

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
AFFIDAVIT OF SERVICE

PLEASE TAKE NOTICE that the undersigned, co-counsel for the Official Committee of Unsecured Creditors, files the attached Affidavit of Service by Dagmara Krasa-Berstell attesting to service of the following:

Notice of Withdrawal of Application (DE 662) of the Official Committee of Unsecured Creditors of TOUSA, Inc., et al., for Entry of an Order Approving Retention of Jefferies & Company, Inc. as Financial Advisors Pursuant to 11 U.S.C. 328(a) and 1103, Nunc Pro Tunc to February 19, 2008 [D.E. 1563].

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.



Dated: August 12, 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.**

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-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.

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**UNITED STATES BANKRUPTCY COURT
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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 August 12, 2008, I caused true and correct copies of the Notice of Withdrawal of Application of the Official Committee on Unsecured Creditors for Entry of an Order Approving Retention of Jefferies & Company, Inc. as Financial Advisor Pursuant to 11 U.S.C., Sections 328(a) and 1103, Nunc Pro Tunc to February 19, 2008, to be served via email on the

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.

parties listed on the annexed Service List A and via first class mail, postage prepaid, on the parties listed on the annexed Service List B.

/s/ Dagmara Krasa-Berstell
Dagmara Krasa-Berstell

Sworn to before me this
12th of August, 2008

/s/ Roselynn D. Mizner
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Notary Public, State of New York
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Qualified in New York County
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