

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA
FORT LAUDERDALE DIVISION

www.flsb.uscourts.gov

In re:)	Chapter 11 Cases
)	
TOUSA, INC., <i>et al.</i> , ¹)	Case No. 08-10928-JKO
)	
Debtors.)	Jointly Administered

NOTICE OF FILING
CERTIFICATE OF SERVICE

PLEASE TAKE NOTICE that the undersigned, proposed co-counsel for the Committee of Unsecured Creditors, files herewith the Certificate of Service of the following:

- (i) The Official Committee of Unsecured Creditors' Reply in Support of Motion for Entry of an Order Granting Leave, Standing and Authority to Prosecute and, if Appropriate, Settle Causes of Action on Behalf of the Debtors' Estates (D.E.1026);
- (ii) Reply of the Official Committee of Unsecured Creditors of Touse, Inc., et al. to the Objection of Citicorp North America, Inc., as Agent, to (1) Application of the Official Committee of Unsecured Creditors for Entry of an Order Approving Employment and Retention of J.H. Cohn LLP as Forensic Accountants and Financial Consultants Pursuant to 11 U.S.C. §§ 328(a) AND 1103(a), Nunc Pro Tunc to March 27, 2008 [D.E. #844] and (2) Application of the Official Committee of Unsecured Creditors for Entry of an Order Authorizing the Employment and Retention of Robert Charles Lesser & Co. as Real Estate Advisors, Pursuant to 11 U.S.C. §§ 328(a) AND 1103(a) and Fed. R. Bankr. P. 2014(a) and 2016, Nunc Pro Tunc to March 27, 2008 [D.E. #848] (D.E. 1024);

¹ The Debtors in the cases are: TOUSA, Inc.; Engle Homes Commercial Construction, LLC; Engle Homes Delaware, Inc.; Engle Homes Residential Construction, L.L.C.; Engle Siena Verde P4, LLC; Engle Sierra Verde P5, LLC; Engle/Gilligan LLC; Engle/James LLC; LB/TE #1, LLC; Lorton South Condominium, LLC; McKay Landing LLC; Newmark Homes Business Trust; Newmark Homes Purchasing, L.P.; Newmark Homes, L.L.C.; Newmark Homes, L.P.; Preferred Builders Realty, Inc.; Reflection Key, LLC; Silverlake Interests, L.L.C.; TOI, LLC; TOUSA Associates Services Company; TOUSA Delaware, Inc.; TOUSA Funding, LLC; TOUSA Homes Arizona, LLC; TOUSA Homes Colorado, LLC; TOUSA Homes Florida, L.P.; TOUSA Homes Investment #1, Inc.; TOUSA Homes Investment #2, Inc.; TOUSA Homes Investment #2, LLC; TOUSA Homes Mid-Atlantic Holding, LLC; TOUSA Homes Mid-Atlantic, LLC; TOUSA Homes Nevada, LLC; TOUSA Homes, Inc.; TOUSA Homes, L.P.; TOUSA Investment #2, Inc.; TOUSA Mid-Atlantic Investment, LLC; TOUSA Realty, Inc.; TOUSA, LLC; and TOUSA/West Holdings, Inc.



- (iii) Objection of the Official Committee of Unsecured Creditors of Tousa, Inc., et al., to Debtors' Motion for Authority to Use Cash Collateral, as Supplemented (D.E. #1027), and
- (iv) Motion to Appear pro hac vice by Jamie L. Berger (D.E. 1033).

Dated: May 21, 2008.

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UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA
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In re:)	Chapter 11 Cases
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TOUSA, INC., <i>et al.</i> , ¹)	Case No. 08-10928-JKO
)	
Debtors.)	Jointly Administered
)	

STATE OF NEW YORK)

DAGMARA KRASA-BERSTELL

1. Deponent is not a party to this action, is over 18 years of age and is an employee of Akin Gump Strauss Hauer & Feld LLP, 590 Madison Avenue, New York, New York 10022.

2. On May 21, 2008, I caused true and correct copies of the following:

(i) The Official Committee of Unsecured Creditors' Reply in Support of Motion for Entry of an Order Granting Leave, Standing and Authority to Prosecute and, if Appropriate, Settle Causes of Action on Behalf of the Debtors' Estates,

¹ The Debtors in the cases are: TOUSA, Inc.; Engle Homes Commercial Construction, LLC; Engle Homes Delaware, Inc.; Engle Homes Residential Construction, L.L.C.; Engle Sierra Verde P4, LLC; Engle Sierra Verde P5, LLC; Engle/Gilligan LLC; Engle/James LLC; LB/TE #1, LLC; Lorton South Condominium, LLC; McKay Landing LLC; Newmark Homes Business Trust; Newmark Homes Purchasing, L.P.; Newmark Homes, L.L.C.; Newmark Homes, L.P.; Preferred Builders Realty, Inc.; Reflection Key, LLC; Silverlake Interests, L.L.C.; TOI, LLC; TOUSA Associates Services Company; TOUSA Delaware, Inc.; TOUSA Funding, LLC; TOUSA Homes Arizona, LLC; TOUSA Homes Colorado, LLC; TOUSA Homes Florida, L.P.; TOUSA Homes Investment #1, Inc.; TOUSA Homes Investment #2, Inc.; TOUSA Homes Investment #2, LLC; TOUSA Homes Mid-Atlantic Holding, LLC; TOUSA Homes Mid-Atlantic, LLC; TOUSA Homes Nevada, LLC; TOUSA Homes, Inc.; TOUSA Homes, L.P.; TOUSA Investment #2, Inc.; TOUSA Mid-Atlantic Investment, LLC; TOUSA Realty, Inc.; TOUSA, LLC; and TOUSA/West Holdings, Inc.

(ii) Reply of the Official Committee of Unsecured Creditors of Tousa, Inc., et al. to the Objection of Citicorp North America, Inc., as Agent, to (1) Application of the Official Committee of Unsecured Creditors for Entry of an Order Approving Employment and Retention of J.H. Cohn LLP as Forensic Accountants and Financial Consultants Pursuant to 11 U.S.C. §§ 328(a) AND 1103(a), Nunc Pro Tunc to March 27, 2008 [D.E. #844] and (2) Application of the Official Committee of Unsecured Creditors for Entry of an Order Authorizing the Employment and Retention of Robert Charles Lesser & Co. as Real Estate Advisors, Pursuant to 11 U.S.C. §§ 328(a) AND 1103(a) and Fed. R. Bankr. P. 2014(a) and 2016, Nunc Pro Tunc to March 27, 2008 [D.E. #848],

(iii) Objection of the Official Committee of Unsecured Creditors of Tousa, Inc., et al., to Debtors' Motion for Authority to Use Cash Collateral, as Supplemented, and

(iv) Motion to Appear pro hac vice by Jamie L. Berger,

to be served via email on each of the parties listed on the annexed Service List A.

3. On May 21, 2008, I caused true and correct copies of the following:

(i) The Official Committee of Unsecured Creditors' Reply in Support of Motion for Entry of an Order Granting Leave, Standing and Authority to Prosecute and, if Appropriate, Settle Causes of Action on Behalf of the Debtors' Estates,

(ii) Reply of the Official Committee of Unsecured Creditors of Tousa, Inc., et al. to the Objection of Citicorp North America, Inc., as Agent, to (1) Application of the Official Committee of Unsecured Creditors for Entry of an Order Approving Employment and Retention of J.H. Cohn LLP as Forensic Accountants and Financial Consultants Pursuant to 11 U.S.C. §§ 328(a) AND 1103(a), Nunc Pro Tunc to March 27, 2008 [D.E. #844] and (2) Application of the Official Committee of Unsecured Creditors for Entry of an Order Authorizing the Employment and Retention of Robert Charles Lesser & Co. as Real Estate Advisors, Pursuant to 11 U.S.C. §§ 328(a) AND 1103(a) and Fed. R. Bankr. P. 2014(a) and 2016, Nunc Pro Tunc to March 27, 2008 [D.E. #848],

(iii) Objection of the Official Committee of Unsecured Creditors of Tousa, Inc., et al., to Debtors' Motion for Authority to Use Cash Collateral, as Supplemented, and

(iv) Motion to Appear pro hac vice by Jamie L. Berger,

to be served via overnight courier upon each of the parties listed on the annexed Service List B.

/s/ Dagmara Krasa-Berstell
Dagmara Krasa-Berstell

Sworn to before me this
21st day of May, 2008

/s/ Roselynn D. Mizner
Roselynn D. Mizner
Notary Public, State of New York
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Qualified in New York County
Commission Expires March 7, 2011

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