

**Jericho All-Weather Opportunity Fund, L.P.’s Motion for Relief from Stay (the “Jericho Motion”).**

By the Jericho Motion, Jericho All-Weather Opportunity Fund, L.P. (“Jericho”) seeks entry of an order granting relief from the automatic stay to allow Jericho to pursue a foreclosure action in Florida state court.

On July 26, 2007, TOUSA Homes, Inc. (“TOUSA Homes”) sold its interest in a residential real estate development in Martin County, Florida (the “Development”) to Legacy Cove 55, LLC (“Legacy”). Jericho financed the purchase by lending Legacy \$10.25 million, secured by a mortgage on the Development (the “Jericho Mortgage”). TOUSA Homes also provided purchase money financing in the amount of \$8.25 million. TOUSA Homes’ loan was secured by a mortgage, which Legacy alleges is subordinated to the Jericho Mortgage.

Jericho alleges that Legacy has defaulted on the loan secured by the Jericho Mortgage and Jericho has filed a state court action (the “Action”) seeking to, among other things, foreclose its mortgage on the Development. Although the Action was filed postpetition, Jericho alleges that it was unaware of TOUSA Homes’ chapter 11 case and has ceased all activity with respect to TOUSA Homes’ interest in the Development pending resolution of the Jericho Motion.

The Jericho Motion alleges that TOUSA Homes agrees that it has no equity in the property and that Jericho is entitled to relief from the automatic stay.

***A hearing on the Jericho Motion has been scheduled for May 14, 2009, with a corresponding objection deadline of May, 8, 2009.***