

UNITED STATES BANKRUPTCY COURT for the Northern District of Texas
Dallas Division

AMENDED
PROOF OF CLAIM

Name of Debtor:
Opus West Construction Corporation

Case Number:
09-34360-11

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
Craday, Jewett & McCulley, LLP
2727 Allen Parkway, Suite 1700
Houston, Texas 77019-2125
Telephone number:
(713) 739-7007

FILED
BS NOV 19 2009
TAWANA C. MARSHALL, CLERK
U.S. BANKRUPTCY COURT
NORTHERN DISTRICT OF TEXAS

Court Claim Number: _____
(If known)

Filed on: 10/29/2009

Name and address where payment should be sent (if different from above):

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.

Telephone number:

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.

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. (See the attached Exhibit "B")

Specify the priority of the claim.

2. Basis for Claim: Services/Materials
(See instruction #2 on reverse side.)

Domestic support obligations under 11 U.S.C. §507(a)(1)(A) or (a)(1)(B).

3. Last four digits of any number by which creditor identifies debtor: _____

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).

3a. Debtor may have scheduled account as: _____
(See instruction #3a on reverse side.)

Contributions to an employee benefit plan - 11 U.S.C. §507 (a)(5).

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: \$ _____

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NOV 23 2009
BMC GROUP

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 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")

FOR COURT USE ONLY

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.

William R. Sudela



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.



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**



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: 713/290-1154
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 # 1		\$4,230.00
CONTRACT AMOUNT TO DATE TOTAL		\$165,730.00

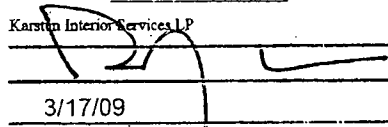
APPLICATION INFORMATION

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 (H - A + B) \$ 16,573.00
G Current Gross Amount Completed This Period \$ 8,075.00

SUBCONTRACTOR: Karsten Interior Services LP **Supplier #:** 1035175

BY:

DATE:


 3/17/09

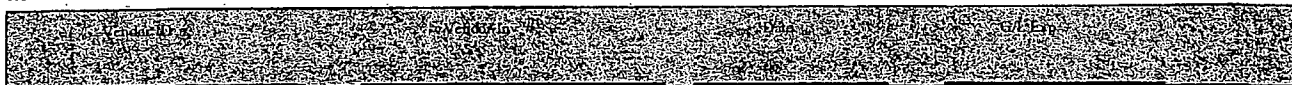
APPLICATION BREAKDOWN

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 + G	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-F10-18593 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-S	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
			E	I	G	A	H	K

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

SHADED AREA FOR OPUS ACCOUNTING USE ONLY



**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
 ATTN: Monek' Smith
 Job Name: Energy Crossing, Phase I KBC
 Location: 15021 Katy Freeway

KI Job No. 1505
 Application No: 5
 Period: 04/30/09

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	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**



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>4/20/09</u>
Supplier #: <u>1035175</u>	Application Number: <u>5</u>
Address: <u>4530 West 34th St - Suite D</u>	Period From: <u>4/1/09</u> Period To: <u>4/30/09</u>
<u>Houston, TX 77092</u>	
Phone: <u>713/290-1154</u>	
Remittance Address: <u>OPUS West Construction Corporation</u>	
Attn: <u>Accounts Payable</u>	
<u>15455 N. Dallas Parkway, Suite 450</u>	
<u>Addison, TX 75001</u>	

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 <u>11,465.00</u>
CONTRACT AMOUNT TO DATE TOTAL		<u>182,655.00</u>

APPLICATION INFORMATION

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

SUBCONTRACTOR: Karsten Interior Services LP Supplier #: 1035175

BY: _____

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.	0	11000.	100	0	0
10592.61-F10-09000.00-S	Gypsum Board Systems - Subcontract	114,866.	99180.	15686.	114,866.	100	1568.60	14117.40
10592.61-F10-09510.00-S	Acoustical Ceilings - Subcontract	\$53,000.00	53000.	0	53,000.	100	0	0
	Total	<u>182,655.</u>	<u>165,730.</u>	<u>16,925.</u>	<u>182,655.</u>	<u>100</u>	<u>1692.50</u>	<u>15232.50</u>

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

SHADED AREA FOR OPUS ACCOUNTING USE ONLY

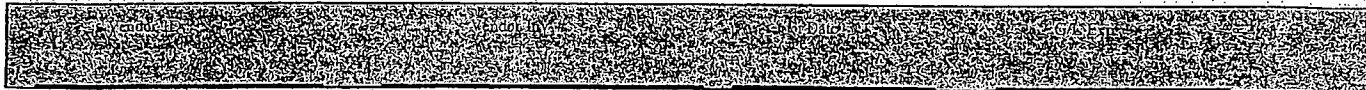


EXHIBIT A

Attachment '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	100 %
Total Completed to Date	<u>187,055.00</u>
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

HP 065-07-0575



SUBCONTRACTOR APPLICATION FOR PAYMENT

Project Name:	Energy Crossing Spec Office	Project Number:	10592
Subcontractor:	Karsten Interior Services LP	Date of Application:	4/22/09
Supplier #:	1035175	Application Number:	6
Address:	4530 West 34th St - Suite D	Period From:	4/1/09
	Houston, TX 77092	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 (E - 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	—	
		H	I	J	K	L	M	N

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

SHADED AREA FOR OPUS ACCOUNTING USE ONLY



SUBCONTRACTOR APPLICATION FOR PAYMENT

Project Name: Energy Crossing Spec Office Project Number: 10592
 Subcontractor: Karsten Interior Services LP Date of Application: 4/24/09
 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



2150-20-5900 PH

RECORDER'S MEMORANDUM:
 At the time of recording, 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.

County Clerk
 COUNTY CLERK
 HARRIS COUNTY, TEXAS

2009 MAY 28 PM 2:18

FILED



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**

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