

**Allied Building Products Corp.’s Motion for Relief from the Automatic Stay to Continue its Florida State Court Construction Foreclosure Lien Action (the “Allied Motion”).**

By the Allied Motion, creditor Allied Building Products Corp. (“Allied”) seeks entry of an order (the “Order”) lifting the automatic stay to allow Allied to continue prosecution of a Florida state court foreclosure action (the “Action”) wherein Allied is seeking satisfaction of its liens through recovery under surety bonds previously posted and paid for by TOUSA Homes, Inc. (“TOUSA Homes”).

Pursuant to a purchase order from Roofing Team, Inc. (“Roofing Team”), a roofing contractor hired by TOUSA Homes, Allied provided roofing materials and supplies to a project and on property owned by TOUSA Homes. When Roofing Team failed to pay Allied for the supplies provided by Allied, in December 2006, Allied recorded two separate claims of lien upon the property owned by TOUSA Homes. On March 22, 2007, TOUSA Homes recorded two separate transfers of lien to a surety bond (the “Surety Bonds”) under Florida Statute §713.24.

On May 11, 2007, Allied commenced the Florida State Court Action against TOUSA Homes, Bond Safeguard Insurance Company (the surety) and other defendants seeking to foreclose its liens. Allied seeks to collect any judgment it may obtain against the Surety Bonds purchased by TOUSA Homes prior to the Debtors’ chapter 11 filing.

Allied argues that the stay should be lifted and prosecution of the State Court foreclosure action permitted to proceed because: (i) the Action will have a no impact on the Debtors’ estates because Allied is seeking recovery only from the Surety Bonds; (ii) Allied will be harmed if the stay is not lifted, and (iii) the Surety Bonds are not necessary for an effective reorganization as the Debtors do not have any equity in the Surety Bonds.

***A hearing on the Allied Motion has not been scheduled, but an objection deadline has been set for August 8, 2008.***