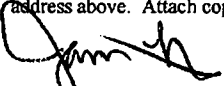



B 10 (Official Form 10) (12/08)

| | | |
|---|--|---|
| UNITED STATES BANKRUPTCY COURT Northern District of Texas | | PROOF OF CLAIM |
| Name of Debtor: Opus West Corporation | | Case Number: 09-34356-hdh11 |
| 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): Denison Glass & Mirror, Inc. | | <input type="checkbox"/> Check this box to indicate that this claim amends a previously filed claim. Court Claim Number: _____ (If known) Filed on: _____ |
| Name and address where notices should be sent: Denison Glass & Mirror, Inc. 5607 Coolwater Cove, Frisco, Texas 75034 Telephone number: (214) 683-1224 | | |
| Name and address where payment should be sent (if different from above): Telephone number: _____ | | <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. |
| 1. Amount of Claim as of Date Case Filed: \$ <u>223,470.00</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. | | 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: \$ _____ *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. |
| 2. Basis for Claim: <u>Goods and Services</u> (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 checked="" type="checkbox"/> Real Estate <input type="checkbox"/> Motor Vehicle <input checked="" type="checkbox"/> Other Describe: 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: <u>Mechanic's Lien</u> Amount of Secured Claim: \$ <u>223,470.00</u> 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 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.) DO NOT SEND ORIGINAL DOCUMENTS. ATTACHED DOCUMENTS MAY BE DESTROYED AFTER SCANNING. If the documents are not available, please explain: | | |
| Date: 11/06/2009 | 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.  James Litzler, Attorney in fact | |
| | | FOR COURT USE ONLY OPUS WEST  00464 |

STATE OF TEXAS *

COUNTY OF DALLAS *

MECHANIC'S AND MATERIALMAN'S LIEN AFFIDAVIT

BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared Mark Gampper, who being by me here and now duly sworn, upon oath says: That the affiant is the President of Denison Glass & Mirror, Inc., hereinafter called "Claimant", and is duly qualified and authorized to make this affidavit, fully cognizant of the facts herein set out and such facts are true and correct:

Claimant has furnished labor and materials to improve the property herein described.

1. Opus West Corporation and/or Opus West, L.P. ("Owner") is the owner or reputed owner of the land herein described and the improvements located thereon. The last known address of Owner is 2555 E. Camelback Road, Suite 800, Phoenix, Arizona 85016.
2. Opus West Construction Corporation ("Contractor") is the original contractor on the project or that portion thereof for which the hereinafter described labor and materials were furnished. The last known address of Contractor is 15455 N. Dallas Parkway, Suite 450, Addison, Texas 75001.
3. Said labor and materials were furnished to Contractor by Claimant pursuant to an agreement between Claimant and Contractor.
4. The labor and materials were furnished for the improvement of real property located in Dallas County, Texas, which real property is described as follows:


Being a tract of land situated in the G.W. Fisher Survey, Abstract No. 482, in the Town of Addison, Dallas County, Texas, and being a portion of two tracts of land described as Tract 4 (15.307 acres) and Tract 5 (0.293 of an acre) in instrument to Gaylord Properties, L.P. as recorded in Volume 97211, Page 01264 of the Deed Records of Dallas County, Texas, and commonly known as 15725 N. Dallas Parkway, Addison, Texas 75001, and being more particularly described on Exhibit "A" attached hereto and incorporated herein by reference.

Also known as the Two Addison Circle Spec. Office located at 15725 North Dallas Parkway, Addison, Texas 75001.

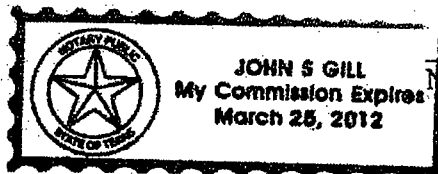
- 5. The Claimant's physical and mailing address is 5607 Coolwater Cove, Frisco, Texas 75034.
- 6. The principal amount of the claim is \$223,470.00, and said amount is just and correct and all just and lawful offsets, payments and credits known to the affiant have been allowed. The labor and materials are described as follows: installation of glass and glazing; fabrication and installation of metal canopies, curtain walls and aluminum doors. The labor and materials, for which payment is requested, were furnished during the month(s) of March, 2009 and retainage.
- 7. Notice(s) of claim were sent to the Owner and Contractor by certified mail, on April 13, 2009.

The purpose of this affidavit is to claim a mechanic's and materialman's lien on the above described land and improvements.

Denison Glass & Mirror, Inc.


 By: Mark Gampper - President

SUBSCRIBED and SWORN to BEFORE ME, by the said Mark Gampper, this 14 day of May, 2009, to certify which witness my hand and seal of office.



Notary Public, State of Texas

RETURN TO:
James W. Litzler
P.O. Box 1416
Sulphur Springs, TX 75483.

EXHIBIT "A"

BEING a tract of land situated in the G.W. Fisher Survey, Abstract No. 482, in the Town of Addison, Dallas County, Texas, and being a portion of two tracts of land described as Tract 4 (15.307 acres) and Tract 5 (0.293 of an acre) in instrument to Gaylord Properties, L.P. as recorded in Volume 97211, Page 01264 of the Deed Records of Dallas County, Texas, and commonly known as 15725 N. Dallas Parkway, Addison, Texas 75001, and being more particularly described as follows:

BEGINNING at a "X" cut found in pavement at the intersection of the west right-of-way of Dallas Parkway (variable width) as evidence by instrument to Gaylord Properties, L.P. (described as Tract 5) as recorded in Volume 97211, Page 01264 of the Deed Records of Dallas County, Texas with the northwesterly right-of-way line of Addison Circle, (109 foot wide right-of-way at this point) as evidenced in plat of Addison Circle Phase II, an addition to the Town of Addison, Texas as recorded in Volume 97217, Page 3056 of the Deed Records of Dallas County, Texas;

THENCE, South 72 degrees 58 minutes 59 seconds West along the northerly right-of-way line of Addison Circle a distance of 247.36 feet to an "X" set in concrete for a corner, said point being the southeast corner of a 1.388 acre tract of land described in instrument to Amicus Partners, Ltd., a Texas limited partnership as recorded in Volume 99195, Page 07791 of the Deed Records of Dallas County, Texas, the same being the southeast corner of Lot 1, Block A of The Ashton, and addition to the Town of Addison, Texas as recorded in Volume 2000036, Page 2913 of the Deed Records of Dallas County, Texas;

THENCE, North 17 degrees 01 minute 01 second West along the easterly line of said 1.388 acre tract and said Lot 1, Block A of The Ashton a distance of 59.32 feet to a 5/8 inch iron rod set with "Huitt-Zollars" cap for a corner;

THENCE, North 58 degrees 20 minutes 25 seconds West along the northeasterly line of said 1.388 acre tract of said Lot 1, Block A of The Ashton a distance of 261.51 feet to a 5/8 inch iron rod set with "Huitt-Zollars" cap for a corner;

THENCE, North 89 degrees 04 minutes 47 seconds West along the northerly line of said 1.388 acre tract of said Lot 1, Block A of The Ashton a distance of 104.49 feet to a 5/8 inch iron rod set with "Huitt-Zollars" cap for a corner on the east right-of-way of Spectrum Drive (69 feet at this point as established by plat recorded in Volume 2000036, Page 2913), said point being the northwest corner of said 1.388 acre tract and said Lot 1, Block A of The Ashton;

THENCE, North 00 degrees 55 minutes 13 seconds East along the east right-of-way line of said Spectrum Drive passing a 5/8 inch iron rod found for the northeast corner of said right-of-way at a distance of 9.78 feet and continuing in all a distance of 193.84 feet to a five-eighths inch iron rod set with "Huitt-Zollars" cap for a corner from which a 5/8 inch iron rod found with "Huitt-Zollars" cap bears North 00 degrees 55 minutes 13 seconds East at a distance of 183.77 feet;

THENCE, South 89 degrees 04 minutes 47 seconds East a distance of 326.53 feet to a five-eighths

EXHIBIT "A" (Continued)

inch iron rod set with "Huitt-Zollars" cap for a corner;

THENCE, South 00 degrees 00 minutes and 00 seconds East a distance of 72.87 feet to a 5/8 inch iron rod set with "Huitt-Zollars" cap for a corner;

THENCE, North 90 degrees 00 minutes 00 seconds East a distance of 239.67 feet to a 5/8 inch iron rod set with "Huitt-Zollars" cap for a corner on the westerly right-of-way line of Dallas Parkway as established by said instrument to Gaylord Properties, L.P., described as Tract 5 and recorded in Volume 97211, Page 01264 of the Deed Records of Dallas County, Texas, said point being the beginning of a non-tangent curve to the right-of-way having a radius of 626.62 feet;

THENCE, southwesterly along the west right-of-way line of Dallas Parkway and easterly line of said Gaylord Properties Tract 5 through a central angle of 05 degrees 29 minutes 07 seconds, an arc distance of 59.99 feet and being subtended by a chord bearing South 04 degrees 17 minutes 35 seconds East a distance of 59.97 feet to a cut "X" found on curb inlet at the end of said curve;

THENCE, South 01 degree 33 minutes 02 seconds East along the west right-of-way line of Dallas Parkway and easterly line of said Gaylord Properties Tract 5 a distance of 82.43 feet and being subtended to a cut "X" found in pavement for the beginning of a curve to the left having a radius of 1,997.84 feet;

THENCE, southeasterly along the west right-of-way line of Dallas Parkway and easterly line of said Gaylord Properties Tract 5 and along said curve to the left through a central angle of 02 degrees 46 minutes 45 seconds, an arc distance of 96.91 feet and being subtended by a chord bearing South 02 degrees 56 minutes 29 seconds East a distance of 96.90 feet to the POINT OF BEGINNING and CONTAINING 3.371 acres of land, more or less.

Northern District of Texas Claims Register

09-34356-hdh11 Opus West Corporation

Judge: Harlin DeWayne Hale

Chapter: 11

Office: Dallas

Last Date to file claims: 11/09/2009

Trustee:

Last Date to file (Govt):

| | | |
|--|---|---|
| <i>Creditor:</i> (12788488) Denison Glass & Mirror, Inc. c/o James W. Litzler P.O. Box 1416 Sulphur Springs, Texas 75483 | Claim No: 29 <i>Original Filed</i> Date: 11/06/2009 <i>Original Entered</i> Date: 11/06/2009 | <i>Status:</i> Filed by: CR Entered by: Litzler, James Modified: |
| Secured claimed: \$223470.00 Total claimed: \$223470.00 | | |
| <i>History:</i> Details <u>29-1</u> 11/06/2009 Claim #29 filed by Denison Glass & Mirror, Inc., total amount claimed: \$223470 (Litzler, James) | | |
| <i>Description:</i> (29-1) Money owed | | |
| <i>Remarks:</i> | | |

Claims Register Summary