



Dated: January 8, 2009.

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).

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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  
SOUTHERN DISTRICT OF FLORIDA  
FORT LAUDERDALE DIVISION  
[www.flsb.uscourts.gov](http://www.flsb.uscourts.gov)

In re:	)	Chapter 11 Cases
	)	
TOUSA, INC., <i>et al.</i> , <sup>1</sup>	)	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 January 8, 2009 I caused true and correct copies of the Response of the Official Committee of Unsecured Creditors of Touse, Inc., et al., to Limited Objection by Citicorp North America, Inc. as Administrative Agent, to Debtors' Motion for Authority to Use Cash Collateral, to be served via email on the parties listed on the annexed Service List A

<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 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.

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  
8<sup>th</sup> day of January, 2009

/s/ Roselynn D. Mizner

Roselynn D. Mizner

Notary Public, State of New York

No. 01M15003432

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