


<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: 1.2em; font-family: cursive;">09-34360-11</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.		
<b>Name of Creditor (the person or other entity to whom the debtor owes money or property):</b>  <div style="font-size: 1.2em; font-family: cursive;">SHAUN EVANS</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="font-size: 1.2em; font-family: cursive;">50645 SPYGLASS HILL DRIVE LA QUINTA, CA 92253</div> <b>Telephone number:</b> _____ <b>Email Address:</b> <div style="font-size: 1.2em; font-family: cursive;">(760) 578-2082 Shauns-mail@hotmail.com</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>Name and address where payment should be sent (if different from above):</b>  <div style="text-align: center; font-size: 1.5em; font-weight: bold;">RECEIVED</div>		
<b>1. Amount of Claim as of Date Case Filed:</b> \$ <u>5977</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).</b> <b>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 checked="" 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: center;">\$ _____</div>
<b>2. Basis for Claim:</b> <u>SERVICES PERFORMED</u> (See instruction #2 on reverse side.)		
<b>3. Last four digits of any number by which creditor identifies debtor:</b> <u>9763</u> <b>3a. Debtor may have scheduled account as:</b> _____ (See instruction §3a on reverse side.)		
<input checked="" type="checkbox"/> <b>Secured Claim</b> (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.  <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>  DO NOT SEND ORIGINAL DOCUMENTS. ATTACHED DOCUMENTS MAY BE DESTROYED AFTER SCANNING.  If the documents are not available, please explain: _____		
<b>Date:</b>  <div style="font-size: 1.5em; font-family: cursive;">11/6/09</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: 1.5em; font-family: cursive;">[Signature]</div>	
		<b>FOR COURT USE ONLY</b>  <div style="text-align: center;">             OPUS WEST            00555         </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 3  
 Modified B10 (GCG) (12/08)

**INCENTIVE COMPENSATION for SHAUN EVANS**  
**Calendar Year 2008**  
**(01/01/08 - 12/31/08)**

For calendar year 2008, the following Incentive Compensation program will be applicable.


Target Incentive \$ 16,000

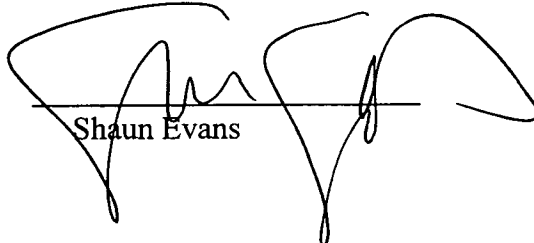
- 25.00% Based on the performance of Opus West Corporation compared to 20% ROE.
- 25.00% Based on the performance of the Southern California Division of Opus West Construction Corporation as compared to net revenue projections.
- 10.00% Based on your individual Safety Accountability Plan score.
- 40.00% Based on individual performance.
- The maximum incentive that may be earned for any given year is two times the incentive target for that year.

Employee must be employed by the Opus Group of Companies at the time cash incentives are paid. If an employee is no longer employed by the company for any reason, there will be no obligation for the company to pay any incentive under this plan.

The objective of the program is to pay incentive for specific performance. All possible events cannot be covered in this plan. The employee and Opus West agree that good faith efforts will be used to settle any discrepancies, which may result from time to time. This is not intended to be a legal document. The intent is to serve as an understanding of events that may occur during the year.

SIGNED AND AGREED TO THIS 29 DAY OF APRIL, 2008.

  
\_\_\_\_\_  
James Fritcher  
Sr. Vice President  
Opus West Construction Corporation

  
\_\_\_\_\_  
Shaun Evans

cc: Tom Roberts

## Opus West Construction Corporation

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March 31, 2008

To: SHAUN EVANS

Re: 2008 Compensation Package

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We are pleased to present your 2008 compensation package:

	2007	2008
Salary	\$ 90,000	\$ 95,000
Incentive Target	\$ 14,000	\$ 16,000
Total (w/ target incentive)	\$ 104,000	\$ 111,000
Incentive Actual	\$ 19,155	
Car, Fuel, Maintenance - Estimated	\$ 8,700	\$ 8,700
Retirement Plan – Estimated (if eligible to participate)	\$ 11,776	\$ 12,744
New Title		
Total	\$ 124,476	\$ 132,444

Thank you for all of your hard work and for your contributions to the success of Opus West in 2007!

401-K Savings Plan:

Participants may contribute from 1% to 20% of eligible pre-tax earnings, to maximum of \$15,500 per calendar year, via payroll deduction. All employee and company contributions are immediately 100% vested.

Notes:

1. Retirement Plan contribution for 2008 is estimated at 12.0%.
2. Actual 2008 Retirement Plan contribution will vary with actual financial results.
3. Retirement Plan contribution for 2007 was approximately 11.8%.
4. Retirement Plan contributions over the last 5 years averaged just over 12%.
5. Retirement Plan contribution is paid in the year following the year earned.
6. 2008 base compensation package is effective April 1, 2008 – March 31, 2009
7. Retirement Plan: You are eligible to participate in the Retirement Plan on the first day of the month following or coincident with completion of 2 years of service, provided a minimum of 1,000 hours were worked during each of those years, and attainment of age 21. Eligible employees must work a minimum of 1,000 hours/year.

Based on company performance, the company contributes a minimum of 4% to a maximum of 15% of each active participant's eligible earnings to his/her account at the end of each Plan year (January 1 - December 31). All contributions are immediately 100% vested.



THE OPUS GROUP  
ARCHITECTS  
CONTRACTORS  
DEVELOPERS

OPUS WEST CORPORATION  
*A member of The Opus Group*

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

Phone: 602-468-7000 • Fax: 602-468-7045

[www.opuscorp.com](http://www.opuscorp.com)

## Memo

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

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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.

Opus West Construction Corporation  
Year End Incentive Worksheet

Location: Southern California  
Title: PM

shaun evans

Incentive Target:		\$ 16,000
	<u>weight</u>	<u>factor</u>
Opus West Corporation vs. Business Plan	25%	TBD
OWCC regional net revenue vs. plan	25%	99%
Safety Accountability Program	10%	92%
Individual Performance Modifier	40%	100%
Incentive Total:		\$ 11,834
Other:		\$ -
<b>Total</b>		<b>\$ 11,834</b>

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.



The Opus Group  
www.opuscorp.com

**OPUS WEST CORPORATION**

2555 E. Camelback Road, Suite 580, Phoenix, AZ 85016  
Phone 602-468-7000 Fax 602-468-7045

October 15, 2009

Shaun Evans  
50645 Spyglass Hill Drive  
La Quinta, CA 92253

Re: *2008 Opus Compensation Plan Statements*

Dear Shaun:

The attached statement(s) summarize the activity for the 2008 Opus incentive compensation plan(s) in which you were a participant. Please review them thoroughly.

These statements are intended to inform you of the balance of your Compensation Accounts as of June 30, 2009. They are not intended to be a summary of the Plans, nor an amendment or modification thereof. You must consult the Plan Documents for an interpretation of your rights under the Plans.

The aggregate amounts on the statements have been submitted on schedules to the U.S. Bankruptcy Court. If you disagree with the numbers, you may file a proof of claim with the Court. You may also choose to file a proof of claim even if you agree with these numbers. Please note that the claim must be received no later than November 9, 2009.

If you have any questions on these statements, please call Vickie Sixta at 602-468-7095.

Sincerely,

Claire C. Janssen  
Chief Financial Officer

Attachments

**2008 Incentive**

Attached is the final calculation of your 2008 incentive incorporating final company results for 2008. Since the company recorded a loss for 2008, the return on equity component (if applicable) is zero. In most cases, employees received approximately 50% of the 2008 incentive on March 13, 2009.



Opus West Construction Corporation  
Year End Incentive Worksheet

Location: Southern California  
Title: PM

shaun evans

Incentive Target:		\$ 16,000
	<u>weight</u>	<u>factor</u>
Opus West Corporation vs. Business Plan	25%	<del>TBD</del> 0%
OWCC regional net revenue vs. plan	25%	99%
Safety Accountability Program	10%	92%
Individual Performance Modifier	40%	100%
Incentive Total:		\$ 11,834
Other:		\$ -
<b>Total</b>		<b>\$ 11,834</b>

~~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.~~

3/9/2009