

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

	)	Chapter 11
In re	)	
WCI COMMUNITIES, INC., <u>et al.</u> , <sup>1</sup>	)	Case No. 08-11643 (KJC)
Debtors.	)	Jointly Administered

**AMNEDED NOTICE OF AGENDA OF MATTERS SCHEDULED FOR  
HEARING ON SEPTEMBER 10, 2008 AT 2:00 P.M.**

**MATTER WITH CERTIFICATION OF NO OBJECTION:**

1. Debtors' Motion Pursuant to Rule 9019 of the Federal Rules of Bankruptcy Procedure for Entry of an Order Approving the Joint Stipulation and Agreed Proposed Order Resolving Certain Issues By and Between the Debtors and Safeco Insurance Company of America, filed on August 14, 2008 [Docket No. 132]

Response Deadline:

September 3, 2008 at 4:00 p.m.

Related Documents:

- (a) Re-Notice of Motion, filed on August 14, 2008 [Docket No. 134]
- (b) Certification of No Objection Regarding Debtors' Motion Pursuant to Rule 9019 of the Federal Rules of Bankruptcy Procedure for Entry of an Order Approving the Joint Stipulation and Agreed Proposed Order Resolving Certain Issues By and Between the Debtors and Safeco Insurance Company of America, filed on September 5, 2008 [Docket No. 269]
- (c) Proposed Order
- (d) **Order Granting Debtors' Motion Approving The Joint Stipulation And Agreed Proposed Order Relating To Certain Safeco Insurance Company Of America Surety Bonds, entered on September 9, 2008 [Docket No. 279]**

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<sup>1</sup> The List of the Debtors and Tax Identification Numbers is located on the docket for Case No. 08-11643 (KJC) and <http://chapter11.epiqsystems.com/wcicomunities>.

Response(s) Received:

None at this time.

Status:

**An order granting the motion was entered. No hearing is necessary.**

**MATTERS GOING FORWARD:**

2. Debtors' Motion for Entry of an Order (I) Authorizing Debtors to (a) Maintain Insurance and Surety Bond Programs, (b) Maintain Insurance Premium Financing Program, (c) Pay Insurance and Surety Bond Premiums in the Ordinary Course and (d) Pay all Obligations Associated Therewith; and (II) Preventing Insurance and Surety Companies from Giving Any Notice of Termination or Otherwise Modifying Any Insurance Policy or Surety Bonds Without Obtaining Relief from the Automatic Stay, filed on August 4, 2008 [Docket No. 11]

Response Deadline:

Safeco and Ace were granted an extension to respond until September 5, 2008 at 4:00 p.m. The Debtors have until September 8, 2008 at 4:00 p.m. to file a reply.

Related Documents:

- (a) Order (I) Authorizing Debtors to (A) Maintain Insurance and Surety Bond Programs, (B) Maintain Insurance Premium Financing Program, (C) Pay Insurance and Surety Bond Premiums in the Ordinary Course and (D) Pay All Obligations Associated Therewith; and (II) Preventing Insurance and Surety Companies from Giving Any Notice of Termination or Otherwise Modifying or Cancelling Any Insurance Policy or Surety Bonds Without Obtaining Relief from the Automatic Stay, entered on August 6, 2008 [Docket No. 87]
- (b) Supplemental Order Preventing Insurance and Surety Companies From Giving any Notice of Termination or Otherwise Modifying or Cancelling any Insurance Policy or Surety Bonds Without Obtaining Relief From the Automatic Stay, entered on August 27, 2008 [Docket No. 210]
- (c) **Debtors' Reply Brief in Support of Motion for Entry of an Order Preventing Insurance and Surety Companies From Giving any Notice of Termination or Otherwise Modifying any Insurance Policy or Surety Bonds without Obtaining Relief From the Automatic Stay, filed on September 8, 2008 [Docket No. 278]**

Response(s) Received:

- (a) Objection of Safeco Insurance Company of America to Debtors' Motion to Prevent Insurance and Surety Companies From Giving any Notice of Termination or Otherwise Modifying any Insurance Policy or Surety Bonds without Obtaining Relief From the Automatic Stay, Alternatively, for Adequate Assurance, filed on September 5, 2008 [Docket No. 260]
- (b) Objection of Westchester Fire Insurance Company and ACE USA to Debtors' Motion for Entry of an Order (I) Authorizing Debtors to (A) Maintain Insurance and Surety Bond Programs, (B) Maintain Insurance Premium Financing Program, (C) Pay Insurance and Surety Bond Premiums in the Ordinary Course and (D) Pay all Obligations Associated Therewith; and (II) Preventing Insurance and Surety Companies from Giving any Notice of Termination or Otherwise Modifying any Insurance Policy or Surety Bonds Without Obtaining Relief from the Automatic Stay, filed on September 5, 2008 [Docket No. 264]

Status:

**On September 8, 2008, the Debtors filed a reply to the objections of Safeco Insurance Company of America, Westchester Fire Insurance Company and ACE USA, as provided in the supplemental order. The final hearing with respect to the stay provision will go forward.**

- 3. Debtors' Application Pursuant to 11 U.S.C. Sections 327(a) and 328(a), Bankruptcy Rule 2014 and Local Rule 2014-1 for Authority to Employ and Retain FTI Consulting, Inc. as Bankruptcy and Restructuring Advisors Nunc Pro Tunc to the Petition Date, filed on August 14, 2008 [Docket No. 131]

Response Deadline:

September 3, 2008 at 4:00 p.m. The Office of the United States Trustee was granted an extension to respond until September 5, 2008.

Related Documents:

- (a) Re-Notice of Motion, filed on August 14, 2008 [Docket No. 133]
- (b) First Supplemental Affidavit of Michael C. Buenzow in Support of the Debtors' Application Pursuant to 11 U.S.C. Sections 327(a) and 328(a), Bankruptcy Rule 2014 and Local Rule 2014-1 for Authority to Employ and Retain FTI Consulting, Inc. as Bankruptcy and Restructuring Advisors for the Debtors and Debtors-In-Possession, September 8, 2008 [Docket No. 273]

Response(s) Received:

None at this time.

Status:

This matter will go forward. The Debtors resolved informal issues raised by the Office of the United States Trustee and the Official Committee of Unsecured Creditors and will present a consensual form of order at the hearing.

4. Emergency Motion to Compel Rejection of Executory Contracts with Golden Hills Golf LLC and Castro Realty Holding LLC Pursuant to Bankruptcy Code Section 365, filed on August 19, 2008 [Docket No. 145]

Response Deadline:

September 3, 2008 at 4:00 p.m.

Related Documents:

- (a) Motion Pursuant to Del. Bankr. L.R. 9006(1)(e) to Shorten Notice With Respect to Emergency Motion to Compel Rejection of Executory Contracts with Golden Hills Golf LLC and Castro Realty Holding LLC Pursuant to Bankruptcy Code Section 365, filed on August 19, 2008 [Docket No. 146]
- (b) Notice of Status Conference, filed on August 20, 2008 [Docket No. 151]
- (c) Notice of Hearing, filed on August 26, 2008 [Docket No. 204]

Response(s) Received:

- (a) Debtors' Response to Emergency Motion to Compel Rejection of Executory Contracts with Golden Hills Golf LLC and Castro Realty Holding LLC Pursuant to Bankruptcy Code Section 365, filed on September 3, 2008 [Docket No. 252]
- (b) Reply to Debtors' Response to Emergency Motion to Compel Rejection of Executory Contracts with Golden Hills Golf LLC and Castro Realty Holding LLC Pursuant to Bankruptcy Code Section 365, filed on September 5, 2008 [Docket No. 265]

Status:

This matter will go forward.

5. Debtors' Application Pursuant to 11 U.S.C. §§ 327(a) and 330, Bankruptcy Rule 2014 and Local Rule 2014-1 for Authority to Employ and Retain Ernst & Young LLP as Auditors and Tax Advisors for the Debtors Nunc Pro Tunc to the Petition Date, filed on August 22, 2008 [Docket No. 189]

Response Deadline:

September 3, 2008 at 4:00 p.m. The Office of the United States Trustee was granted an extension to respond until September 5, 2008.

Related Documents:

- (a) Notice of Proposed Form of Order Regarding Debtors' Application Pursuant to 11 U.S.C. §§ 327(a) and 330, Bankruptcy Rule 2014 and Local Rule 2014-1 for Authority to Employ and Retain Ernst & Young LLP as Auditors and Tax Advisors for the Debtors Nunc Pro Tunc to the Petition Date, filed on August 26, 2008 [Docket No. 207]

Response(s) Received:

None at this time.

Status:

This matter will go forward. The Debtors resolved informal issues raised by the Office of the United States Trustee and the Official Committee of Unsecured Creditors and will present a consensual form of order at the hearing.

6. Debtors' First Omnibus Motion to Reject Certain Unexpired Leases and Executory Contracts Pursuant to Section 365(a) of the Bankruptcy Code Nunc Pro Tunc to August 22, 2008, filed on August 22, 2008 [Docket No. 191]

Response Deadline:

September 3, 2008 at 4:00 p.m.

Related Documents:

None at this time.

Response(s) Received:

- (a) Limited Objection of BIT Investment Forty-Four, LLC, to Debtors' First Omnibus Motion to Reject Certain Unexpired Leases and Executory Contracts Pursuant to Section 365(a) of the Bankruptcy Code Nunc Pro Tunc to August 22, 2008, filed on September 3, 2008 [Docket No. 249]

- (b) Stipulation and Withdrawal of Limited Objection of BIT Investment Forty-Four, LLC, to Debtors' First Omnibus Motion to Reject Certain Unexpired Leases and Executory Contracts Pursuant to Section 365(a) of the Bankruptcy Code Nunc Pro Tunc to August 22, 2008, filed on September 5, 2008 [Docket No. 270]

Status:

**The limited objection was withdrawn. GVB Properties, successor to Colony Corporate Centre, agree to the termination of a lease agreement as of the petition date. The Debtors and Case, LLC have reached a tentative agreement regarding the termination of the lease and associated sublease of Crescent Resources. The Debtors and Cambridge Management are in discussions regarding the termination of the lease and associated sublease of NeoGenomics or the assumption and assignment of the sublease to Cambridge Management. This matter will go forward. The Debtors will present a revised form of order at the hearing.**

7. Debtors' Second Omnibus Motion to Reject Certain Unexpired Leases and Executory Contracts Pursuant to Section 365(a) of the Bankruptcy Code, filed on August 22, 2008 [Docket No. 192]

Response Deadline:

September 3, 2008 at 4:00 p.m. Cohen & Company was granted an extension to respond until September 8, 2008.

Related Documents:

None at this time.

Response(s) Received:

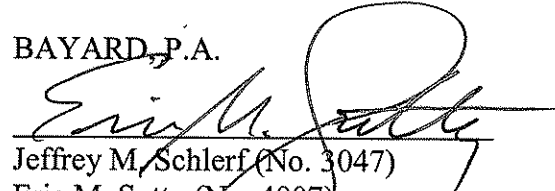
None at this time.

Status:

**Casper Medical Leasing, LLC seeks to have its lease agreement terminated as of the petition date. The Debtors and Case, LLC have reached a tentative agreement regarding the termination of the lease and associated sublease of Crescent Resources. The Debtors and Cambridge Management are in discussions regarding the termination of the lease and associated sublease of NeoGenomics or the assumption and assignment of the sublease to Cambridge Management. This matter will go forward. The Debtors will present a revised form of order at the hearing.**

Dated: September 9, 2008  
Wilmington, Delaware

BAYARD, P.A.



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