



**ORDERED** in the Southern District of Florida on December 18, 2008.

**John K. Olson, Judge**  
**United States Bankruptcy Court**

**UNITED STATES BANKRUPTCY COURT**  
**SOUTHERN DISTRICT OF FLORIDA**  
**FORT LAUDERDALE DIVISION**  
[www.flsb.uscourts.gov](http://www.flsb.uscourts.gov)

In re:  
TOUSA, INC., *et al.*,

Debtors.

OFFICIAL COMMITTEE OF UNSECURED  
CREDITORS OF TOUSA, INC., *ET AL.*,

Plaintiff ,

vs.

CITICORP NORTH AMERICA, INC., *ET AL.*,

Defendants.

Chapter 11 Cases

Case No. 08-10928-JKO

Jointly Administered

**Adv. Pro. No. 08-1435-JKO**

**ORDER DENYING SENIOR TRANSEASTERN LENDERS' MOTION TO  
DISMISS FIRST AMENDED ADVERSARY COMPLAINT**

This matter came before the Court for hearing on December 4, 2008, upon the Senior Transeastern Lenders' Motion to Dismiss the First Amended Adversary Complaint (D.E. 151). The Court has read and considered the Motion and all papers submitted in support of and in opposition thereto, and heard and considered the arguments of counsel. Good cause appearing, it is ORDERED and ADJUDGED:

The Motion is DENIED for the reasons stated in open court and appearing in the transcript of the hearing.

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Submitted by:

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*Fraudulent Conveyance Adversary Proceeding Counsel for the Official Committee of Unsecured Creditors of TOUSA, Inc., et al.*

Copies to:

Patricia A. Redmond  
*(Attorney Redmond shall upon receipt serve a copy of this Order upon all interested parties and file a certificate of service.)*