

UNITED STATES BANKRUPTCY COURT Northern District of Texas PROOF OF CLAIM

Name of Debtor: OPUS WEST CONSTRUCTION CORP. - 3970000 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. 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): HD SUPPLY CONSTRUCTION SUPPLY LTD DBA WHITE CAP CONSTRUCTION SUPPLY
Name and address where notices should be sent: HD SUPPLY INC. 501 W CHURCH ST, ORLANDO, FL 32805
Telephone number: (407) 893-9187
Check this box to indicate that this claim arises as a previously filed claim.
Court Claim Number: F-2009 (If known) NOV 05 2009
TAWANA C. MARSHALL, CLERK Filed in U.S. BANKRUPTCY COURT NORTHERN DISTRICT OF TEXAS

Name and address where payment should be sent (if different from above):
Telephone number:
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.
Check this box if you are the debtor or trustee in this case.

1. Amount of Claim as of Date Case Filed: \$ 1,705.62
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.
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.
RECEIVED NOV 10 2009

2. Basis for Claim:
(See instruction #2 on reverse side.)
3. Last four digits of any number by which creditor identifies debtor: 0000 BMC GROUP
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: Real Estate Motor Vehicle 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:
Amount of Secured Claim: \$ Amount Unsecured: \$

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.
Domestic support obligations under 11 U.S.C. §507(a)(1)(A) or (a)(1)(B).
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).
Contributions to an employee benefit plan - 11 U.S.C. §507 (a)(5).
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).
Taxes or penalties owed to governmental units - 11 U.S.C. §507 (a)(8).
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.

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 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: 11/02/2009 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.
Mark Vuckovic - Collections Analyst

\$1705.62.

UNITED STATES BANKRUPTCY COURT Northern District of Texas

**Notice of
Chapter 11 Bankruptcy Cases, Meeting of Creditors, & Deadlines**

Chapter 11 bankruptcy cases concerning the debtors listed below were filed on 7/6/09.

You may be a creditor of the debtors. **This notice lists important deadlines.** You may want to consult an attorney to protect your rights. All documents filed in these cases may be inspected at the bankruptcy clerk's office at the address listed below.
NOTE: The staff of the bankruptcy clerk's office cannot give legal advice.

See Reverse Side for Important Explanations

Debtors (names used by the debtors in the last 8 years, including married, maiden, trade, and address):

Opus West Corporation
2555 E Camelback Road, Suite 800
Phoenix, Arizona 85016
Tax ID No.: 86-0811533
Case No.: 09-34356

O. W. Commercial, Inc.
2555 E Camelback Road, Suite 800
Phoenix, Arizona 85016
Tax ID No.: 20-2789134
Case No.: 09-34363

Opus West Partners, Inc.
2555 E Camelback Road, Suite 800
Phoenix, Arizona 85016
Tax ID No.: 81-0545537
Case No.: 09-34373

Opus West Construction Corporation
2555 E Camelback Road, Suite 800
Phoenix, Arizona 85016
Tax ID No.: 41-0855917
Case No.: 09-34360

Opus West LP
2555 E Camelback Road, Suite 800
Phoenix, Arizona 85016
Tax ID No.: 81-0545535
Case No.: 09-34334

Attorneys for Opus West Corporation, Opus West Construction Corporation, and O. W. Commercial, Inc. (names and addresses):

Clifton R. Jessup, Jr.
Greenberg Traurig, LLP
2200 Ross Avenue, Suite 5200
Dallas, TX 75201
Telephone: 214-665-3600
Facsimile: 214-665-5938

Attorneys for Opus West Partners, Inc., and Opus West LP: (names and addresses):

Peter Franklin
Doug Skierski
Franklin Skierski Lovall Hayward, LLP
10501 N. Central Expressway, Suite 106
Dallas, TX 75231
Telephone: 214-702-4061
Facsimile: 214-723-5345

Meeting of Creditors

Date: **August 12, 2009**

Time: **2:00 P.M.**

Location: **Office of the U.S. Trustee, 1100 Commerce St., Room 976, Dallas, TX 75242**

Deadline to File a Proof of Claim

Proof of claim must be *received* by the BMC Group, Debtors' Claims Agent, by the following deadline:
For all creditors (except a governmental unit): **11/9/09** For a governmental unit: _____

Claims Should be Sent to:

IF BY MAIL:
Opus West Corporation, et al
c/o BMC Group
P.O. Box 3020
Chanhassen, MN 55317-3020

IF BY HAND OR OVERNIGHT COURIER:
Opus West Corporation, et al
c/o BMC Group
18750 Lake Drive East
Chanhassen, MN 55317

Creditors with a Foreign Address:

A Creditor to whom this notice is sent at a foreign address should read the information under "claims" on the reverse side.

Deadline to File a Complaint to Determine Dischargeability of Certain Debts:

Creditors May Not Take Certain Actions:

In most instances, the filing of the bankruptcy case automatically stays certain collection and other actions against the debtors and the debtors' property. Under certain circumstances, the stay may be limited to 30 days or not exist at all, although the debtors can request the court to extend or impose a stay. If you attempt to collect a debt or take other action in violation of the Bankruptcy Code, you may be penalized. Consult a lawyer to determine your rights in this case.

Address of the Bankruptcy Clerk's Office:

1100 Commerce Street, Room 1254
Dallas, Texas 75242
Telephone number: 214-753-2000

For the Court:

Clerk of the Bankruptcy Court:
Tawana C. Marshall

Hours Open: Monday - Friday 8:30 AM - 4:30 PM

EXPLANATIONS

| | |
|---|---|
| Filing of Chapter 11 Bankruptcy Case | <p>Bankruptcy cases under Chapter 11 of the Bankruptcy Code (title 11, United States Code) have been filed in this court by the debtors listed on the front side, and orders for relief have been entered. Chapter 11 allows a debtor to reorganize or liquidate pursuant to a plan. A plan is not effective unless confirmed by the court. You may be sent a copy of the plan and a disclosure statement telling you about the plan, and you might have the opportunity to vote on the plan. You will be sent a notice of the date of confirmation hearing, and you may object to confirmation of the plan and attend the confirmation hearing. Unless a trustee is serving, the debtor will remain in possession of the debtor's property and may continue to operate any business.</p> |
| Legal Advice | <p>The staff of the bankruptcy clerk's office cannot give legal advice. Consult a lawyer to determine your rights in these cases.</p> |
| Creditors Generally May Not Take Certain Actions | <p>Prohibited collection actions are listed in Bankruptcy Code § 362. Common examples of prohibited actions include contacting the debtor by telephone, mail or otherwise to demand repayment; taking actions to collect money or obtain property from the debtor; repossessing the debtor's property; and starting or continuing lawsuits or foreclosures. Under certain circumstances, the stay may be limited to 30 days or not exist at all, although the debtor can request the court to extend or impose a stay.</p> |
| Meeting of Creditors | <p>A meeting of creditors is scheduled for the date, time and location listed on the front side. <i>The debtor's representative must be present at the meeting to be questioned under oath by the trustee and by creditors.</i> Creditors are welcome to attend, but are not required to do so. The meeting may be continued and concluded at a later date without further notice. The court, after notice and a hearing, may order that the United States trustee not convene the meeting if the debtor has filed a plan for which the debtor solicited acceptances before filing the case.</p> |
| Claims | <p>A Proof of Claim is a signed statement describing a creditor's claim. If a Proof of Claim form is not included with this notice, you can obtain one at any bankruptcy clerk's office, You may look at the schedules that have been or will be filed at the bankruptcy clerk's office. If your claim is scheduled and is not listed as disputed, contingent, or unliquidated, it will be allowed in the amount scheduled unless you filed a Proof of Claim or you are sent further notice about the claim. Whether or not your claim is scheduled, you are permitted to file a Proof of Claim. If your claim is not listed at all or if your claim is listed as disputed, contingent, or unliquidated, then you must file a Proof of Claim or you might not be paid any money on your claim and may be unable to vote on the plan. A secured creditor retains rights in its collateral regardless of whether that creditor files a Proof of Claim. Filing a Proof of Claim submits the creditor to the jurisdiction of the bankruptcy court, with consequences a lawyer can explain. For example, a secured creditor who files a Proof of Claim may surrender important nonmonetary rights, including the right to a jury trial. Filing Deadline for a Creditor with a Foreign Address: The deadlines for filing claims set forth on the front of this notice apply to all creditors. If this notice has been mailed to a creditor at a foreign address, the creditor may file a motion requesting the court to extend the deadline.</p> |
| Discharge of Debts | <p>Confirmation of a chapter 11 plan may result in a discharge of debts, which may include all or part of your debt. See Bankruptcy Code § 1141(d). A discharge means that you may never try to collect the debt from the debtor, except as provided in the plan. If you believe that a debt owed to you is not dischargeable under Bankruptcy Code § 1141(d)(6)(A), you must start a lawsuit by filing a complaint in the bankruptcy clerk's office by the "Deadline to File a Complaint to Determine Dischargeability of Certain Debts" listed on the front side. The bankruptcy clerk's office must receive the complaint and any required filing fee by that Deadline.</p> |
| Bankruptcy Clerk's Office | <p>Any paper that you file in this bankruptcy case should be filed at the bankruptcy clerk's office at the address listed on the front side, You may inspect all papers filed, including the list of the debtor's property and debts and the list of the property claimed as exempt, at the bankruptcy clerk's office.</p> |
| Creditor with a Foreign Address | <p>Consult a lawyer familiar with United States bankruptcy law if you have any questions regarding your rights in these cases.</p> |

STATEMENT



Credit Services
501 W. Church Street
Orlando, FL 32805-2247

| CLOSING DATE |
|--------------|
| 08/02/09 |

CUSTOMER NUMBER: 3970000

OPUS WEST CONST CORP
2555 E CAMELBACK RD STE 800
PHOENIX AZ 85016-9267

REMITTANCE ADVICE

| CUSTOMER NUMBER | CLOSING DATE |
|---|--------------|
| 3970000 | 08/02/09 |
| BALANCE DUE | |
| \$1,705.62 | |
| MAKE CHECKS PAYABLE TO: | |
| HDS White Cap Construction Supply DEPT 70998 LOS ANGELES, CA 90084-0998 | |

Please check box if your address is incorrect or has changed. Indicate changes(s) below:

ACCOUNT MANAGER

Bryan Ihrke

| INVOICE DATE | INVOICE NO. | T | ORIGINAL INVOICE | BALANCE DUE |
|--------------|--------------|---|------------------|-------------|
| 12/12/08 | 17131709-01 | I | 1,099.73 | 1,099.73 |
| 12/15/08 | 720013425-01 | I | 311.24 | 311.24 |
| 01/27/09 | 14050103 | I | 294.65 | 294.65 |

CUSTOMER NAME: OPUS WEST CONST CORP

| INVOICE NO. | CUSTOMER PO NO. | BALANCE DUE | X |
|--------------|-----------------|-------------|---|
| 17131709-01 | 9733840 | 1,099.73 | |
| 720013425-01 | PIMA E | 311.24 | |
| 14050103 | 10510 | 294.65 | |

VIEW & PAY BILLS ONLINE

Visit www.whitecap.com to view, download, and pay your bills online.
Search for invoices from the past year, download invoice data directly into your accounting system, and pay online.
Log on today and look for the Invoice Gateway link.

I=Invoice C=Credit Memo R=Rental D=Debit Memo U=Unapplied Payment On Account

RETURN THIS PORTION WITH YOUR PAYMENT

| PAST DUE | | | | | |
|----------|-------------|--------------|--------------|------------|-------------|
| CURRENT | 1 - 30 DAYS | 31 - 60 DAYS | 61 - 90 DAYS | 90 + DAYS | BALANCE DUE |
| \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$1,705.62 | \$1,705.62 |

| CURRENT | 1 - 30 DAYS | 31 - 60 DAYS |
|--------------|-------------|--------------|
| \$0.00 | \$0.00 | \$0.00 |
| 61 - 90 DAYS | 90 + DAYS | BALANCE DUE |
| \$0.00 | \$1,705.62 | \$1,705.62 |

PLEASE BE ADVISED THAT, EFFECTIVE MAY 1 2009, INVOICES THAT ARE PAST DUE WILL ACCRUE A SERVICE CHARGE OF 1.5% PER MONTH UNTIL PAID.