

Form CGFCRD5A (9/19/08)

**United States Bankruptcy Court**  
**Southern District of Florida**  
**www.flsb.uscourts.gov**

Case Number: 08-10928-JKO

Adversary Number: 08-01435-JKO

In re:  
Name of Debtor(s): TOUSA, Inc.

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Official Committee of Unsecured Creditors of TOUSA, Inc., et al  
Plaintiff(s)

VS.

Citicorp North America, Inc., Wells Fargo Bank, N.A., Doe New Lenders Nos. 1-100, Doe New Subordinated Notes Successor Trustee, Doe New Subordinated Noteholders Nos. 101-200, The CIT Group/Business Credit, Inc., Distressed High Yield Trading Ops. Fund Ltd., 3V Capital Master Fund Ltd., Deutsche Bank Trust Company Americas, Silver Oak Capital LLC, Bear Stearns Investment Products Inc., Bank of America, N.A., Black Diamond Clo 2005-1, Fall Creek Clo Ltd., Eaton Vance Senior Debt Portfolio, Eaton Vance Senior Income Trust, Eaton Vance Grayson & Co., Eaton Vance VT Floating-Rate Income Fund, Eaton Vance Limited Duration Income Fund, Eaton Vance Senior Floating-Rate Trust, Eaton Vance Floating-Rate Income Trust, Eaton Vance Credit Opportunities Fund, Farallon Capital Institutional Partners L.P., Farallon Capital Institutional Partners II, L.P., Tinicum Partners L.P., Farallon Capital Offshore Investors, Inc., Farallon Capital Offshore Investors II, L.P., Farallon Capital Partners L.P., Farallon Capital Institutional Partners III L.P., Aurum Clo 2002-1 Ltd., Flagship Clo III, Flagship Clo IV, Flagship Clo V, Goldman Sachs Credit Partner, L.P., Grand Central Asset Trust, CED Series, Hartford Mutual Funds, Inc., on behalf of The Hartford Floating Rate Fund by Hartford Investment Management Company, its Sub-Advisor, Stedman CBNA Loan Funding LLC, Atascosa Investments LLC, Gleneagles CLO Ltd., Grand Central Asset Trust, Hld Series, Grand Central Asset Trust, SOH Series, Jasper Clo, Ltd., Liberty Clo, Ltd., Burnet Partners, LLC, Rockwall CDO, Ltd., Highland CDO Opportunity Fund, Ltd., Highland Floating Rate LLC, Highland Legacy Limited, Loan Funding VII, LLC, Highland Offshore Partners, L.P., Highland Credit Opportunities CDO Ltd., Highland Floating Rate Advantage Fund, JPMorganChase Bank, N.A., LL Blue Marlin Funding LLC, Merrill Lynch Credit Products LLC, Ocean Bank, Quadrangle Master Funding Ltd., Centurion CDO 10, Ltd., Centurion CDO XI, Ltd., Centurion CDO 8, Limited, Centurion CDO 9, Ltd., Centurion CDO II, Ltd., Centurion CDO VI, Ltd., Sequils-Centurion V, Ltd., Centurion CDO VII, Ltd., Riversource Floating Rate Fund, Van Kampen Senior Loan Fund, Van Kampen Dynamic Credit Opportunities Fund, Van Kampen Senior Income Trust, The Foothills Group, Inc., Senior Transeastern Lenders, Morgan Stanley Senior Funding Inc, Castlerigg Master Investments Ltd, Chicago Fundamental Investment Partners LLC, CGDO LLC, Citibank N.A., Covalent Partners LLC, Esperance C/O Scotiabank (Ireland) Limited, REOPICYM, Fortress Credit Investments I LTD, Fortress Credit Investments II LTD, Grand Central Asset Trust, Gaia Series, Grand Central Asset Trust, SIL Series, HBK Master Fund LP, Helios Funding LLC, Investment CBNA Loan Funding LLC, JP Morgan Whitefriars Inc, Lehman Commerical Paper Inc, Marathon Financing I., B.V., McDonnell Loan Opportunity LTD, Perry Principals, L.L.C., Promethean I Master LTD, Royal Bank of Canada, SOF Investments L.P., STRLRRE, Taconic Capital Partners 1.5 L.P., Taconic Opportunity Fund L.P., Tennebaum Multi-Strategy Master Fund, Trilogy Portfolio Company LLC, WCP Real Estate Strategies Fund, Westport Capital Partners LLC, AIG Annuity Insurance Company, Alexandra Global Master Fund, Ltd, American General Life Insurance Company, American International Group, Inc., Avenue Investments LP, Deutsche, Bank AG, New York Branch, Longacre Capital Patnrns QP, LP, Longacre Master Fund LTD, M.D. Sass Re/Enterprise Portfolio Company, L.P., Merrill Lynch Pierce Fenner & Smith Inc, Monarch Master Funding LTD, Q Funding III LP, Quadrangle Master Funding Ltd, Stonehill Institutional Partners LP, SunAmerica Income Funds - SunAmerica High Yield Bond Fund, SunAmerica Series Trust - High Yield Bond Portfolio, The Master Trust Bank of Japan, Ltd., The Variable Annuity Life Insurance Company, Third Point Loan LLC, VALIC Company II High Yield Bond Fund, Bank of the West, Bank United, Branch Banking and Trust Co,

Comerica Bank DB Services New Jersey Inc, Compass Bank, DK Acquisition Partners L.P., Guaranty Group, Jeffries Buckeye Master Fund LTD, Lisenard, NATIXIS, PNC Bank N.A., Quattro Global Capital LLC, Grand Central Asset Trust, San Series, Grand Central Asset Trust, VCM Series, National City, Raymond James, Sovereign Bank, TRS Venor LLC, UBS, US Bank, Venor Capital Master Fund LTD, Wachovia Bank N.A., Washington Mutual, Doe Successor Trustee, Jasper CLO, Ltd. Loan Funding VII LLC, Second Lien Lenders, Satascosa Investments, LLC, Fidelity Fixed Income Trust: Fidelity Strategic Real Return Fund, REOI Cayman Ltd. and CFIP Master Fund, Ltd.

Defendant(s)

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## NOTICE OF HEARING

**NOTICE IS HEREBY GIVEN** that a hearing will be held on **January 29, 2010 at 09:30 AM**, at the following location:

**U.S. Courthouse  
299 E Broward Blvd #301  
Ft Lauderdale FL 33301**

to consider the following:

**Motion to Compromise Controversy with /Joint Motion to Approve Amended Settlement Agreement with Subordinated Noteholders Filed by Plaintiff Official Committee of Unsecured Creditors of TOUSA, Inc., et al**

**THIS MATTER HAS BEEN SCHEDULED FOR A TEN MINUTE HEARING. IF YOU REQUIRE MORE TIME YOU MUST CONTACT THE COURTROOM DEPUTY IMMEDIATELY FOR A SPECIAL SETTING.**

**This matter has not been scheduled as an evidentiary hearing.** If you require an evidentiary hearing, the currently scheduled hearing will be treated as a preliminary hearing. Contact the courtroom deputy, Christina Romero at (954) 769-5774 to schedule a final evidentiary hearing.

**THE MOVANT, (OR MOVANT'S COUNSEL if represented by an attorney) SHALL SERVE A COPY OF THIS NOTICE OF HEARING** and, unless previously served, the above-described pleading on all required parties within the time frames required by the Bankruptcy Rules, Local Rules, or orders of the Court, and shall file a certificate of service as required under Local Rules 2002-1(F) and 9073-1(B). Any party who fails to properly serve any pleadings or other paper may be denied the opportunity to be heard thereon. All moving or objecting parties shall bring to the hearing proposed orders, sustaining their respective positions.

**PLEASE NOTE:** Photo identification is required to gain entrance to all federal courthouse facilities. Electronic devices, including but not limited to cameras, cellular phones (including those with cameras), pagers, personal data assistants (PDA), laptop computers, radios, tape-recorders, etc., **are not permitted** in the courtroom, chambers or other environs of this court. These restrictions (**except for cameras not integrated into a cell phone device**) do not apply to attorneys with a valid Florida Bar identification card, attorneys who have been authorized to appear by pro hac vice order and witnesses subpoenaed to appear in a specific case. An attorney seeking entry to the Ft. Lauderdale courthouse facilities must also be admitted to practice in the Southern District of Florida or be authorized to appear by pro hac vice order. **No one is permitted to bring a camera or other prohibited electronic device into a federal courthouse facility except with a written order signed by a judge and verified by the United States Marshal's Service. See Local Rule 5072-2.**

Dated: 1/15/10

**CLERK OF COURT**  
By: Christina Romero  
Deputy Clerk