

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

In re:)	Chapter 11 Cases
)	Case No. 08-10928-JKO
TOUSA, INC., <i>et al.</i> ,)	Jointly Administered
)	
Debtors.)	
)	

**NOTICE OF SUPPLEMENTAL BAR DATE FOR
FILING CUSTOMER PROOFS OF CLAIM ON MAY 14, 2010**

**TO: ALL PERSONS OR ENTITIES WHO MAY HAVE PREPETITION AND/OR
POSTPETITION CUSTOMER CLAIMS AGAINST TOUSA, INC. OR ITS
AFFILIATED DEBTORS**

PLEASE TAKE NOTICE that, on January 29, 2008, TOUSA, Inc. (“TOUSA”) and its affiliated debtors and debtors in possession in the above-captioned, jointly administered chapter 11 cases (collectively, the “Debtors”) each filed a voluntary petition for relief under chapter 11 of title 11 of the United States Code (the “Bankruptcy Code”) in the United States Bankruptcy Court for the Southern District of Florida (the “Court”).

PLEASE TAKE FURTHER NOTICE that, on March 1, 2010, the Court entered an order establishing **May 14, 2010** as the deadline (the “Customer Claims Bar Date”) by which any person or entity (including individuals, corporations, partnerships, trusts, and governmental units) that holds a claim arising from or related to (i) a signed agreement to purchase a home from, or a home sale closed with, the Debtors *before* January 29, 2008, or a claim arising from or related to a (ii) signed agreement to purchase a home from, or a home closed with, the Debtors *after* January 29, 2008, only to the extent the Debtors have not paid or honored such claim during the Debtors’ chapter 11 cases (each, a “Customer Claim”) must file written proof of such Customer Claim (a “Customer Proof of Claim”) with the Bankruptcy Court.

YOU ARE RECEIVING THIS NOTICE because you may have a Customer Claim against one or more of the Debtors. However, the fact that you are receiving this notice does not mean that you do have a Customer Claim against a Debtor or that the Debtors believe that you do.

PURSUANT TO THE CUSTOMER CLAIMS BAR DATE ORDER ENTERED BY THE COURT:

- **THE DEADLINE TO FILE A CUSTOMER PROOF OF CLAIM IS MAY 14, 2010 AT 5:00 P.M. (PREVAILING PACIFIC TIME).**
- **IF YOU ARE REQUIRED TO FILE A CUSTOMER PROOF OF CLAIM BY THE CUSTOMER CLAIMS BAR DATE BUT FAIL TO DO SO, YOUR**



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CUSTOMER CLAIM WILL BE FOREVER BARRED. THIS MEANS THAT YOU MAY NOT BE ELIGIBLE TO VOTE ON ANY CHAPTER 11 PLAN, MAY NOT RECEIVE ANY DISTRIBUTION FROM THE DEBTORS ON ACCOUNT OF YOUR CUSTOMER CLAIM AND/OR MAY LOSE YOUR RIGHTS TO ASSERT A CUSTOMER CLAIM AGAINST THE DEBTORS' PROPERTY.

THIS NOTICE CONTAINS INFORMATION REGARDING HOW TO FILE A CUSTOMER PROOF OF CLAIM.

(1) WHO MUST FILE A CUSTOMER PROOF OF CLAIM

You **MUST** file a Customer Proof of Claim if you have a Customer Claim against any of the Debtors by **May 14, 2010 at 5:00 p.m. (prevailing Pacific Time)**.

Acts or omissions that occurred before January 29, 2008 may give rise to Customer Claims that are subject to the Customer Claims Bar Date, even if the Customer Claim may not have become known or fixed until after January 29, 2008.

In the event that you assert a claim based upon the purchase of a home from the Debtors, but you believe your claim is an administrative claim because you provided a benefit to the Debtors on or after January 29, 2008, you should still file a claim by May 14, 2010, but you should use an administrative proof of claim form, which may be obtained by contacting the Debtors' noticing and claims agent, Kurtzman Carson Consultants LLC, at 2335 Alaska Ave., El Segundo, California 90245, Telephone: (866) 381-9100.

You should **not file** a duplicate proof of claim at this time if you have already filed a proof of claim in the Debtors' chapter 11 case for the same claim.

(2) WHAT TO FILE

Enclosed with this notice is a form Customer Proof of Claim for you to use.

For your filed Customer Proof of Claim to be valid, it must (i) be written in English; (ii) include a claim amount denominated in United States dollars; (iii) state a claim against only one Debtor; (iv) clearly indicate the Debtor against which the creditor is asserting a claim; and (v) be signed by the Customer Claimant or if the Customer Claimant is not an individual, by an authorized agent of the Customer Claimant. In addition, you must attach to your Customer Proof of Claim any documents on which your Customer Claim is based (if voluminous, you may instead attach a summary) or an explanation as to why such documentation is not available. You also must specifically identify the Debtor against which you assert a Customer Claim by name and case number (listed on page 3, 4 and 5 of this notice). You should include all Customer Claims against a particular Debtor in a single Customer Proof of Claim. If you have Customer Claims against multiple Debtors, you must file a separate Customer Proof of Claim against each Debtor.

(3) WHEN AND WHERE TO FILE

All Customer Proofs of Claim must be received by Kurtzman Carson Consultants LLC (“KCC”) or filed with the Clerk of the Bankruptcy Court of the Southern District of Florida, Fort Lauderdale Division, on or before the Customer Claims Bar Date. If Customer Proofs of Claim are delivered to KCC, such Customer Proofs of Claim should be delivered to the following address:

**TOUSA Claims Processing Center
c/o Kurtzman Carson Consultants LLC
2335 Alaska Avenue
El Segundo, CA 90245**

PLEASE NOTE that your Customer Proof of Claim must be delivered to the above address by first class U.S. Mail (postage prepaid), overnight delivery or in person. A Customer Proof of Claim that is sent by facsimile or telecopy will **NOT** be accepted.

(4) A LIST OF THE DEBTORS AND CERTAIN RELATED INFORMATION

Set forth below for each Debtor are its name, address and its respective case number:

DEBTOR	ADDRESS	CASE NO.
Tousa, Inc.	4000 Hollywood Blvd. Suite 500N Hollywood, FL 33021	08-10928
TOUSA Homes Florida, LP	4000 Hollywood Blvd. Suite 500N Hollywood, FL 33021	08-10929
TOUSA Homes, Inc.	4000 Hollywood Blvd. Suite 500N Hollywood, FL 33021	08-10930
Newmark Homes, LLC	4000 Hollywood Blvd. Suite 500N Hollywood, FL 33021	08-10931
LB/TE #1, LLC	4000 Hollywood Blvd. Suite 500N Hollywood, FL 33021	08-10932
Lorton South Condominium, LLC	11920 Freedom Drive Suite 1100 Reston, VA 20190	08-10933
Engle Homes Commercial Construction, LLC	2600 N. Central Ave. Suite 1400 Phoenix, AZ 85004	08-10934
McKay Landing, LLC	10700 E. Geddes Ave., #100 Englewood, CO 80112	08-10935
TOUSA, LLC	4000 Hollywood Blvd. Suite 500N Hollywood, FL 33021	08-10936
TOUSA Homes Investment #2, LLC	4000 Hollywood Blvd. Suite 500N Hollywood, FL 33021	08-10937
Newmark Homes Purchasing, LP	10455 Briar Forrest Drive Houston, TX 77042	08-10938
TOUSA Mid-Atlantic Investment, LLC	4000 Hollywood Blvd. Suite 500N	08-10939

DEBTOR	ADDRESS	CASE NO.
	Hollywood, FL 33021	
Engle/Gilligan, LLC	4000 Hollywood Blvd. Suite 500N Hollywood, FL 33021	08-10940
Preferred Builders Realty, Inc.	123 NW 13th Street, #300 Boca Raton, FL 33432	08-10941
Newmark Homes, LP	10455 Briar Forrest Drive Houston, TX 77042	08-10942
TOUSA Investment #2, Inc.	4000 Hollywood Blvd. Suite 500N Hollywood, FL 33021	08-10943
Reflection Key, LLC	4000 Hollywood Blvd. Suite 500N Hollywood, FL 33021	08-10944
TOUSA Homes, LP	4000 Hollywood Blvd. Suite 500N Hollywood, FL 33021	08-10945
TOUSA Realty, Inc.	4000 Hollywood Blvd. Suite 500N Hollywood, FL 33021	08-10946
Engle/James LLC	10700 E. Geddes Ave., #100 Englewood, CO 80112	08-10947
TOUSA/West Holdings, Inc.	4000 Hollywood Blvd. Suite 500N Hollywood, FL 33021	08-10948
TOUSA Homes Mid-Atlantic Holding, LLC	4000 Hollywood Blvd. Suite 500N Hollywood, FL 33021	08-10949
Silverlake, Interests LLC	6500 River Place Blvd. Bldg 1, Suite 300 Austin, TX 78730	08-10950
TOUSA Homes Investment #2, Inc.	4000 Hollywood Blvd. Suite 500N Hollywood, FL 33021	08-10951
TOUSA Funding, LLC	3763 Howard Hughes Parkway Hughes Center, Suite 170A Las Vegas, NV 89109	08-10952
TOI, LLC	4000 Hollywood Blvd. Suite 500N Hollywood, FL 33021	08-10953
TOUSA Homes Nevada, LLC	4000 Hollywood Blvd. Suite 500N Hollywood, FL 33021	08-10954
TOUSA Homes Investment #1, Inc.	4000 Hollywood Blvd. Suite 500N Hollywood, FL 33021	08-10955
TOUSA Homes Arizona, LLC	4000 Hollywood Blvd. Suite 500N Hollywood, FL 33021	08-10956
TOUSA Delaware, Inc.	1007 Orange Street Nemours Bldg., Suite 1414 Wilmington, DE 19801	08-10957
TOUSA Homes Colorado, LLC	4000 Hollywood Blvd. Suite 500N Hollywood, FL 33021	08-10958
TOUSA Associates Services Company	4000 Hollywood Blvd. Suite 500N Hollywood, FL 33021	08-10959

DEBTOR	ADDRESS	CASE NO.
Engle Homes Residential Construction, L.L.C.	2600 North Central Ave. Suite 1400 Phoenix, AZ 85004	08-10960
Engle Homes Delaware, Inc.	1007 Orange Street Nemours Bldg., Suite 1414 Wilmington, DE 19801	08-10961
Engle Sierra Verde P4, LLC	2600 North Central Avenue Suite 1400 Phoenix, AZ 85004	08-10962
TOUSA Homes Mid-Atlantic, LLC	4000 Hollywood Blvd. Suite 500N Hollywood, FL 33021	08-10963
Engle Sierra Verde P5, LLC	2600 N. Central Ave. Suite 1400 Phoenix, AZ 85004	08-10964
Beacon Hill at Mountain's Edge, LLC	7872 W. Sahara Avenue Las Vegas, NV 89117	08-20746
Newmark Homes Business Trust	10455 Briar Forrest Drive Houston, TX 77042	08-10965

The operating Debtors may have done business under other names within the last six years, as follows:

Tousa, Inc.: Technical Olympic USA, Inc.; Technical USA, Inc.; Engle Homes; Newmark Homes, L.P.; TOUSA Homes, Inc.; Newmark Homes Corporation

TOUSA Homes Florida, LP: Engle Homes; TOUSA Homes Investment #1, L.P.; Transeastern Communities; Transeastern Development; Transeastern Neighborhood; Transeastern Lifestyles; Transeastern Lifestyle Homes; Transeastern Lifestyle Neighborhood; Transeastern Lifestyle Developments; TE/TOUSA, LLC; TE/TOUSA Mezzanine Two, LLC; TE/TOUSA Mezzanine, LLC; TE/TOUSA Senior, LLC; EH/Transeastern, LLC Transeastern Homes

TOUSA Homes, Inc.: Engle Homes Colorado; Engle Homes South Florida; Engle Homes Orlando; Engle Homes Southwest Florida; Engle Homes Jacksonville; Engle Homes Virginia; Trophy Homes; James Construction Company; JamesCompany; D.S. Ware Homes of Florida; D.S. Ware Homes; Engle Homes; Engle Homes Arizona; Engle Homes/Broward; Engle Homes Colorado, a division of TOUSA Homes, Inc.; Engle Homes/Georgia; Engle Homes/Nevada; Engle Homes Palm Beach; Engle Homes Pembroke; Gilligan Homes; James Construction Company, a division of TOUSA Homes

Lorton South Condominium, LLC: Lorton South, LLC

Engle Homes Commercial Construction, LLC: TOUSA LV-NV, LLC

TOUSA, LLC: TOUSA I, LLC

TOUSA Mid-Atlantic Investment, LLC: Engle Homes; TOUSA Homes Investment #1, LLC

Engle/Gilligan, LLC: Engle Homes

Newmark Homes, LP: Frederick Harris Estate Homes; Trophy Homes; Homes by Newmark, L.P.; Marksman Homes; Engle Homes/Texas; Engle Homes; Newmark Homes (TOSA)

TOUSA Homes, LP: Engle Homes; TOUSA Homes I, L.P.; TOUSA Homes, L.P. I; Engle Homes, Colorado; Engle Real Estate Company

TOUSA Realty, Inc.: TOUSA Investment #1, Inc.

TOUSA Homes Mid-Atlantic Holding, LLC: TOUSA Investment #4, LLC

TOUSA Homes Nevada, LLC: TOUSA Investment #3, LLC

TOUSA Homes Arizona, LLC: TOUSA Investment #1, LLC

TOUSA Homes Colorado, LLC: TOUSA Investment #2, LLC

TOUSA Associates Services Company: Newmark Homes Realty

Engle Homes Residential Construction, L.L.C.: Engle Homes/Arizona Construction 1, LLC

Engle Sierra Verde P4, LLC: Engle Homes

TOUSA Homes Mid-Atlantic, LLC: TOUSA Investment #5, LLC

Beacon Hill at Mountain's Edge, LLC: Engle Homes

Engle Sierra Verde P5, LLC: Engle Homes

(5) ACCESS TO CUSTOMER PROOF OF CLAIM FORMS AND OTHER QUESTIONS

Additional information regarding the Customer Claims Bar Date, including Customer Proof of Claim Forms and a copy of the Customer Claims Bar Date Order, may be obtained by contacting the Debtors' noticing and claims agent, Kurtzman Carson Consultants LLC, at 2335 Alaska Ave., El Segundo, California 90245, Telephone: (866) 381-9100. Additional Customer Proof of Claim forms also may be obtained at Kurtzman Carson Consultants' website at www.kccllc.net/tousa

Kurtzman Carson Consultants LLC cannot advise you how to, or whether you should, file a Customer Proof of Claim. If you have additional questions that are not covered by this notice, you should consult an attorney to determine your rights and obligations.

BERGER SINGERMAN, P.A.

Paul Steven Singerman (Florida Bar No. 378860)
200 South Biscayne Boulevard, Suite 1000
Miami, FL 33131
Telephone: (305) 755-9500
Facsimile: (305) 714-4340

-and-

KIRKLAND & ELLIS LLP

Richard M. Cieri (New York Bar No. 420712)
M. Natasha Labovitz (New York Bar No. 2813251)
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