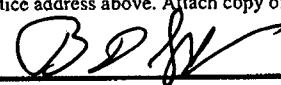



UNITED STATES BANKRUPTCY COURT FOR THE NORTHERN DISTRICT OF TEXAS		PROOF OF CLAIM
Name of Debtor: (Check Only One): <input type="checkbox"/> Opus West Corporation <input checked="" type="checkbox"/> Opus West Construction Corporation <input type="checkbox"/> O.W. Commercial, Inc. <input type="checkbox"/> Opus West LP <input type="checkbox"/> Opus West Partners, Inc.		Case Number: 09-34360
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.		
Name of Creditor (the person or other entity to whom the debtor owes money or property): KONE Inc.		<div style="text-align: center; font-size: 1.2em; font-weight: bold;"> RECEIVED NOV 02 2009 BMC GROUP </div> <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: 4225 Naperville Road #400 Lisle IL 60532 Attn: Brian Stell Telephone number: Email Address:		<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): Same Telephone number:		
1. Amount of Claim as of Date Case Filed: \$ <u>352,980.91</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: <div style="text-align: right;">\$</div>
2. Basis for Claim: <u>goods sold / services performed</u> (See instruction #2 on reverse side.)		
3. Last four digits of any number by which creditor identifies debtor: <u>0453</u> 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: 10-29-09	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. <div style="text-align: center;">  Brian D Stell Credit Mgr. </div>	
		FOR COURT USE ONLY <div style="text-align: center;">  OPUS WEST 00349 </div>

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)

ACCOUNT STATEMENT



REMIT TO: KONE INC.
PO Box 429
Moline, IL 61266-0429

OPUS WEST CONSTRUCTION CORP
15455 N DALLAS PKWY STE 450
ADDISON TX 75001

KONE Inc.
Accts Rec Bankruptcy
One KONE Court
Moline IL 61265
Phone: 309-743-5170
Fax: 309-743-5671
<http://www.us.kone.com>

October 29, 2009

Account: 218730

Open item list as of 10/29/2009

Doc. Type	Document Number	Ref Number	Allocation Number	Document Date	Amount	Your PO No. Credit Memo No. Your Check No.
INV	14131996	14131996	14131996	06/12/2008	\$ 78,128.62	HILL COUNTRY
INV	14137799	14137799	14137799	09/22/2008	\$ 6,124.00	HILL COUNTRY
INV	17835162	17835162	17835162	06/10/2008	\$ 9,904.88	MKO
Total of Past Due Items:					\$ 94,157.50	USD
Total Account Balance:					\$ 94,157.50	USD

INVOICE

Invoice number: 17835162 Invoice Date: 06/10/2008 Customer PO No: MKO KONE Order No: 340100955 Service Order: 320105320 Date work performed: 06/10/2008	Area Office: <u>KONE Inc., Federal</u> DALLAS - 400 36 2357423 801 Hammond Ste 400 COPPELL TX 75019 Ph: 469-549-0581 Fax: 469-549-0594
Bill To: OPUS WEST CONSTRUCTION CORP 15455 N DALLAS PKWY STE 450 ADDISON TX 75001 USA	Location/Project: OPUS CORPORATE CENTER 2101 JOHN CARPENTER FRWY IRVING TX 75038 USA
Payment Terms: Current month + 20 days	

FURNISH & INSTALL ALL THE NECESSARY LABOR, MATERIALS, TOOLS & SUPERVISION TO PERFORM THE FOLLOWING WORK ON THE #1 & #2 ELEVATORS LOCATED AT OPUS CORPORATE CENTER:

-THIS IS FOR THE LABOR & MATERIALS REQUIRED TO COUNTER-BALANCE ELEVATORS #1 & #2. COUNTER-BALANCING REQUIRED DUE TO THE ADDITIONAL WEIGHT ADDED TO EACH CAB'S INTERIORS BY OWNER

Contract Price	\$	9,150.00
Previously Invoiced Amount	\$	0.00
Current Billing Amount	\$	9,150.00
State Tax	\$	571.88
City Tax	\$	183.00
Total Invoice Amount	\$	9,904.88

Invoices not paid within 30 days are subject to a service charge of 1.5% per month, or the maximum permitted by law

Please return this portion with your payment

PAYMENT ADVICE

We also accept VISA/Mastercard or EFT payments

Payer: OPUS WEST CONSTRUCTION CORP 15455 N DALLAS PKWY STE 450 ADDISON TX 75001 USA	Invoice number: 17835162 Invoice Date: 06/10/2008 Customer Number: 218730 KONE Order No: 340100955 Area Office No: U400 Billing Type: YTBF
Remit to: KONE Inc. P. O. BOX 429 MOLINE, IL 61266-0429	<i>Use this address for payments only. Direct calls and area correspondence to our area office above.</i>
Amount paid if different than invoice amount: \$ INVOICE AMOUNT: \$ 9,904.88	

001783516200009904881

INVOICE

Page 1 of 1

Invoice number: 14131996 Invoice Date: 6/12/2008 Customer PO Number: KONE Order No: 6013266 Billing Type: YPB Date work performed: 6/30/2008	Area Office: <u>KONE Inc., Federal Tax</u> 2101 East St Elmo Bldg 3 Ste 315 36 2357423 Austin TX 78744 PH: 512-443-0967 FAX: 512-443-0975
Bill To: OPUS WEST CONSTRUCTION CORP 15455 N DALLAS PRWY STE 450 ADDISON TX 75001 USA USA	Location/Project HILL COUNTRY GALLERIA 4005 FM 620 SOUTH BEE CAVE TX 78738 USA

Payment Terms: Net 30	
---------------------------------	--

NEB/TRB	
Current Contract Price:	\$781,285.99
100% Billing	\$781,285.99
Less net Amount previously billed	\$703,157.39
Amount due (Retention withheld)	\$78,128.60
Sales Tax	
Total amount with Sales Tax	\$78,128.60
<small>Invoices not paid within 30 days are subject to a service charge of 1.5% per month, or the maximum permitted by law.</small>	

Please return this portion with your payment

PAYMENT ADVICE

We also accept VISA/Mastercard or EFT payments

Payer: OPUS WEST CONSTRUCTION CORP 15455 N DALLAS PRWY STE 450 ADDISON TX 75001 USA	Invoice number: 14131996 Invoice Date: 6/12/2008 Customer Number: 218730 KONE Order No: 6013266 Area Office No: US10 Billing Type: YRET
Remit to: KONE Inc. P.O. BOX 429 MOLINE IL 61266-0429	Amount paid if different than invoice amount: INVOICE AMOUNT: \$78,128.60

Exhibit "A"

INVOICE

Page 1 of 1

Invoice number: 14137799 Invoice Date: 9/22/2008 Customer PO Number: HILL COUNTRY KONE Order No: 6013266 Billing Type: YPB Date work performed: 09/31/08	Area Office: KONE Inc. Federal Tax 2101 East St Elmo Bldg 3 Ste 315 36 2357423 Austin TX 78744 PH: 512-443-0967 FAX: 512-443-0975														
Bill To: OPUS WEST CONSTRUCTION CORP ATTN: Krista Mayes 101 EAST OLD SETTLERS BLVD STE 230 ROUND ROCK TX 78684 USA	Location/Project HILL COUNTRY GALLERIA 4005 FM 620 SOUTH BEE CAVE TX 78738 USA														
Payment Terms: Net 30															
<p>NEB/TRB</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">Current Contract Price:</td> <td style="text-align: right;">\$787,409.99</td> </tr> <tr> <td>Partial Billing</td> <td style="text-align: right;">\$787,409.99</td> </tr> <tr> <td></td> <td style="text-align: right;">\$787,409.99</td> </tr> <tr> <td style="padding-left: 20px;">Less net Amount previously billed</td> <td style="text-align: right;">\$781,285.99</td> </tr> <tr> <td style="padding-left: 20px;">Net amount of this Partial Billing</td> <td style="text-align: right;">\$6,124.00</td> </tr> <tr> <td style="padding-left: 20px;">Sales Tax</td> <td></td> </tr> <tr> <td>Total amount with Sales Tax</td> <td style="text-align: right;">\$6,124.00</td> </tr> </table> <p><small>Invoices not paid within 30 days are subject to a service charge of 1.2% per month, or the maximum permitted by law.</small></p>		Current Contract Price:	\$787,409.99	Partial Billing	\$787,409.99		\$787,409.99	Less net Amount previously billed	\$781,285.99	Net amount of this Partial Billing	\$6,124.00	Sales Tax		Total amount with Sales Tax	\$6,124.00
Current Contract Price:	\$787,409.99														
Partial Billing	\$787,409.99														
	\$787,409.99														
Less net Amount previously billed	\$781,285.99														
Net amount of this Partial Billing	\$6,124.00														
Sales Tax															
Total amount with Sales Tax	\$6,124.00														

Please return this portion with your payment

PAYMENT ADVICE

We also accept VISA/Mastercard or EFT payments

Payer: OPUS WEST CONSTRUCTION CORP ATTN: Krista Mayes 101 EAST OLD SETTLERS BLVD STE 230 USA	Invoice number: 14137799 Invoice Date: 9/22/2008 Customer Number: 218730 KONE Order No: 6013266 Area Office No: US10 Billing Type: YPB
Remit to: KONE Inc. P.O. BOX 429 MOLINE IL 61266-0429	<p><i>Use this address for payments only. Direct care and area correspondence to our Area office above.</i></p> <p>Amount paid if different than Invoice amount: INVOICE AMOUNT: \$6,124.00</p>

JR/JK
R



Hill Country Galleria / 97337.00
SSV /Elevators
Kone / Kristie McFarling
Contact Phone # 512-443-0967 x201
Contact Fax # 512-443-0975
Payment Terms: Standard


SUBCONTRACT AGREEMENT (Labor and Materials)

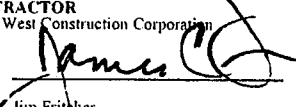
This Subcontract Agreement ("Subcontract") is made as of this 28th day of June, 2006, by and between Opus West Construction Corporation ("Contractor"), with its office located at 15455 N. Dallas Parkway - Suite 450, Addison, TX 75001, and Kone ("Subcontractor") with its office located at 2101 E. St. Elmo, Bldg. 3, Suite 315, Austin, TX 78744.

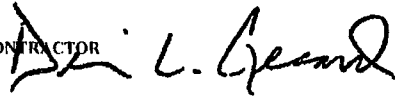
Contractor and Subcontractor agree as follows:

- Subcontract Documents. The term "Subcontract Documents" is defined in Paragraph 1 of the attached Rider "A".
- Project. Contractor is providing design and construction-related services to Owner (defined below) in connection with the project generally described as Hill Country Galleria ("Project"), located at 4005 FM 620 S, Bee Cave, TX 78738 ("Project Site"), and consisting of the total work provided by Contractor under contract documents between Owner and Contractor.
- Owner. The Owner of the Project is Hill Country Galleria, LP ("Owner").
- Architect/Engineer. The architect and engineers ("Architect/Engineer") of record for the Project are:
Architect of Record: Opus Architects & Engineers
Civil Engineer: Garrett-Ilnen
- Scope of Work. Subcontractor's scope of work for the Project is described in Paragraph 1 of the attached Rider "A" and is defined therein as the Work.
- Schedule. Time is of the essence. Accordingly, all time limits and requirements for completion set forth in the Subcontract Documents, including any intermediate milestones (collectively referred to in the Subcontract Documents as the "Schedule"), are of the essence of this Subcontract. Subcontractor shall begin its Work as soon as the Project is ready for the Work or within three (3) calendar days after being notified orally or in writing to proceed by Contractor. The Substantial Completion of the Work (defined in the General Conditions of Subcontract) shall be achieved as required by job progress, so as to allow the entire Project to be substantially completed on or before 09/12/2007. Subcontractor shall conform to all progress and schedule requirements of the Subcontract Documents and as directed by Contractor's project manager, and must achieve the milestones (if any) as described in the attached Rider "A".
- Subcontract Sum. Contractor shall pay Subcontractor the sum of \$ 716,200.00 ("Subcontract Sum"). The Subcontract Sum includes freight and delivery charges and all applicable state and local taxes including sales and use tax, and if required by law, these taxes must be separately stated on any payment applications, invoices or similar documents delivered by Subcontractor to Contractor for completion of the Work in accordance with the terms and conditions of the Subcontract Documents. A breakdown of the components of the Subcontract Sum is set forth in the attached Rider "A".
- Riders. The following Riders are attached to and made a part of this Subcontract:
8.1 Rider A (Scope of Work)
8.2 Rider B (Indemnification)
8.3 Rider C (Insurance)

Contractor and Subcontractor sign as follows:

Approved by Contractor's project manager 
Paul Lembke

CONTRACTOR
OPUS West Construction Corporation
By: 
Jim Fritcher
(Print Name)
Senior Vice President Construction
(Title)
2/1/07
(Date)

SUBCONTRACTOR
Kone 
By: DENNIS GERARD
Sr VP New Equipment Business
(Title)
1-22-2007
(Date)
KONE # 6013266

W

ACCOUNT STATEMENT



REMIT TO: KONE INC.
PO Box 429
Moline, IL 61266-0429

OPUS WEST MGMT CORP
15455 N DALLAS PWY STE 450
ADDISON TX 75001

KONE Inc.
Accts Rec Bankruptcy
One KONE Court
Moline IL 61265
Phone: 309-743-5170
Fax: 309-743-5671
<http://www.us.kone.com>

October 29, 2009

Account: 220453

Open item list as of 10/29/2009

Doc. Type	Document Number	Ref Number	Allocation Number	Document Date	Amount	Your PO No. Credit Memo No. Your Check No.
INV	14142902	14142902	14142902	12/22/2008	\$ 59,805.49	Two Addison Circle
PYMT	14142902	116517	14142902	03/10/2009	\$ 40,801.09-	
INV	14147394	14147394	14147394	03/19/2009	\$ 34,112.70	Two Addison Circle
INV	14149544	14149544	14149544	04/30/2009	\$ 13,438.81	Two Addison Circle
INV	14152594	14152594	14152594	06/24/2009	\$ 85,575.79	Two Addison Circle
INV	14148670	14148670	14148670	04/14/2009	\$ 82,647.40	ENERGY CROSSING
INV	14149086	14149086	14149086	04/21/2009	\$ 1,700.00	ENERGY CROSSING
INV	14145833	14145833	14145833	02/18/2009	\$ 34,078.06	ENERGY CROSSING
PYMT	14145833	520000026	14145833	06/11/2009	\$ 11,733.75-	
Total of Past Due Items:					\$ 258,823.41	USD
Total Account Balance:					\$ 258,823.41	USD

Exhibit "A"

INVOICE

Page 1 of 1

Invoice number: 14145833	Area Office: KONE Inc. Federal Tax
Invoice Date: 2/18/2009	4807 World Houston Pkwy Ste 160 36 2357423
Customer PO Number:	Houston, TX 77032
KONE Order No: 6016402	PH: 281-442-8619
Billing Type: YPB	FAX: 281-442-8457
Date work performed: 2/28/2009	
Bill To: OPUS WEST MGMT CORP 15455 N DALLAS FWY STE 450 ADDISON TX 75001	Location/Project: ENERGY CROSSING 15021 KATY FWY HOUSTON TX 77094 USA
Payment Terms: Net 30	
NEB/TRB	
Current Contract Price:	\$826,474.00
Partial Billing	\$826,474.00
Less 10% retention	\$82,647.40
	\$743,826.60
Less net Amount previously billed	\$709,748.55
Net amount of this Partial Billing	\$34,078.05
Sales Tax	
Total amount with Sales Tax	\$34,078.05
<i>Invoices not paid within 30 days are subject to a service charge of 1.5% per month, or the maximum permitted by law.</i>	

REF 06-9-55-1967

Please return this portion with your payment

PAYMENT ADVICE

We also accept VISA/Mastercard or EFT payments

Payer: OPUS WEST MGMT CORP 15455 N DALLAS FWY STE 450 ADDISON TX 75001	Invoice number: 14145833
USA	Invoice Date: 2/18/2009
	Customer Number: 220453
	KONE Order No: 6016402
	Area Office No: U370
	Billing Type: YPB
Remit to: KONE Inc. P.O. BOX 429 MOLINE IL 61268-0429	Amount paid if different than invoice amount: INVOICE AMOUNT: \$34,078.05
<small>Use this address for payments only. Direct calls and area charges pertain to our main office above.</small>	

INVOICE

Page 1 of 1

Invoice number: 14148670 Invoice Date: 4/14/2009 Customer PO Number: KONE Order No: 6016402 Billing Type: YPB Date work performed: 4/30/2009		Area Office: <u>KONE Inc., Federal Tax</u> 4807 World Houston Pkwy Ste 150 36 2357423 Houston, TX 77032 PH: 281-442-8819 FAX: 281-442-8457															
Bill To: OPUS WEST MGMT CORP 16465 N DALLAS PWY STE 450 ADDISON TX 75001		Location/Project ENERGY CROSSING 15021 KATY FWY HOUSTON TX 77094 USA															
Payment Terms: Net 30																	
<p>NEB/TRB</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">Current Contract Price:</td> <td style="text-align: right;">\$826,474.00</td> </tr> <tr> <td>Partial Billing</td> <td style="text-align: right;">\$826,474.00</td> </tr> <tr> <td></td> <td style="text-align: right;">\$826,474.00</td> </tr> <tr> <td>Less net Amount previously billed</td> <td style="text-align: right;">\$743,826.60</td> </tr> <tr> <td>Net amount of this Partial Billing</td> <td style="text-align: right;">\$82,647.40</td> </tr> <tr> <td>Sales Tax</td> <td></td> </tr> <tr> <td>Total amount with Sales Tax</td> <td style="text-align: right;">\$82,647.40</td> </tr> </table> <p><small>Invoiced not paid within 30 days are subject to a service charge of 1.5% per month, or the maximum permitted by law.</small></p>				Current Contract Price:	\$826,474.00	Partial Billing	\$826,474.00		\$826,474.00	Less net Amount previously billed	\$743,826.60	Net amount of this Partial Billing	\$82,647.40	Sales Tax		Total amount with Sales Tax	\$82,647.40
Current Contract Price:	\$826,474.00																
Partial Billing	\$826,474.00																
	\$826,474.00																
Less net Amount previously billed	\$743,826.60																
Net amount of this Partial Billing	\$82,647.40																
Sales Tax																	
Total amount with Sales Tax	\$82,647.40																

SPECT-SS-190 3E

Please return this portion with your payment

PAYMENT ADVICE

We also accept VISA/Mastercard or EFT payments

Payer: OPUS WEST MGMT CORP 16465 N DALLAS PWY STE 450 ADDISON TX 76001 USA		Invoice number: 14148670 Invoice Date: 4/14/2009 Customer Number: 220453 KONE Order No: 6016402 Area Office No: U370 Billing Type: YPB	
Remit to: KONE Inc. P.O. BOX 429 MOLINE IL 61266-0429		Use this address for payments only. Direct bills and area correspondence to our Area Office above. Amount paid if different than invoice amount: INVOICE AMOUNT: \$82,647.40	

INVOICE

Page 1 of 1

Invoice number: 14149086	Area Office: KONE Inc., Federal Tax
Invoice Date: 4/21/2009	4807 World Houston Pkwy Ste 150 36 2357423
Customer PO Number:	Houston, TX 77032
KONE Order No: 6016402	PH: 281-442-6619
Billing Type: YPB	FAX: 281-442-8457
Date work performed: 4/30/2009	
Bill To: OPUS WEST MGMT CORP 15455 N DALLAS PWY STE 450 ADDISON TX 75001	Location/Project ENERGY CROSSING 15021 KATY FWY HOUSTON TX 77094 USA
Payment Terms: Net 30	TEMP USE
NEB/TRB	
Current Contract Price:	\$1,700.00
Partial Billing	\$1,700.00
Less net Amount previously billed	\$1,700.00
Net amount of this Partial Billing	\$1,700.00
Sales Tax	
Total amount with Sales Tax	\$1,700.00
<small>Invoices not paid within 30 days are subject to a service charge of 1.5% per month, or the maximum permitted by law.</small>	

REP 06-15-09

Please return this portion with your payment

PAYMENT ADVICE

We also accept VISA/Mastercard or EFT payments

Payer: OPUS WEST MGMT CORP 15455 N DALLAS PWY STE 450 ADDISON TX 75001 USA	Invoice number: 14149086 Invoice Date: 4/21/2009 Customer Number: 220453 KONE Order No: 6016402 Area Office No: U370 Billing Type: YPB
Remit to: KONE Inc. P.O. BOX 429 MOLINE IL 61286-0429	Amount paid if different than invoice amount: INVOICE AMOUNT: \$1,700.00
<small>Use this address for payments only. Direct calls and area correspondence to our area office above.</small>	



Handwritten initials

Energy Crossing Spec Office / 10592.00

110/14200 /Elevators

KONE, Inc. / Dennis Gerard

Contact Phone # 512-443-0967 x201

Contact Fax # 512-443-0975

Payment Terms: Standard

SUBCONTRACT AGREEMENT (Labor and Materials)

This Subcontract Agreement ("Subcontract") is made as of this 20th day of December, 2007, by and between OPUS West Construction Corporation ("Contractor"), with its office located at 15455 N. Dallas Parkway, Suite 450, Addison, TX 75001, and KONE, Inc. ("Subcontractor") with its office located at 2101 E. St. Elmo, Bldg. 3, Ste. 315, Austin, TX 78744

Contractor and Subcontractor agree as follows:

1. Subcontract Documents. The term "Subcontract Documents" is defined in Paragraph 1 of the attached Rider "A".
2. Project. Contractor is providing design and construction-related services to Owner (defined below) in connection with the project generally described as Energy Crossing Spec Office ("Project"), located at 15021 Katy Freeway, Houston, TX 77094 ("Project Site"), and consisting of the total work provided by Contractor under contract documents between Owner and Contractor.
3. Owner. The Owner of the Project is Opus West Corporation ("Owner").
4. Architect/Engineer. The architect and engineers ("Architect/Engineer") of record for the Project are:

Architect of Record:	Opus Architects & Engineers
Civil Engineer:	Kimley-Horn and Associates, Inc.
Geotechnical Engineer:	Terrason Consultants Inc
Structural Engineer of Record:	Opus Architects & Engineers
5. Scope of Work. Subcontractor's scope of work for the Project is described in the attached Rider "A" and is defined therein as the Work.
6. Schedule. Time is of the essence. Accordingly, all time limits and requirements for completion set forth in the Subcontract Documents, including any intermediate milestones (collectively referred to in the Subcontract Documents as the "Schedule"), are of the essence of this Subcontract. Subcontractor shall begin its Work as soon as the Project is ready for the Work or within three (3) calendar days after being notified orally or in writing to proceed by Contractor. The Substantial Completion of the Work (defined in the General Conditions of Subcontract) shall be achieved as required by job progress, so as to allow the entire Project to be substantially completed on or before 10/28/2008. Subcontractor shall conform to all progress and schedule requirements of the Subcontract Documents and as directed by Contractor's project manager, and must achieve the milestones (if any) as described in the attached Rider "A".
7. Subcontract Sum. Contractor shall pay Subcontractor the sum of \$ 605,000.00 ("Subcontract Sum"). The Subcontract Sum includes freight and delivery charges and all applicable state and local taxes including sales and use tax, and if required by law, these taxes must be separately stated on any payment applications, invoices or similar documents delivered by Subcontractor to Contractor for completion of the Work in accordance with the terms and conditions of the Subcontract Documents. A breakdown of the components of the Subcontract Sum is set forth in the attached Rider "A".
8. Riders. The following Riders are attached to and made a part of this Subcontract:
 - 8.1 Rider A (Scope of Work)
 - 8.2 Rider B (Indemnification)
 - 8.3 Rider C (Insurance)

Contractor and Subcontractor sign as follows:

Approved by Contractor's project manager: *Monck' Smith*
Monck' Smith

CONTRACTOR
Opus West Construction Corporation

By: *[Signature]*
Paul Lembke
(Print Name)

Vice President of Construction, Texas
(Title)

5/15/08
(Date)

SUBCONTRACTOR
KONE, Inc.

By: *[Signature]*
Dennis Gerard
(Print Name)
Senior Vice President Central Region
(Title)

5/6/08
(Date)
KONE # 6016402



Opus West Construction Corporation
SUBCONTRACT CHANGE ORDER

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Change Order Date: 03/06/2008
Change Order #: 1
To Subcontract Agreement dated: 12/20/2007

Elevators
CON-10592.00-17
110/14200

TO: Kone Inc
2101 E. St. Elmo, Bldg. 3, Ste. 315
Austin, TX 78744

PROJECT: Energy Crossing Spec Office
15021 Katy Freeway
Houston, TX 77094

CHANGE DETAILS

Item	Description	Amount
1	Two (2) EcoSpace Elevators in the Parking Garage - 4 stops each, 150fpm, 2500# each	\$146,000.00
		<u>\$146,000.00</u>

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
10592.10-I10-14200.00-S	\$605,000.00	\$0.00	\$605,000.00
10592.11-I10-14200.00-S	\$0.00	\$146,000.00	\$146,000.00
	<u>\$605,000.00</u>	<u>\$146,000.00</u>	<u>\$751,000.00</u>

Original Contract Amount.....	\$605,000.00
Previously Approved Change Orders.....	\$0.00
Amount this Change Order.....	\$146,000.00
Contract Amount to Date.....	\$751,000.00

ACKNOWLEDGEMENT

Please sign and return all original copies

Kone Inc

Opus West Construction Corporation

Kristie McFarling

Kristie McFarling
Printed Name

5-13-08

Date

[Signature]

Paul Lembke
Printed Name

5/15/08

Date

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

JMF



Opus West Construction Corporation
SUBCONTRACT CHANGE ORDER

Change Order Date: 04/09/2008

Elevators

Change Order #: 2

CON-10592.00-17

To Subcontract Agreement dated: 12/20/2007

110/14200

TO: Kone Inc
2101 E. St. Elmo, Bldg. 3, Ste. 315
Austin, TX 78744

PROJECT: Energy Crossing Spec Office
15021 Katy Freeway
Houston, TX 77094

CHANGE DETAILS

Item	Description	Amount
1	Provide and install all pit ladders	\$4,670.00
		<u>\$4,670.00</u>

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
10592.10-110-14200.00-S	\$605,000.00	\$4,670.00	\$609,670.00
10592.11-110-14200.00-S	\$146,000.00	\$0.00	\$146,000.00
	<u>\$751,000.00</u>	<u>\$4,670.00</u>	<u>\$755,670.00</u>

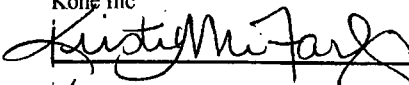
Original Contract Amount.....	\$605,000.00
Previously Approved Change Orders.....	\$146,000.00
Amount this Change Order.....	\$4,670.00
Contract Amount to Date.....	\$755,670.00

ACKNOWLEDGEMENT


Please sign and return all original copies

Kone Inc

Opus West Construction Corporation



 Kristie McFarling
 Printed Name



 Paul Lembke
 Printed Name

5-13-08

 Date

5/15/08

 Date

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

INVOICE

Invoice number: 14142902 Invoice Date: 12/22/08 Customer PO Number: KONE Order No: 6016374 Billing Type: YPB Date work performed: 12/31/08	Area Office: KONE Inc., Federal Tax 801 Hammond Ste 400 Coppell TX 75201 PH: 469-549-0581 FAX: 469-549-0594 36 2357423																
Bill To: OPUS WEST MGMT CORP 15455 N DALLAS PWY STE 450 ADDISON TX 75001 USA	Location/Project TWO ADDISON CIRCLE 15725 DALLAS PWY ADDISON TX 75001 USA																
Payment Terms: Net 30																	
NEB/TRB <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 40%;">Current Contract Price:</td> <td style="text-align: right;">\$840,826.00</td> </tr> <tr> <td>Partial Billing</td> <td style="text-align: right;">\$802,923.00</td> </tr> <tr> <td style="padding-left: 20px;">Less 10% Retention</td> <td style="text-align: right;">\$80,292.29</td> </tr> <tr> <td></td> <td style="text-align: right;">\$722,630.71</td> </tr> <tr> <td style="padding-left: 20px;">Less net Amount previously billed</td> <td style="text-align: right;">\$662,825.22</td> </tr> <tr> <td style="padding-left: 20px;">Net amount of this Partial Billing</td> <td style="text-align: right;">\$59,805.49</td> </tr> <tr> <td style="padding-left: 20px;">Sales Tax</td> <td></td> </tr> <tr> <td>Total amount with Sales Tax</td> <td style="text-align: right;">\$59,805.49</td> </tr> </table> <p style="font-size: small; margin-top: 10px;"><i>Invoices not paid within 30 days are subject to a service charge of 1.5% per month, or the maximum permitted by law.</i></p>		Current Contract Price:	\$840,826.00	Partial Billing	\$802,923.00	Less 10% Retention	\$80,292.29		\$722,630.71	Less net Amount previously billed	\$662,825.22	Net amount of this Partial Billing	\$59,805.49	Sales Tax		Total amount with Sales Tax	\$59,805.49
Current Contract Price:	\$840,826.00																
Partial Billing	\$802,923.00																
Less 10% Retention	\$80,292.29																
	\$722,630.71																
Less net Amount previously billed	\$662,825.22																
Net amount of this Partial Billing	\$59,805.49																
Sales Tax																	
Total amount with Sales Tax	\$59,805.49																

Please return this portion with your payment

PAYMENT ADVICE

We also accept VISA/Mastercard or EFT payments

Payer: OPUS WEST MGMT CORP 15455 N DALLAS PWY STE 450 ADDISON TX 75001	Invoice number: 14142902 Invoice Date: 12/22/08 Customer Number: 220453 KONE Order No: 6016374 Area Office No: U400 Billing Type: YPB
Remit to: KONE Inc. P.O. BOX 429 MOLINE IL 61266-0429	<i>Use this address for payments only Direct calls and area correspondence to our area office above.</i> Amount paid if different than invoice amount: INVOICE AMOUNT: \$59,805.49

INVOICE

Invoice number: 14147394	Area Office: KONE Inc., Federal
Invoice Date: 03/19/2009	DALLAS - 400 36 2357423
Customer PO Number: Two Addison Circle	801 Hammond Ste 400
KONE Order No: 6016374	COPPELL TX 75019
Billing Type: YPB	Ph: 469-549-0581
Work Progress up to: 03/31/2009	Fax: 469-549-0594
Bill To: OPUS WEST MGMT CORP 15455 N DALLAS PWY STE 450 ADDISON TX 75001 USA	Location/Project: TWO ADDISON CIRCLE 15725 DALLAS PWY ADDISON TX 75001 USA
Payment Terms: Current Month + 20 Days	

NEB/TRB

Current Contract Price:	\$	855,758.01
Partial billing	\$	840,826.00
Less 10.0% Retention		84,082.59
		756,743.41
Less net Amount previously billed		722,630.71
Net amount of this Partial Billing	\$	34,112.70
Sales Tax		0.00
Total amount with Sales Tax	\$	34,112.70

Invoices not paid within 30 days are subject to a service charge of 1.5% per month, or the maximum permitted by law

Please return this portion with your payment

PAYMENT ADVICE

We also accept VISA/Mastercard or EFT payments

Payer: OPUS WEST MGMT CORP 15455 N DALLAS PWY STE 450 ADDISON TX 75001 USA	Invoice number: 14147394
	Invoice Date: 03/19/2009
	Customer Number: 220453
	KONE Order No: 6016374
	Area Office No: U400
	Billing Type: YPB
Remit to: KONE Inc. P. O. BOX 429 MOLINE, IL 61266-0429	Amount paid if different than invoice amount: \$
<i>Use this address for payments only. Direct calls and area correspondence to our area office above.</i>	INVOICE AMOUNT: \$ 34,112.70

001414739400034112707

INVOICE

Invoice number: 14149544 Invoice Date: 5/4/2009 Customer PO Number: KONE Order No: 6016374 Billing Type: YPB Date work performed: 5/31/2009	Area Office: <u>KONE Inc., Federal Tax</u> 801 Hammond Ste 400 36 2357423 Coppell TX 75201 PH: 469-549-0581 FAX: 469-549-0594
Bill To: OPUS WEST MGMT CORP 15455 N DALLAS PWY STE 450 ADDISON TX 75001 USA	Location/Project TWO ADDISON CIRCLE 15725 DALLAS PWY ADDISON TX 75001 USA
Payment Terms: Net 30	
NEB/TRB	
Current Contract Price: \$855,758.00	
Partial Billing	\$855,758.00
Less 10% Retention	\$85,575.80
	\$770,182.20
Less net Amount previously billed	\$756,743.40
Net amount of this Partial Billing	\$13,438.80
Sales Tax	
Total amount with Sales Tax	\$13,438.80
<i>Invoices not paid within 30 days are subject to a service charge of 1.5% per month, or the maximum permitted by law.</i>	

Please return this portion with your payment

PAYMENT ADVICE

We also accept VISA/Mastercard or EFT payments

Payer: OPUS WEST MGMT CORP 15455 N DALLAS PWY STE 450 ADDISON TX 75001	Invoice number: 14149544 Invoice Date: 5/4/2009 Customer Number: 220453 KONE Order No: 6016374 Area Office No: U400 Billing Type: YPB
Remit to: KONE Inc. P.O. BOX 429 MOLINE IL 61266-0429	Amount paid if different than invoice amount: INVOICE AMOUNT: \$13,438.80

*Use this address for payments only
Direct calls and area correspondence to our area office above.*

INVOICE

Invoice number: 14152594 Invoice Date: 6/24/2009 Customer PO Number: KONE Order No: 6016374 Billing Type: YRET Date work performed: 6/30/2009	Area Office: <u>KONE Inc., Federal Tax</u> 801 Hammond Ste 400 Coppell TX 75201 PH: 469-549-0581 FAX: 469-549-0594 36 2357423
Bill To: OPUS WEST MGMT CORP 15455 N DALLAS PWY STE 450 ADDISON TX 75001	Location/Project TWO ADDISON CIRCLE 15725 DALLAS PWY ADDISON TX 75001 USA
Payment Terms: Current Month	
NEB/TRB Current Contract Price: \$855,758.00 100% Billing \$855,758.00 Less net Amount previously billed \$770,182.20 Amount due (Retention withheld) \$85,575.80 Sales Tax Total amount with Sales Tax \$85,575.80 <i>Invoices not paid within 30 days are subject to a service charge of 1.5% per month, or the maximum permitted by law.</i>	

Please return this portion with your payment

PAYMENT ADVICE

We also accept VISA/Mastercard or EFT payments

Payer: OPUS WEST MGMT CORP 15455 N DALLAS PWY STE 450 ADDISON TX 75001	Invoice number: 14152594 Invoice Date: 6/24/2009 Customer Number: 220453 KONE Order No: 6016374 Area Office No: U400 Billing Type: YRET
Remit to: KONE Inc. P.O. BOX 429 MOLINE IL 61266-0429 <i>Use this address for payments only. Direct calls and area correspondence to our area office above.</i>	Amount paid if different than invoice amount: INVOICE AMOUNT: \$85,575.80



Two Addison Circle Spec Office / 10593.00

110/14200 /Elevators

Kone Inc / Sarah Crichton

Contact Phone # 469-549-0581

Contact Fax # 469-549-0594

Payment Terms: Standard

SUBCONTRACT AGREEMENT (Labor and Materials)

This Subcontract Agreement ("Subcontract") is made as of this 25th day of June, 2008, by and between **OPUS West Construction Corporation** ("Contractor"), with its office located at 15455 N Dallas Parkway - Suite 450, Addison, TX 75001, and **Kone Inc** ("Subcontractor") with its office located at 801 Hammond Street, Ste 400, Coppell, TX 75019.

Contractor and Subcontractor agree as follows:

1. **Subcontract Documents.** The term "Subcontract Documents" is defined in Paragraph 1 of the attached Rider "A"
2. **Project.** Contractor is providing design and construction-related services to Owner (defined below) in connection with the project generally described as Two Addison Circle Spec Office ("Project"), located at 15725 North Dallas Parkway, Addison, TX 75001 ("Project Site"), and consisting of the total work provided by Contractor under contract documents between Owner and Contractor.
3. **Owner.** The Owner of the Project is Opus West Corporation ("Owner")
4. **Architect/Engineer.** The architect and engineers ("Architect/Engineer") of record for the Project are:

Architect of Record:	Opus Architects & Engineers, Inc.
Civil Engineer:	Pacheco Koch Consulting Engineers
Geotechnical Engineer:	Reed Engineering Group Inc
Structural Engineer of Record:	Opus Architects & Engineers, Inc.
5. **Scope of Work.** Subcontractor's scope of work for the Project is described in the attached Rider "A" and is defined therein as the Work.
6. **Schedule.** Time is of the essence. Accordingly, all time limits and requirements for completion set forth in the Subcontract Documents, including any intermediate milestones (collectively referred to in the Subcontract Documents as the "Schedule"), are of the essence of this Subcontract. Subcontractor shall begin its Work as soon as the Project is ready for the Work or within three (3) calendar days after being notified orally or in writing to proceed by Contractor. The Substantial Completion of the Work (defined in the General Conditions of Subcontract) shall be achieved as required by job progress, so as to allow the entire Project to be substantially completed on or before 1/07/2008. Subcontractor shall conform to all progress and schedule requirements of the Subcontract Documents and as directed by Contractor's project manager, and must achieve the milestones (if any) as described in the attached Rider "A".
7. **Subcontract Sum.** Contractor shall pay Subcontractor the sum of \$ 795,469.00 ("Subcontract Sum"). The Subcontract Sum includes freight and delivery charges and all applicable state and local taxes including sales and use tax, and if required by law, these taxes must be separately stated on any payment applications, invoices or similar documents delivered by Subcontractor to Contractor for completion of the Work in accordance with the terms and conditions of the Subcontract Documents. A breakdown of the components of the Subcontract Sum is set forth in the attached Rider "A"
8. **Riders.** The following Riders are attached to and made a part of this Subcontract
 - 8.1 Rider A (Scope of Work)
 - 8.2 Rider B (Indemnification)
 - 8.3 Rider C (Insurance)

Contractor and Subcontractor sign as follows:

Approved by Contractor's project manager Brian Dotolo

CONTRACTOR
Opus West Construction Corporation

By Paul Cumbke

(Print Name)

Vice President of Construction, Texas

(Title)

(Date) 7/24/08

SUBCONTRACTOR
Kone Inc

By Dennis Gerard

(Print Name) Dennis Gerard
Senior Vice President Central Region

(Title) 7/24/08 KONE #6016374

(Date)