


<b>UNITED STATES BANKRUPTCY COURT FOR THE NORTHERN DISTRICT OF TEXAS</b>		<b>PROOF OF CLAIM</b>
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:  <div style="font-size: 24pt; text-align: center;">09-34360</div>
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):  <div style="font-size: 18pt; text-align: center;">                     RECEIVED                      NOV 09 2009                      BMC GROUP                 </div> Construction 70, 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: Tracy Hippensteel P.O. Box 62345 Phoenix, AZ 85082  Telephone number: 602-438-7070 Email Address: thippensteel@c70az.com		<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):  Telephone number:		
1. Amount of Claim as of Date Case Filed: <u>\$364,347.73</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 checked="" 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: \$ _____
2. Basis for Claim: <u>Construction Services Performed</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 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:  <div style="font-size: 24pt;">11/6/09</div>	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="font-size: 18pt;">                     Jeffrey C. Matura, Attorney                      1850 N. Central Ave., Suite 500, Phoenix, AZ 85004                      602-792-5700                 </div>	FOR COURT USE ONLY OPUS WEST  00516

**ITEMIZED STATEMENT FOR QUESTION #1**

Claim as of Date Case Filed: \$364,347.73

Accruing interest at the legal and contract rate: To Be Determined At Time of Payment

**PROOF OF CLAIM**

**QUESTION #7**

THE ATTACHMENTS TO SUPPORT THE PROOF OF CLAIM EXCEED TEN PAGES. THEREFORE, PURSUANT TO ECF INTERIM OPERATING ORDER NO. 8, THE ORIGINAL ATTACHMENTS HAVE BEEN SENT TO THE CASE TRUSTEE AND THE ATTORNEY FOR THE DEBTOR.

# Northern District of Texas Claims Register

09-34360-hdh11 Opus West Construction Corporation

**Judge:** Harlin DeWayne Hale      **Chapter:** 11

**Office:** Dallas      **Last Date to file claims:**

**Trustee:**      **Last Date to file (Govt):**

<i>Creditor:</i> (12455295) Construction 70, Inc. P.O. Box 62345 Phoenix, AZ 85082	<b>Claim No: 18</b> <i>Original Filed</i> Date: 11/09/2009 <i>Original Entered</i> Date: 11/09/2009	<i>Status:</i> Filed by: CR Entered by: Matura, Jeffrey Modified:
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Unsecured claimed: \$364347.73 <b>Total      claimed: \$364347.73</b>
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<i>History:</i> Details <u>18-1</u> 11/09/2009 Claim #18 filed by Construction 70, Inc., total amount claimed: \$364347.73 (Matura, Jeffrey )
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<i>Description:</i> (18-1) Claim for Construction Services Performed by Construction 70, Inc.
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<i>Remarks:</i>
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## Claims Register Summary