation. This compensation is owed to me by one or more of the following: Opus West LP, Opus West Corporation, Opus West Construction Corporation, O.W. Commercial, Inc., and Opus West Partners, Inc. This is not meant to be an all inclusive list, and if another entity is deemed to be responsible for the debt they shall still be held liable.

I have included documentation which reflects what was paid out so far vs. what is still owed to me. There is an outstanding balance of \$5,744.50 due to me from the partial 'Incentive Calculation' that was paid in March. (This was based off of the \$11,489.00 Total, and the fact that I was only paid out 50% or \$5,744.50 of that total.) There is also the 'Opus West Corporation vs. Business Plan' portion of the Incentive Compensation that was not yet calculated. Based upon a 100% factor the dollar amount owed would be \$3,750.00. (This could be factored up or down slightly depending on the actual numbers.) We were told that these numbers were not available yet in March, and we were never given any data on the actual numbers. That would put the combined total currently owed to me at \$9,494.50.

Thank you for your attention in this matter and I look forward to hearing from you in the future. If you have any questions, please do not hesitate to contact me.

Sincerely,

Glenn Frey

Phone (623) 587-1499
Cell (602) 909-4970
E-mail glennfrey@cox.net