

**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:

- (i) *Second Application of Akin Gump Strauss Hauer & Feld LLP, Co-counsel for the Official Committee of Unsecured Creditors of TOUSA, Inc., et al. [D.E. 2059];*
- (ii) *Second Application of Stearns Weaver Miller Weissler Alhadeff & Sitterson, P.A., Co-counsel for the Official Committee of Unsecured Creditors of TOUSA, Inc., et al. [D.E. 2044];*
- (iii) *First Application of Robbins, Russell, Englert, Orseck, Untereiner & Fauber LLP, Fraudulent Conveyance Litigation Counsel for the Official Committee of Unsecured Creditors of TOUSA, Inc., et al. [D.E. 2062];*

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; TOUSA/West Holdings, Inc., and Beacon Hill at Mountain's Edge, LLC.

**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
)	

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 October 31, 2008, I caused true and correct copies of the following:

(i) Second Application of Akin Gump Strauss Hauer & Feld LLP, Co-Counsel for the Official Committee of Unsecured Creditors of Touse, Inc., et al., for Interim Allowance of Compensation and for Reimbursement of Expenses for Services Rendered During the Period May 1, 2008 Through August 31, 2008;

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) Second Interim Fee Application of Stearns Weaver Miller Weissler Alhadeff & Sitterson, P.A. for Compensation and Reimbursement of Expenses Incurred During the Second Interim Period;

(iii) First Interim Fee Application of Robbins, Russell, Englert, Orseck, Untereiner & Sauber LLP, Fraudulent Conveyance Litigation Counsel for the Official Committee of Unsecured Creditors of Tousa, Inc., et al.,;

(iv) Second Interim Application for Allowance and Payment of Compensation and Reimbursement of Expenses to J.H. Cohn LLP as Forensic Accountants and Financial Consultants to the Official Committee of Unsecured Creditors of Tousa, Inc., et al.,;

(v) First Interim Fee Application of Jefferies & Company, Inc., as Financial Advisor and Investment Banker to the Official Committee of Unsecured Creditors, for Allowance of Compensation for Professional Services Rendered and Reimbursement of Actual and Necessary Expenses Incurred from February 19, 2008 Through July 14, 2008; and

(vi) Second Interim Application for Allowance and Payment of Compensation and Reimbursement of Expenses to Robert Charles Lesser & Co. As Real Estate Advisors to the Official Committee of Unsecured Creditors of Tousa, Inc., et al.,

to be served on the parties listed on the annexed Service List A in the manner indicated thereon.

/s/ Dagmara Krasa-Berstell
Dagmara Krasa-Berstell

Sworn to before me this
5th day of November, 2008

/s/ Roselynn D. Mizner
Roselynn D. Mizner
Notary Public, State of New York
No. 01M15003432
Qualified in New York County
Commission Expires March 7, 2011

Service List A

Via email & overnight courier

PAUL STEVEN SINGERMAN, ESQ.
Berger Singerman
200 South Biscayne Blvd., Suite 1000
Miami, FL 33131
singerman@bergersingerman.com
efile@bergersingerman.com

Via email & overnight courier

STEVEN D. SCHNEIDERMAN, ESQ.
Office of the United States Trustee
51 SW First Avenue, Room 1204
Miami, FL 33130
Steven.D.Schneiderman@usdoj.gov

Via email

TOUSA, INC., et al.
Attention: Sorana Georgescu
4000 Hollywood Blvd.
Suite #500N
Hollywood, FL 33021
sgeorgescu@tousa.com

Via email

KIRKLAND & ELLIS, LLP
Attention: Nicole L. Greenblatt
Citigroup Center
153 East 53 Street
New York, NY 10022
ngreenblatt@kirkland.com

Via email

TARA TORRENS
Capital Research and Management Company
630 Fifth Avenue, 36th Floor
New York, NY 10111
Telephone: (212) 830-0114
Facsimile: (212) 641-1746
talt@capgroup.com

Via email

STEPHEN J. COOKE, SR., Vice President
SMH Capital Advisors, Inc.
4800 Overton Plaza, Suite 300
Fort Worth, TX 76109
Telephone: (817) 731-9559 ext. 248
Facsimile: (817) 731-4641
scooke@smhca.com