

UNITED STATES BANKRUPTCY COURT For the Northern District of Texas Dallas Division AMENDED PROOF OF CLAIM

Name of Debtor: Opus West LP Case Number: 09-34334-11

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): Karsten Interior Services, L.P. Check this box to indicate that this claim amends a previously filed claim.

Name and address where notices should be sent: William R. Sudela, Crady, Jewett & McCulley, LLP, 2727 Allen Parkway, Suite 1700, Houston, Texas 77019-2125. Telephone number: (713) 739-7007. Court Claim Number: (If known). Filed on: 10/29/2009.

FILED BY NOV 19 2009

Name and address where payment should be sent (if different from above): TAWANA C. MARSHALL, CLERK U.S. BANKRUPTCY COURT NORTHERN DISTRICT OF TEXAS. 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: \$ 39,525.63. 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.

2. Basis for Claim: Services/Materials (See the attached Exhibit "C")

3. Last four digits of any number by which creditor identifies debtor: 3a. Debtor may have scheduled account as:

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: Mechanic's Lien Amount of Secured Claim: \$ 39,525.63 Amount Unsecured: \$

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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: (See the Attached Exhibit "A")

Date: 11.17.09 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. William R. Sudela, Attorney for Karsten Interior Services, L.P. FOR COURT USE ONLY OPUS WEST 00634

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.

AFFIDAVIT OF CLAIM FOR MECHANIC'S LIEN

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NOTICE OF CONFIDENTIALTY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

STATE OF TEXAS §
 §
COUNTY OF HARRIS §

BEFORE ME, the undersigned authority, on this day personally appeared **Dan J. Karsten** who, upon his/her oath, after first being duly sworn, deposed and stated:

My name is **Dan J. Karsten**. I am the **President of Karsten Management, L.L.C., a Texas limited liability company, General Partner of Karsten Interior Services, L.P., a Texas limited partnership,** hereinafter referred to in this affidavit as "Claimant". The facts set forth herein are true and correct, and I am competent to make this affidavit.

Pursuant to an Agreement (the "Agreement") between Claimant and **OPUS West Construction Corporation, ("OPUS West")** (the "Agreement") the party to whom Claimant furnished labor, equipment, and material as further described in the letter attached hereto as Attachment "A" (collectively, the "Work") in connection with a construction project (the "Project") on that property in **Harris County, Texas** commonly known as **15021 Katy Freeway, Houston, Texas 77079** (together with all improvements and appurtenances thereto, the "Property"). Certain leased property on the Property, as further described hereinafter. The Property is more particularly described in Attachment "A" hereto.

(2)
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The owner or reputed owner of the Property (the "Owner") is **OPUS West L P, a Delaware limited partnership,** whose last known address is **2555 E. Camelback Road, Suite 800, Phoenix, AZ 85018.**

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The party to whom Claimant furnished the materials and labor which constitutes the Work is **OPUS West Construction Corporation.** As indicated in Attachment "A" hereto, Claimant performed the Work: (i) as a first-tier subcontractor to **OPUS West Construction Corporation,** who, as an original contractor, furnished the Work to Owner; or, (ii) as an original contractor to Owner pursuant to the sham contractor statute, § 53.026 of the Texas Property Code.

Claimant, who was a subcontractor to **OPUS West Construction Corporation** on the Project, or, as further specified herein, was an original contractor to Owner, has a mailing address of **4530 W. 34th Street, Suite D, Houston, TX 77092.**

OPUS West Construction Corporation, who was an original contractor to Owner on the Project, has a mailing address of **15455 N. Dallas Parkway # 450, Addison, TX 75001** and, **2555 E. Camelback Road, Suite 800, Phoenix, AZ 85018.**

RP 065-07-0562

The amount of \$78,042.50 remains unpaid, is due and owing to Claimant for the Work which was provided by Claimant to OPUS West Construction Corp. and/or, pursuant to the sham contractor statue, Owner, pursuant to the Agreement during the period specified hereinafter, and is hereby claimed by Claimant. The Work for which payment has not yet been tendered to Claimant was performed during the months of February thru April of 2009.

Pursuant to Chapter 53 of the Texas Property Code (the "Code"), a mechanic's lien securing the payment of such amount is herein claimed by Claimant against the Property and all improvements thereto, to the greatest extent provided by Chapter 53 of the Code.

In addition to the lien claim pursuant to Chapter 53 of the Code to the extent Claimant is deemed to be an original contractor on the Project, Claimant claims a lien against the Property pursuant to Article XVI, Section 37 of the Texas Constitution.

Notice of Claimant's lien claim as specified herein was sent to Owner on the following date(s) in the manner indicated:

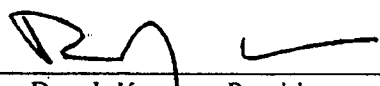
Date Notice of Claim Sent
May 15, 2009

Method by Which Notice Sent
Certified U.S. Mail, return receipt requested; and, regular mail

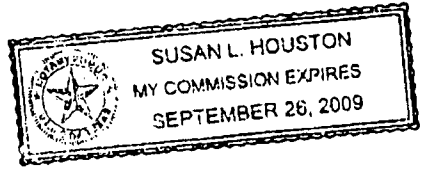
Further Affiant sayeth not.

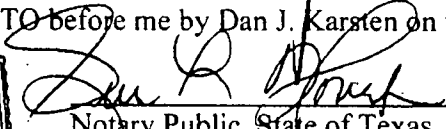
KARSTEN INTERIOR SERVICES, L.P., a Texas limited Partnership
By: Karsten Management, L.L.C., a Texas limited liability Company,
General Partner



By: 
Dan J. Karsten, President

SUBSCRIBED AND SWORN TO before me by Dan J. Karsten on this 28th day of May, 2009.



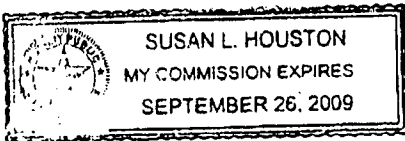

Notary Public, State of Texas

RP 065-07-0563

Acknowledgment

STATE OF TEXAS §
 §
COUNTY OF HARRIS §

This instrument was acknowledged before me on the 28th day of May, 2009 by Dan J. Karsten, President of Karsten Management, L.L.C., a Texas limited liability Company, General Partner of Karsten Interior Services, L.P., a Texas limited partnership, on behalf of said company and said partnership.



[Handwritten Signature]

Notary Public, State of Texas

AFTER RECORDING, RETURN TO:

Karsten Interior Services, L.P.
4530 W. 34th Street, Suite D
Houston, TX 77092

PP 065-07-0564

Attachment "A"



EXHIBIT A

KARSTEN INTERIOR SERVICES, L.P.

May 15, 2009

OPUS West, LP
3555 E. Camelback Rd, Suite 800
Phoenix, AZ 85018

CERTIFIED MAIL/RETURN RECEIPT
REQUESTED: # 7008 0500 0001 3402 4572

OPUS West LP
C/o Corporation Service Company DBA
CSC - Lawyer Inc. Service Company, Registered Agent
701 Brazos, Suite 1050
Austin, TX 78701

CERTIFIED MAIL/RETURN RECEIPT
REQUESTED: # 7008 0500 0001 3402 4961

OPUS West Construction Corporation
15455 N. Dallas Parkway # 450
Addison, TX 75001

CERTIFIED MAIL/RETURN RECEIPT
REQUESTED: # 7008 0500 0001 3402 4589

OPUS West Construction Corporation
C/o Corporation Service Company DBA
CSC - Lawyer Inc. Service Company, Registered Agent
701 Brazos, Suite 1050
Austin, TX 78701

CERTIFIED MAIL/RETURN RECEIPT
REQUESTED: # 7009 0080 0002 2350 8501

Re: Claim of Karsten Interior Services, L.P. ("Claimant") in connection with labor, equipment, and/or material provided by Claimant pursuant to an Agreement (the "Agreement") entered into by and between Claimant and OPUS West Construction Corporation in connection with a construction project on certain real property in Harris County, Texas owned by OPUS West LP.

To Whom It May Concern:

We have furnished labor, material and/or equipment for the "Project", all as further described hereinafter, pursuant to the referenced Agreement and at the request of OPUS West Construction Corporation ("OPUS West Construction"), in connection with the construction of, and/or repairs to, certain improvements to that facility in Harris

FP 065-07-0565

County, Texas commonly known as Energy Crossing Spec. Office (the "Project"). Claimant has not been paid in full the amount due to it under its Agreement with OPUS West Construction for the services, materials, and/or equipment furnished by Claimant on the Project during the months of February thru April of 2009, in the aggregate amount of \$ 78,042.50. The services/material/equipment provided by Claimant upon which the claim described herein is based are generally described in those Karsten invoices and related statements, copies of which are attached hereto as Exhibit "A".

Based upon a review of the Real Property Records of Harris County, Texas, and the Harris County Appraisal District Records, OPUS West LP ("OPUS West") appears to be the owner of the property on which the Project is located (the "Real Property"), as well as the improvements thereto (together with the Real Property, the "Property"), and appears to have been the owner of the Property at the time the foregoing claim accrued. The Real Property is know as Res A Blk 1, Energy Crossing, 15021 Katy Freeway, Houston, TX 77079, Harris County, Texas and is more particularly described in Exhibit "A" to that instrument recorded in the Real Property Records of Harris County, Texas, County Clerk's File No. 20070373880, which Real Property has since been platted, and is described in Exhibit "A" attached hereto. The Property includes that property covered by Harris County (Texas) Appraisal District Account No. 1303140010001.

Based upon Claimant's correspondence with OPUS West Construction, and based upon a review of the records of the Secretary of State of the State of Texas,

it appears that Claimant performed its work on the Project:

- (i) as a subcontractor to OPUS West Construction, an original contractor on the Project; or,
 - (ii) as an original contractor on the Project, because the relationship between OPUS West LP and OPUS West Construction is a sham relationship as described in § 53.026 of the Texas Property Code.
- (1) To the extent Claimant is considered to be an original contractor pursuant to the sham contractor statute, § 53.026 of the Texas Property Code, Claimant claims a lien in the amount of \$78,042.50 against the Property pursuant to Chapter 53 of the Texas Property Code and pursuant to Article XVI, Section 37 of the Texas Constitution for services, materials, and/or equipment furnished by Claimant for the Project during the months of February through April of 2009.
- I
- (2) In the event Claimant is not considered to be an original contractor on the Project, Claimant, as a subcontractor to OPUS West Construction, an original contractor on the Project, claims a lien in the amount of \$78,042.50 against the Property pursuant to Chapter 53 of the Texas Property Code, for services, materials and/or equipment furnished by

Attachment "A"

EXHIBIT A

Claimant for the Project during the months of February through April of 2009.

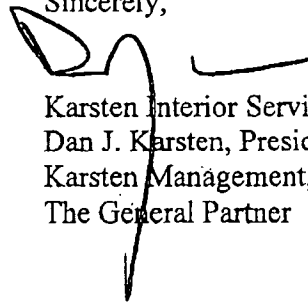
This is a demand for payment of the aforementioned unpaid balance, which is an accrued obligation or is past due under the terms of Claimant's Agreement with OPUS West Construction.

If the foregoing claim remains unpaid, OPUS West LP may be personally liable for this claim and the Property may be subject to a lien unless:

OPUS West LP withholds payment from OPUS West Construction for payment of the claim; or, the claim is otherwise paid or settled.

Contact me if you have any questions or comments regarding this claim.

Sincerely,



Karsten Interior Services, LP
Dan J. Karsten, President of
Karsten Management, L.L.C.
The General Partner

Attachment(s)

RP 065-07-0567

Attachment "A"

EXHIBIT A

EXHIBIT "A"

ALL OF RESERVE "A" OF ENERGY CROSSING, A
SUBDIVISION ACCORDING TO THE MAP OR PLAT
RECORDED UNDER FILM CODE NO. 617276 OF THE MAP
RECORDS, OF HARRIS COUNTY, TEXAS, BEING A
SUBDIVISION OF 16.898 ACRES OUT OF THE DAVID
MIDDLETON SURVEY, ABSTRACT NO. 535, HARRIS
COUNTY, TEXAS.

D

RP 065-07-0568



KARSTEN INTERIOR SERVICES, L.P.

INVOICE

To: Opus West Construction Corp.
15455 N Dallas Parkway #450
Addison, TX 75001

Date: 02/23/09

Invoice No.: 7257

Job No.: 10592.00

KI Job No. 1505

ATTN: Monek' Smith

Application No: 3

Job Name: Energy Crossing, Phase I KBC

Period: 02/28/09

Location: 15021 Katy Freeway

DESCRIPTION:

Work based on Opus West's contract and KI Services proposal dated November 13, 2008.

Original Contract Amount	\$161,500.00
Net Change by Change Orders	4,230.00
Total Contract Amount	<u>165,730.00</u>
Percent Complete	95 %
Total Completed to Date	<u>157,655.00</u>
Less Retainage	<u>15,765.50</u>
Total Billed Less Retainage	141,889.50
Less Billed to Date	<u>109,012.50</u>

TOTAL AMOUNT DUE THIS INVOICE

\$32,877.00

RP 065-07-0569



SUBCONTRACTOR APPLICATION FOR PAYMENT

Project Name: Energy Crossing Spec Office Project Number: 10592
 Subcontractor: Karsten Interior Services LP Date of Application: 2/23/09
 Supplier #: 1035175
 Address: 4530 West 34th St - Suite D Application Number: 3
Houston, TX 77092 Period From: 2/01/09 Period To: 2/28/09
 Phone: 713/290-1134
 Remittance Address: OPUS West Construction Corporation
Attn: Accounts Payable
15455 N Dallas Parkway, Suite 450
Addison, TX 75001

CONTRACT INFORMATION

ITEM	SALES TAX \$(if applicable)	TOTAL (\$)
ORIGINAL CONTRACT AMOUNT		\$161,500.00
OPUS APPROVED CHANGE ORDER thro # 1		\$4,230.00
CONTRACT AMOUNT TO DATE TOTAL		\$165,730.00

APPLICATION INFORMATION

A Total Completed & Stored to Date \$ 157,655.00
 B Less Retainage 10 % \$ 15,765.50
 C Total Earned less Retainage (A - B) \$ 141,889.50
 D Less Previous Billings (previous req's line C) \$ 109,012.50
 E Current Payment Due (C - D) \$ 32,877.00
 F Balance to Finish, Plus Retainage (H - A + B) \$ 8,075.00
 G Current Gross Amount Completed This Period \$ 36,530.00

SUBCONTRACTOR: Karsten Interior Services LP Supplier #: 1035175
 BY: [Signature]
 DATE: 2/23/09

APPLICATION BREAKDOWN

THIS SECTION MUST BE COMPLETED IN ORDER FOR THIS PAYMENT TO BE PROCESSED BY OPUS

Account Code	Description	Current Contract Amount	Work Completed		Total Work Complete	Percent Complete	Retainage This Application	Net Payment
			From Previous Application	This Period				
			I + D	A / H				G - K
10592 10-F10-09000 00-S	Gypsum Board Systems - Subcontract	\$2,150.00	0.00	2,550.	2,550.	100%	255.	2,295.
10592 10-F10-18533 00-S	Int Finish Allowance 3 - Subcontract	\$11,000.00	8,250.	2,200.	10,450.	95%	220.	1,980.
10592 61-F10-09000 00-S	Gypsum Board Systems - Subcontract	\$99,180.00	73,125.	21,180.	94,305.	95%	2,118.	19,062.
10592 61-F10-09510 00-S	Acoustical Ceilings - Subcontract	\$53,000.00	39,750.	10,600.	50,350.	95%	1,060.	9,540.
	Total	\$165,730.00	121,125.	36,530.	157,655.	95%	3,653.	32,877.
			H	I	J	K	L	M

Entered By: _____ Accounting Date _____ Approved By: _____ Project Manager Date _____

SHADED AREA FOR OPUS ACCOUNTING USE ONLY



BP 065-07-0578

Attachment "A"

EXHIBIT A



KARSTEN INTERIOR SERVICES, L.P.

INVOICE

To: Opus West Construction Corp
15455.N Dallas Parkway #450
Addison, TX 75001

Date: 03/17/09

Invoice No.: 7305

Job No.: 10592.00
ATTN: Monek' Smith
Job Name: Energy Crossing, Phase I KBC
Location: 15021 Katy Freeway

KI Job No. 1505
Application No: 4
Period: 03/31/09

DESCRIPTION:

Work based on Opus West's contract and KI Services proposal dated November 13, 2008.

Original Contract Amount	\$161,500.00
Net Change by Change Orders	4,230.00
Total Contract Amount	<u>165,730.00</u>
Percent Complete	100 %
Total Completed to Date	<u>165,730.00</u>
Less Retainage	<u>16,573.00</u>
Total Billed Less Retainage	149,157.00
Less Billed to Date	<u>141,889.50</u>

TOTAL AMOUNT DUE THIS INVOICE **\$7,267.50**

RF 065-07-0571



SUBCONTRACTOR APPLICATION FOR PAYMENT

Project Name: Energy Crossing Spec Office Project Number: 10592
 Subcontractor: Karsten Interior Services LP Date of Application: 03/17/09
 Supplier #: 1035175
 Address: 4530 West 34th St - Suite D Application Number: 4
Houston, TX 77092 Period From: 03/01/09 Period To: 3/31/09
 Phone: 713/290-1134
 Remittance Address: OPUS West Construction Corporation
Attn: Accounts Payable
15455 N Dallas Parkway, Suite 450
Addison, TX 75001

CONTRACT INFORMATION

ITEM	SALES TAX \$(if applicable)	TOTAL (\$)
ORIGINAL CONTRACT AMOUNT		\$161,500.00
OPUS APPROVED CHANGE ORDER thru # 1		\$4,230.00
CONTRACT AMOUNT TO DATE TOTAL		\$165,730.00

APPLICATION INFORMATION

A Total Completed & Stored to Date \$ 165,730.00
 B Less Retainage 10 % \$ 16,573.00
 C Total Earned less Retainage (A - B) \$ 149,157.00
 D Less Previous Billings (previous req's line C) \$ 141,889.50
 E Current Payment Due (C - D) \$ 7,267.50
 F Balance to Finish, Plus Retainage (E - A + B) \$ 16,573.00
 G Current Gross Amount Completed This Period \$ 8,075.00

SUBCONTRACTOR: Karsten Interior Services LP Supplier #: 1035175
 BY: [Signature]
 DATE: 3/17/09

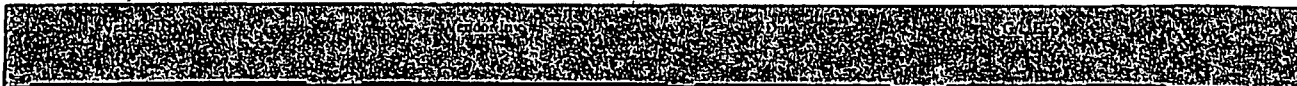
APPLICATION BREAKDOWN

THIS SECTION MUST BE COMPLETED IN ORDER FOR THIS PAYMENT TO BE PROCESSED BY OPUS

Account Code	Description	Current Contract Amount	Work Completed		Total Work Complete	Percent Complete	Retainage This Application	Net Payment
			From Previous Application	This Period				
					I+O	A/H		G-K
10592 10-F10-09000 00-S	Gypsum Board Systems - Subcontract	\$2,550.00	2,550.	0.00	2,550.	100%	0.00	0.00
10592 10-F10-18333 00-S	Int Finish Allowance 3 - Subcontract	\$11,000.00	10,450.	550.	11,000.	100%	55.00	495.00
10592 61-F10-09000 00-B	Gypsum Board Systems - Subcontract	\$99,180.00	94,305.	4,875.	99,180.	100%	487.50	4,387.50
10592 61-F10-09510 00-S	Acoustical Ceilings - Subcontract	\$53,000.00	50,350.	2,650.	53,000.	100%	265.00	2,385.00
	Total	\$165,730.00	157,655.	8,075.	165,730.	100%	807.50	7,267.50

Entered By: _____ Accounting Date _____ Approved By: _____ Project Manager Date _____

SHADED AREA FOR OPUS ACCOUNTING USE ONLY



RP 065-07-13572

Attachment 'A'

EXHIBIT A



KARSTEN INTERIOR SERVICES, L.P.

INVOICE

To: Opus West Construction Corp
15455 N Dallas Parkway #450
Addison, TX 75001

Date: 04/20/09

Invoice No.: 7362

Job No.: 10592.00

KI Job No. 1505

ATTN: Monek' Smith

Application No: 5

Job Name: Energy Crossing, Phase I KBC

Period: 04/30/09

Location: 15021 Katy Freeway

DESCRIPTION:

Work based on Opus West's contract and KI Services proposal dated November 13, 2008.

Original Contract Amount	\$161,500.00
Net Change by Change Orders	21,155.00
Total Contract Amount	<u>182,655.00</u>
Percent Complete	100 %
Total Completed to Date	<u>182,655.00</u>
Less Retainage	<u>18,265.50</u>
Total Billed Less Retainage	164,389.50
Less Billed to Date	<u>149,157.00</u>

TOTAL AMOUNT DUE THIS INVOICE

\$15,232.50

RF 065-07-0573



SUBCONTRACTOR APPLICATION FOR PAYMENT

Attachment "A"
EXHIBIT A

Project Name: Energy Crossing Spec Office Project Number: 10592
 Subcontractor: Karsten Interior Services LP Date of Application: 4/20/09
 Supplier #: 1035175
 Address: 4530 West 34th St - Suite D Application Number: 5
 Houston, TX 77092 Period From: 4/1/09 Period To: 4/30/09
 Phone: 713/290-1154
 Remittance Address: OPUS West Construction Corporation
 Attn: Accounts Payable
 15455 N. Dallas Parkway, Suite 450
 Addison, TX 75001

CONTRACT INFORMATION

ITEM	SALES TAX \$(if applicable)	TOTAL (\$)
ORIGINAL CONTRACT AMOUNT		\$161,500.00
OPUS APPROVED CHANGE ORDER thru # 3 <i>Changes to date</i>		\$9,690.00 11,465.00
CONTRACT AMOUNT TO DATE TOTAL		182,655.00

APPLICATION INFORMATION

A Total Completed & Stored to Date \$ 182,655.00
 B Less Retainage 10 % \$ 18,265.50
 C Total Earned less Retainage (A - B) \$ 164,389.50
 D Less Previous Billings (previous req's line C) \$ 149,157.00
 E Current Payment Due (C - D) \$ 15,232.50
 F Balance to Finish, Plus Retainage (H - A + B) \$ 18,265.50
 G Current Gross Amount Completed This Period \$ 16,925.00

SUBCONTRACTOR: Karsten Interior Services LP Supplier #: 1035175

BY: *[Signature]*

DATE: 4/20/09

APPLICATION BREAKDOWN

THIS SECTION MUST BE COMPLETED IN ORDER FOR THIS PAYMENT TO BE PROCESSED BY OPUS

Account Code	Description	Current Contract Amount	Work Completed		Total Work Complete	Percent Complete	Retainage This Application	Net Payment
			From Previous Application	This Period				
10592.10-F10-09000.00-S	Gypsum Board Systems - Subcontract	\$3,789.00	2550.	1239.	3789.	100	123.90	1115.10
10592.10-F10-18533.00-S	Int Finish Allowance 3 - Subcontract	\$11,000.00	11000.	8	11000.	100	8	8
10592.61-F10-09000.00-S	Gypsum Board Systems - Subcontract	114,816.6	99180.	15686.	114,816.6	100	1568.60	14117.40
10592.61-F10-09510.00-S	Acoustical Ceilings - Subcontract	\$33,000.00	53000.	8	53,000.	100	8	8
	Total	182,655.	165,730.	16,925.	182,655.	100	1692.50	15232.50

Entered By: _____ Date: _____ Accounting Date
 Approved By: _____ Date: _____ Project Manager Date

SHADED AREA FOR OPUS ACCOUNTING USE ONLY



Attachment 'A'

EXHIBIT A



KARSTEN INTERIOR SERVICES, L.P.

INVOICE

To: Opus West Construction Corp
15455 N Dallas Parkway #450
Addison, TX 75001

Date: 04/24/09

Invoice No.: 7411

Job No.: 10592.00

KI Job No. 1505

ATTN: Monek' Smith

Application No: 6

Job Name: Energy Crossing, Phase I KBC

Period: 04/30/09

Location: 15021 Katy Freeway

DESCRIPTION:

Work based on Opus West's contract and KI Services proposal dated November 13, 2008.

Original Contract Amount	\$161,500.00
Net Change by Change Orders	<u>25,555.00</u>
Total Contract Amount	187,055.00
Percent Complete	<u>100 %</u>
Total Completed to Date	187,055.00
Less Retainage	<u>0.00</u>
Total Billed Less Retainage	187,055.00
Less Billed to Date	<u>182,655.00</u>

TOTAL AMOUNT DUE THIS INVOICE

\$4,400.00

RP 065-87-0575



SUBCONTRACTOR APPLICATION FOR PAYMENT

Attachment "A"
EXHIBIT A

Project Name: Energy Crossing Spec Office Project Number: 10592
 Subcontractor: Karsten Interior Services LP Date of Application: 4/22/09
 Supplier #: 1035175
 Address: 4530 West 34th St - Suite D Application Number: 6
Houston, TX 77092 Period From: 4/1/09 Period To: 4/30/09
 Phone: 713/290-1154
 Remittance Address: Opus West Construction Corporation
Attn: Accounts Payable
15455 N. Dallas Parkway, Suite 450
Addison, TX 75001

CONTRACT INFORMATION

ITEM	SALES TAX (\$)(if applicable)	TOTAL (\$)
ORIGINAL CONTRACT AMOUNT		\$161,500.00
OPUS APPROVED CHANGE ORDER thru # 4		\$25,555.00
CONTRACT AMOUNT TO DATE TOTAL		\$187,055.00

APPLICATION INFORMATION

A Total Completed & Stored to Date \$ 187,055.00
 B Less Retainage 10 % \$
 C Total Earned less Retainage (A - B) \$ 187,055.00
 D Less Previous Billings (previous req's line C) \$ 182,655.00
 E Current Payment Due (C - D) \$ 4,400.00
 F Balance to Finish, Plus Retainage (H - A + B) \$ 0
 G Current Gross Amount Completed This Period \$ 4,400.00

SUBCONTRACTOR: Karsten Interior Services LP Supplier #: 1035175
 BY: [Signature]
 DATE: 4/22/09

APPLICATION BREAKDOWN

THIS SECTION MUST BE COMPLETED IN ORDER FOR THIS PAYMENT TO BE PROCESSED BY OPUS

Account Code	Description	Current Contract Amount	Work Completed		Total Work Complete	Percent Complete	Retainage This Application	Net Payment
			From Previous Application	This Period				
10592.10-F10-09000.00-S	Gypsum Board Systems - Subcontract	\$13,454.00	13054.	400.	13454.	100.	—	
10592.10-F10-09510.00-S	Acoustical Ceilings - Subcontract	\$2,200.00	2200.	—	2200.	100.	—	
10592.10-F10-18533.00-S	Int Finish Allowance 3 - Subcontract	\$11,000.00	11000.	—	11000.	100.	—	
10592.61-F10-09000.00-S	Gypsum Board Systems - Subcontract	\$103,401.00	103401.	—	103401.	100.	—	
10592.61-F10-09510.00-S	Acoustical Ceilings - Subcontract	\$53,000.00	53000.	—	53000.	100.	—	
10592.71-F10-18533.00-S	Int Finish Allowance 3 - Subcontract	\$4,000.00	0	4000.	4000.	100.	—	
	Total	\$187,055.00	182655.	4400.	187055.	100	—	

Entered By: _____ Accounting Date _____ Approved By: _____ Project Manager Date _____

SHADED AREA FOR OPUS ACCOUNTING USE ONLY

RF 065-07-0576



SUBCONTRACTOR APPLICATION FOR PAYMENT

Project Name:	<u>Energy Crossing Spec Office</u>	Project Number:	<u>10592</u>
Subcontractor:	<u>Karsten Interior Services LP</u>	Date of Application:	<u>4/24/09</u>
Supplier #:	<u>1035175</u>	Application Number:	<u>6</u>
Address:	<u>4530 West 34th St - Suite D</u>	Period From:	<u>4/1/09</u>
	<u>Houston, TX 77092</u>	Period To:	<u>4/30/09</u>
Phone:	<u>713/290-1154</u>		
Remittance Address:	<u>Opus West Construction Corporation</u>		
	<u>Attn: Accounts Payable</u>		
	<u>15455 N. Dallas Parkway, Suite 450</u>		
	<u>Addison, TX 75001</u>		



2250-28-590 RP

RECORDER'S MEMORANDUM:
 At the time of recordation, this instrument was found to be inadequate for the best photographic reproduction because of illegibility, carbon or photo copy, discolored paper, etc. All blackouts, additions and changes were present at the time the instrument was filed and recorded.

Beverly H. Ferguson
 COUNTY CLERK
 HARRIS COUNTY, TEXAS

2009 MAY 28 PM 2:18

FILED

Attachment "A"
EXHIBIT A



KARSTEN INTERIOR SERVICES, L.P.

INVOICE

To: Opus West Construction Corp
15455 N Dallas Parkway #450
Addison, TX 75001

Date: 04/20/09

Invoice No.: 7375

Job No.: 10592.00

KI Job No. 1505

ATTN: Monek' Smith

Application No: Retainage

Job Name: Energy Crossing, Phase I KBC

Period: 04/30/09

Location: 15021 Katy Freeway

DESCRIPTION:

Work based on Opus West's contract and KI Services proposal dated November 13, 2008.

Original Contract Amount	\$161,500.00
Net Change by Change Orders	21,155.00
Total Contract Amount	<u>182,655.00</u>
Percent Complete	100 %
Total Completed to Date	<u>182,655.00</u>
Less Retainage	<u>0.00</u>
Total Billed Less Retainage	182,655.00
Less Billed to Date	<u>164,389.50</u>

TOTAL AMOUNT DUE THIS INVOICE

\$18,265.50

ANY PROVISION HEREIN WHICH RESTRICTS THE SALE, RENTAL, OR USE OF THE DESCRIBED REAL PROPERTY BECAUSE OF COLOR OR RACE IS INVALID AND UNENFORCEABLE UNDER FEDERAL LAW, THE STATE OF TEXAS
COUNTY OF HARRIS

I hereby certify that this instrument was FILED in File Number Sequence on the date and at the time specified herein by me, and was duly RECORDED in the Official Public Records of Real Property of Harris County, Texas on

MAY 28 2009



Dorothy B. Kaufman

COUNTY CLERK
HARRIS COUNTY, TEXAS

EXHIBIT "B"

INTEREST CALCULATIONS

KARSTEN INTERIOR SERVICES, L.P.

Creditor	Debtor	Application No.	Amount Due	Invoice No(s)	Invoice Date	Invoice Due Date	Interest Accrual Date	Interest Accrued to 7/6/09	Total Balance Due
Karsten Interior Services, L.P.	Opus West Construction Corp.	4	\$1,512.00 Per Diem: \$,248	7305	3/17/09	4/16/09	5/16/09	\$12.65	\$1,524.65
Karsten Interior Services, L.P.	Opus West Construction Corp.	5	\$15,232.50 Per Diem: \$2,503	7362	4/20/09	5/20/09	6/19/09	\$42.55	\$15,275.05
Karsten Interior Services, L.P.	Opus West Construction Corp.	Retainage	\$18,265.50 Per Diem: \$3,002	7375	4/20/09	5/20/09	6/19/09	\$51.03	\$18,316.53
Karsten Interior Services, L.P.	Opus West Construction Corp.	6	\$4,400.00 Per Diem: \$,723	7411	4/24/09	5/24/09	6/23/09	\$9.40	\$4,409.40
TOTAL:			\$39,410.00					\$115.63	\$39,525.63

EXHIBIT "C"

The services/materials furnished by Claimant and giving rise to Claimant's claim herein were not furnished to Debtor, but were furnished to improve real property owned by Debtor. The claim of Claimant against Debtor is a lien claim pursuant to Chapter 53 of the Texas Property Code.