

<b>UNITED STATES BANKRUPTCY COURT FOR THE NORTHERN DISTRICT OF TEXAS</b>		<b>PROOF OF CLAIM</b>
<b>Name of Debtor: (Check Only One):</b> <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.		<b>Case Number:</b>  <div style="font-size: 24pt; text-align: center;">09-34360</div>
<small>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.</small>		
<b>Name of Creditor (the person or other entity to whom the debtor owes money or property):</b>  <div style="font-size: 24pt; text-align: center;">JAMES E. GODWIN</div>		<div style="text-align: center; font-size: 18pt;">RECEIVED</div> <div style="text-align: center; font-size: 18pt;">NOV 06 2009</div> <div style="text-align: center; font-size: 18pt;">BMC GROUP</div> <input type="checkbox"/> Check this box to indicate that this claim amends a previously filed claim.  <b>Court Claim Number:</b> <i>(If known)</i>  <b>Filed on:</b> _____
<b>Name and address where notices should be sent:</b> <div style="text-align: center; font-size: 18pt;">3324 E. MATTHEW DRIVE PHOENIX, AZ 85050</div>		<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.
<b>Telephone number:</b> 602-334-6963 <b>Email Address:</b> jamie.godwin01@gmail.com		
<b>Name and address where payment should be sent (if different from above):</b>  <div style="text-align: center; font-size: 18pt;">SAME AS ABOVE</div>		
<b>Telephone number:</b> _____		
<b>1. Amount of Claim as of Date Case Filed:</b> \$ <u>24,102.00</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.		<b>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.</b>  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)( ).  <b>Amount entitled to priority:</b>  <div style="text-align: right; font-size: 18pt;">\$ 10,950.00</div>
<b>2. Basis for Claim:</b> <u>DEFERRED 2008 BONUS PAYMENT &amp; PRIOR YEARS</u> <small>(See instruction #2 on reverse side.)</small>		
<b>3. Last four digits of any number by which creditor identifies debtor:</b> <u>5912</u> <b>3a. Debtor may have scheduled account as:</b> _____ <small>(See instruction §3a on reverse side.)</small>		
<b>4. Secured Claim (See instruction #4 on reverse side.)</b> Check the appropriate box if your claim is secured by a lien on property or a right of setoff and provide the requested information. <b>Nature of property or right of setoff:</b> <input type="checkbox"/> Real Estate <input type="checkbox"/> Motor Vehicle <input type="checkbox"/> Equipment <input type="checkbox"/> Other <b>Value of Property:</b> \$ _____ <b>Annual Interest Rate</b> _____ % <b>Amount of arrearage and other charges as of time case filed included in secured claim, if any:</b> \$ _____ <b>Basis for perfection:</b> _____ <b>Amount Unsecured:</b> \$ _____		
<b>6. Credits:</b> The amount of all payments on this claim has been credited for the purpose of making this proof of claim. <b>7. Documents:</b> 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. <i>(See instruction 7 and definition of "redacted" on reverse side.)</i> <b>DO NOT SEND ORIGINAL DOCUMENTS. ATTACHED DOCUMENTS MAY BE DESTROYED AFTER SCANNING.</b> If the documents are not available, please explain: _____		
<b>Date:</b>  <div style="font-size: 24pt;">11.2.09</div>	<b>Signature:</b> 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="font-size: 24pt; text-align: center;"> <span style="font-size: 18pt; vertical-align: middle;">JAMES GODWIN</span> </div>	<div style="text-align: center;"><b>FOR COURT USE ONLY</b></div> <div style="text-align: center;">   <small>00377</small> </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)

Opus West Construction Corporation  
Year End Incentive Worksheet

Location: Phoenix  
Title: V-SDC

jamie godwin

Incentive Target:		\$ 50,000
	<u>weight</u>	<u>factor</u>
Opus West Corporation vs. Business Plan	25%	<del>TBD</del> 0%
OWCC regional net revenue vs. plan	50%	104%
Safety Accountability Program	5%	99%
Individual Performance Modifier	20%	98%
Incentive Total:		\$ 38,329 <i>X</i>
Other:		\$ -
<b>Total</b>		<b>\$ 38,329</b>

*X*  
50% PAID IN  
MARCH 2009  
BALANCE DUE =  
\$ 19,164.50

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.



**2008 Deferred Compensation Statement**

**Non-Officer 80/20 Plan**

**As of June 30, 2009**

Participant Name: Godwin, James E.

Company Name: Opus West Construction Corporation

Account Balance as of 12/31/2008	12,761.49
2008 Vested Interest (if applicable)	1,020.92
2008 Deferral (if applicable)	-
Total Account Balance	<u>13,782.41</u>
3/15/2009 Vested Payment	(3,907.41)
Vested Total Paid at Termination	-
Total Vested Paid Out	<u>(3,907.41)</u>
Vested Balance	-
2009 Interest (if applicable)	-
<b>Net Vested Balance</b>	<u><u>-</u></u>
Unvested Balance	9,875.00
Unvested Total @ 50% (if termed by 6/30/09)	4,937.50
1st Installment Paid at Termination (if applicable)	-
<b>Net Unvested Balance *</b>	<u><u>4,937.50</u></u>

<b><u>Net Account Balance at 6/30/09</u></b>	
Vested	-
Unvested *	<u>4,937.50</u>
Total Balance	<u><u>4,937.50</u></u>

\*If termination date is after 6/30/2009, unvested balance should be reduced by 50% to arrive at actual current unvested balance.

