

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.

TECHNICAL OLYMPIC, S.A., *et al.*,

Defendants.

---

Chapter 11 Cases

Case No. 08-10928-JKO

Jointly Administered

Adv. Pro. No. 09-01616

**STIPULATION AND ORDER**

Whereas the deadline to answer or otherwise respond to the Complaint in the above-referenced adversary proceeding (the "Proceeding") is February 1, 2010 (D.E. 41); and

Whereas Plaintiff the Official Committee of Unsecured Creditors of TOUSA, Inc., *et al.* (the "Committee") has agreed to extend the deadline to answer or otherwise respond for Defendant Brian Konderik ("Mr. Konderik").

It is hereby stipulated and agreed, by and among the Committee and Mr. Konderik, through their undersigned attorneys, that the date for Mr. Konderik to answer or otherwise respond in the Proceeding is extended to and includes February 8, 2010.

Mr. Konderik hereby expressly reserves his right to seek further extensions of time to answer or otherwise respond to the Complaint, and any and all other rights.

The Committee hereby expressly reserves all rights to object to any requests for further extensions of time, and any and all other rights.

The stipulated extension of time contained herein applies only to Mr. Konderik, and expressly does not apply to any other Defendants in the Proceeding.

Dated: January 28, 2010

# # #

By: /s/ Jessica Budoff  
**AKIN GUMP STRAUSS HAUER & FELD  
LLP**

Daniel H. Golden (New York Bar No. 1133859)  
Stephen M. Baldini (New York Bar No. 2428381)  
Philip C. Dublin (New York Bar No. 2959344)  
Jessica S. Budoff (New York Bar No. 4431821)  
One Bryant Park  
New York, NY 10036  
Telephone: (212) 872-1000  
Facsimile: (212) 872-1002

-and-

**STEARNS WEAVER MILLER  
WEISSLER ALHADEFF & SITTERSON, P.A.**

Patricia A. Redmond (Florida Bar No. 303739)  
predmond@stearnsweaver.com  
150 West Flagler Street  
Miami, Florida 33130  
Telephone: (305) 789-3553  
Facsimile: (305) 789-3395

*Co-Counsel to the Official Committee of Unsecured  
Creditors of TOUSA, Inc., et al.*

-and-

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).

By: /s/ Joseph L. Rebak  
**TEW CARDENAS LLP**

Joseph L. Rebak, P.A. (Florida Bar No. 308668)  
[jl原因@tewlaw.com](mailto:jl原因@tewlaw.com)  
Maria P. Gonzalez, Esq. (Florida Bar No. 0011646)  
[mpg@tewlaw.com](mailto:mpg@tewlaw.com)  
Four Seasons Tower, 15th Floor  
1441 Brickell Avenue  
Miami, FL 33131-3407  
Telephone: (305) 536-1112  
Facsimile: (305) 536-1116

*Counsel for Defendant Brian Konderik*