



ORDERED in the Southern District of Florida on August 09, 2010.

A handwritten signature in black ink, appearing to read "John K. Olson".

John K. Olson, Judge
United States Bankruptcy Court

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA
FORT LAUDERDALE DIVISION
www.flsb.uscourts.gov

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

Debtors.

OFFICIAL COMMITTEE OF UNSECURED
CREDITORS OF TOUSA, INC., *et al.*,

Plaintiffs,

vs.

TENNENBAUM MULTI-STRATEGY
MASTER FUND, *et al.*,

Defendants.

Chapter 11 Cases

Case No. 08-10928-JKO

Jointly Administered

Adv. Pro. No. 10-2242-JKO

FINAL JUDGMENT AGAINST GOLDMAN SACHS LENDING PARTNERS, LLC

Pursuant to Federal Rule of Bankruptcy Procedure 7058, judgment is hereby entered in favor of Plaintiff, the Official Committee of Unsecured Creditors of TOUSA, Inc., *et al.*

("Plaintiff" or "Committee"), and against Defendant, Goldman Sachs Lending Partners LLC ("GSLP") as follows:

1. Pursuant to the *Order Granting Agreed Motion to Adopt Stipulation Between the Committee and Goldman Sachs Lending Partners, LLC and Directing the Entry of Final Judgment* [D.E. 32] ("Stipulated Order"), GSLP is bound by and shall be deemed a party to the *Findings of Fact and Conclusions of Law* in Adversary Proceeding No. 08-1435-JKO (the "Adversary Proceeding" or "Adv.") [Adv. D.E. 32], *the Final Judgment* [Adv. D.E. 659], *the Amended Findings of Fact and Conclusions of Law* [Adv. D.E. 722], *the Amended Final Judgment* [Adv. D.E. 721], *the Bond Order* [Adv. D.E. 723] and *the Stay Order* [Adv. D.E. 837] as if it had been a party to all prior proceedings therein. Pursuant to the Stipulated Order, GSLP and the Committee shall each be bound by, deemed to be party to, and enjoy the benefit or suffer the detriment of the outcome of any First Lien Lender appeals from the Adversary Proceeding, to the same extent as if GSLP had appeared and defended the Adversary Proceeding and participated in such appeals, and the outcome of such appeals shall likewise be binding as to the Committee in respect of GSLP.¹

2. Plaintiff, Official Committee of Unsecured Creditors of TOUSA, Inc., *et al.*, shall have and recover from Defendant, Goldman Sachs Lending Partners LLC, the amount of \$130,396, with interest at the rate prescribed pursuant to 28 U.S.C. § 1961, provided however, GSLP has obtained a stay of execution and enforcement proceedings pending appeal, pursuant to the Stipulated Order [D.E. 32] previously entered in these proceedings.

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¹ Unless noted otherwise, Capitalized Terms have the same meaning as in the Amended Final Judgment entered in the Adversary Proceeding.
NY2 - 552422.02

Submitted by, and Copy to:

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(Attorney Patricia Redmond is directed to serve conformed copies of this order upon all parties of record and to file a certificate of service.)

CERTIFICATE OF NOTICE

District/off: 113C-0
Case: 10-02242

User: cervinom
Form ID: pdf004

Page 1 of 1
Total Noticed: 4

Date Rcvd: Aug 11, 2010

The following entities were noticed by first class mail on Aug 13, 2010.

aty +Lawrence S. Robbins, Robbins, Russell, Englert, Orseck, et al, 1800 K Street, NW, #411-L,
Washington, DC 20006-2202

aty +Michael L. Waldman, Robbins, Russell, Englert, Orseck, et al, 1801 K Street, NW, #411-L,
Washington, DC 20006-1301

ust +Office of the US Trustee, 51 S.W. 1st Ave., Suite 1204, Miami, FL 33130-1614

pla +Official Committee of Unsecured Creditors of TOUSA, c/o Patricia A. Redmond, Esq.,
Stearns Weaver Miller, 150 W Flagler St #2200, Miami, FL 33130-1536

The following entities were noticed by electronic transmission.

NONE. TOTAL: 0

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

dft CMTGLQ Investors, L.P.

dft Esperance C/O Scotiabank (Ireland) Limited

dft Fall Creek Clo Ltd.

dft Fortress Credit Investments I LTD.

dft Fortress Credit Investments II LTD

dft Goldman Sachs Lending Partners LLC

dft Marathon Financing I, B.V.

dft Tannenbaum Capital SPC

dft Tannenbaum Multi-Strategy Master Fund

TOTALS: 9, * 0, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 9): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Aug 13, 2010

Signature:

