

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF FLORIDA  
FORT LAUDERDALE DIVISION

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

**JOINDER OF THE OFFICIAL COMMITTEE OF UNSECURED CREDITORS OF TOUSA, INC., ET AL. TO THE DEBTORS’ OBJECTION TO MOTION OF CREDITOR COVE ISLE COMMUNITY ASSOCIATION FOR EXTENSION OF THE MAY 19, 2008 CLAIMS BAR DATE AND LEAVE TO FILE AMENDED AND SUPPLEMENTAL PROOFS OF CLAIM IN THE CHAPTER 11 CASE OF TOUSA HOMES, INC. UPON THE COMPLETION OF THE POST-TURNOVER ENGINEERING REPORT AND FOR DETERMINATION OF STATUS OF CLAIMS AS PREPETITION OR POSTPETITION**

The Official Committee of Unsecured Creditors (the “Committee”) of TOUSA, Inc., *et al.* (collectively, the “Debtors”), by and through its undersigned co-counsel, joins (the “Joinder”) in the Debtors’ Objection (the “Objection”) [D.E. # 1143] to Creditor Cove Isle Community Association, Inc.’s (“Cove Isle”) Motion for Extension of the May 19, 2008 Claims Bar Date and Leave to File Amended and Supplemental Proofs of Claim in the Chapter 11 Case of TOUSA Homes, Inc. Upon the Completion of the Post-Turnover Engineering Report and for

<sup>1</sup> 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.



Determination of Status of Claims as Prepetition or Postpetition [D.E. #1007] (the “Motion”). In support of this Joinder, the Committee respectfully submits as follows:

**BACKGROUND**

1. On May 19, 2008, Cove Isle filed the Motion requesting that the Court enter an order (i) extending the May 19, 2008 claims bar date (the “Bar Date”) as it applies to Cove Isle and (ii) granting Cove Isle leave to file amended and supplemental proofs of claim.

**THE COMMITTEE’S JOINDER**

2. On June 6, 2008, the Debtors filed the Objection [D.E. # 1143]. Based on the facts available to the Committee, the Committee agrees with the legal arguments set forth in the Objection and, accordingly, files this Joinder in support thereof.

**CONCLUSION**

For the reasons set forth in the Objection as qualified hereby, the Committee respectfully requests that the Court (a) deny Cove Isle an extension of the Bar Date, (b) permit Cove Isle to file amended and supplemented proofs of claim only to the extent permitted under applicable law

and (c) grant the Committee such other and further relief as the Court deems just, proper and equitable.

Dated: June 6, 2008

Respectfully submitted,

I hereby certify that I am admitted to the Bar of the United States District Court for the Southern District of Florida and I am in compliance with the additional qualifications to practice in this court set forth in Local Rule 2090-1(A).

**STEARNS WEAVER MILLER WEISSLER  
ALHADEFF & SITTERSON, P.A.**

By: /s/ Patricia A. Redmond  
Patricia A. Redmond (Florida Bar No. 303739)  
150 West Flagler Street  
Miami, Florida 33130  
Telephone: (305) 789-3553  
Facsimile: (305) 789-3395

-and-

We hereby certify that the undersigned attorneys are appearing pro hac vice in this matter pursuant to Court orders dated February 27, 2008 and March 3, 2008.

**AKIN GUMP STRAUSS HAUER & FELD LLP**

Daniel H. Golden (New York Bar No. 1133859)  
Philip C. Dublin (New York Bar No. 2959344)  
590 Madison Avenue  
New York, NY 10022  
Telephone: (212) 872-1000  
Facsimile: (212) 872-1002

*Co-Counsel to the Official Committee of Unsecured  
Creditors of TOUSA, Inc., et al.*