

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

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

**NOTICE OF AGENDA OF MATTERS SCHEDULED FOR
HEARING ON FEBRUARY 4, 2009 AT 2:30 P.M.**

CONTINUED MATTER:

1. Request of Golden Hills Golf LLC and Castro Realty Holdings LLC Pursuant to Sections 503(a) and 503(b)(1) of the Bankruptcy Code for Allowance and Immediate Payment of Administrative Expense Claim, filed on December 16, 2008 [Docket No. 871]

Response Deadline:

December 30, 2008 at 4:00 p.m. The Debtors and the Official Committee of Unsecured Creditors were granted an extension to respond until February 17, 2009.

Related Documents:

None as of this date and time.

Response(s) Received:

None as of this date and time.

Status:

The parties agree to continue this matter to the omnibus hearing scheduled for February 24, 2009 at 11:00 a.m. The parties are working to resolve this matter and anticipate submitting a consensual form of order in advance of the hearing.

¹ The List of the Debtors and Tax Identification Numbers is located on the docket for Case No. 08-11643 (KJC) [Docket No. 64] and <http://chapter11.epiqsystems.com/wcicomunities>.

MATTERS WITH CERTIFICATIONS OF NO OBJECTION:

2. Motion to Authorize the Debtor's to Enter Into (I) Certain Termination Agreements and (II) That Certain Declaration of Covenants By and Between WCI Mid-Atlantic U.S. Region, Inc. and Renaissance at Woodlands, LLC, filed on January 15, 2009 [Docket No. 1004]

Response Deadline:

January 28, 2009 at 4:00 p.m.

Related Documents:

- a) Certification of No Objection Regarding Motion to Authorize the Debtor's to Enter Into (I) Certain Termination Agreements and (II) That Certain Declaration of Covenants By and Between WCI Mid-Atlantic U.S. Region, Inc. and Renaissance at Woodlands, LLC, filed on January 30, 2009 [Docket No. 1085]
- b) Proposed Order

Response(s) Received:

None.

Status:

A certification of no objection has been filed. No hearing is necessary unless otherwise directed by the Court.

3. Debtors' Motion Pursuant to Section 365 of the Bankruptcy Code and Rule 6006 of the Federal Rules of Bankruptcy Procedure for Entry of an Order (I) Authorizing the Debtors to Assume and Assign an Unexpired Water and Wastewater System Service Contract; and (II) Establishing a Cure Amount in Connection with the Assumption and Assignment of Such Contract, filed on January 16, 2008 [Docket No. 1015]

Response Deadline:

January 28, 2009 at 4:00 p.m.

Related Documents:

- a) Certification of No Objection Regarding Debtors' Motion Pursuant to Section 365 of the Bankruptcy Code and Rule 6006 of the Federal Rules of Bankruptcy Procedure for Entry of an Order (I) Authorizing the Debtors to Assume and Assign an Unexpired Water and Wastewater

System Service Contract; and (II) Establishing a Cure Amount in Connection with the Assumption and Assignment of Such Contract, filed on January 30, 2008 [Docket No. 1086]

b) Proposed Order

Response(s) Received:

None.

Status:

A certification of no objection has been filed. No hearing is necessary unless otherwise directed by the Court.

MATTERS GOING FORWARD:

4. Debtors' Motion Pursuant to 11 U.S.C. § 365(d)(4) for an Order Extending the Time Period Within Which Debtors May Assume or Reject Unexpired Leases of Nonresidential Real Property, filed on October 31, 2008 [Docket No. 563]

Response Deadline:

November 11, 2008 at 4:00 p.m.

Related Documents:

- a) Certification of Counsel Regarding Debtors' Motion Pursuant to 11 U.S.C. § 365(d)(4) for an Order Extending the Time Period Within Which Debtors May Assume or Reject Unexpired Leases of Nonresidential Real Property, filed on November 17, 2008 [Docket No. 749]
- b) Order Granting Debtors' Motion Pursuant to 11 U.S.C. Section 365 (d)(4) for an Order Extending the Time Period Within which The Debtors May Assume or Reject Unexpired Leases of Nonresidential Real Property, entered on November 18, 2008 [Docket No. 754]
- c) Order Granting in Part Debtors' Motion for an Order Extending the Time Period Within Which the Debtors May Assume or Reject the Mansion Ridge Lease, entered on December 2, 2008 [Docket No. 800]
- d) Order (BRIDGE) Regarding Debtors' Motion for and Order Extending the Time Period Within Which the Debtors May Assume or Reject The Mansion Ridge Lease, entered on January 6, 2009 [Docket No. 954]
- e) See agenda item number 5.

Response(s) Received:

- a) Limited Objection of Reckson Operating Partnership, L.P., Landlord of Commercial Premises Located at 115 Stevens Avenue, Valhalla, New York, to Debtors' Motion for an Extension of Time to Assume or Reject Certain Unexpired Leases of Nonresidential Real Property, filed on November 6, 2008 [Docket No. 713]
- b) Objection to Debtors' Motion Pursuant to 11 U.S.C. § 365(d)(4) for an Order Extending the Time Period Within Which Debtors May Assume or Reject Unexpired Leases of Nonresidential Real Property, filed on November 11, 2008 [Docket No. 733]
- c) Notice of Withdrawal, filed on November 17, 2008 [Docket No. 753]
- d) Reply of Debtors to Objection of Great Expectations, LLC to Debtors' Motion Pursuant to 11 U.S.C. Section 365(d)(4) for an Order Extending the Time Period within which the Debtors May Assume or Reject Unexpired Leases of Nonresidential Real Property, filed on November 25, 2008 [Docket No. 770]

Status:

This matter will go forward with respect to Great Expectations, LLC. All other matters have been resolved.

- 5. Great Expectations, LLC's Motion for Permission to File Under Seal Great Expectations, LLC's Motion to Strike Portions of the Reply of Debtors to Objection of Great Expectations, LLC to Debtors Motion Pursuant to 11 U.S.C. § 365(d)(4) for an Order Extending the Time Period in Which the Debtors May Assume or Reject Unexpired Leases of Nonresidential Real Property, filed on December 19, 2008 [Docket No. 882]

Response Deadline:

December 30, 2008 at 4:00 p.m.

Related Documents:

- a) Great Expectations, LLC's Motion to Strike Portions of the Reply of Debtors to Objection of Great Expectations, LLC to Debtors Motion Pursuant to 11 U.S.C. § 365(d)(4) for an Order Extending the Time Period in Which the Debtors May Assume or Reject Unexpired Leases of Nonresidential Real Property [Submitted Under Seal]
- b) Debtors' Motion for an Order Sealing the Debtors' Objection to Great Expectations, LLC's Motion to Strike Portions of the Reply of Debtors to

Objection of Great Expectations, LLC to Debtors' Motion Pursuant to 11 U.S.C. Section 365(d)(4) for an Order Extending the Time Period Within Which the Debtors May Assume or Reject Unexpired Leases of Nonresidential Real Property, filed on December 30, 2008 [Docket No. 911]

- c) Debtors' Objection to Great Expectations, LLC's Motion to Strike Portions of the Reply of Debtors to Objection of Great Expectations, LLC to Debtors Motion Pursuant to 11 U.S.C. § 365(d)(4) for an Order Extending the Time Period in Which the Debtors May Assume or Reject Unexpired Leases of Nonresidential Real Property [Submitted Under Seal]

Response(s) Received:

- a) Debtors' Objection to Great Expectations, LLC's Motion for Permission to File Under Seal Great Expectations, LLC's Motion to Strike Portions of the Reply of Debtors to Objection of Great Expectations, LLC to Debtors' Motion Pursuant to 11 U.S.C. Section 365(d)(4) for an Order Extending the Time Period Within Which the Debtors May Assume or Reject Unexpired Leases of Nonresidential Real Property, filed on December 30, 2008 [Docket No. 912]
- b) Informal Objection of the United States Trustee

Status:

This matter will go forward and relates to agenda item number 4.

- 6. Debtors' Motion for an Order Approving Alternative Dispute Resolution Procedure, filed on December 12, 2008 [Docket No. 848]

Response Deadline:

January 13, 2009 at 4:00 p.m. The Official Committee of Unsecured Creditors was granted an extension to respond until January 16, 2009 at 4:00 p.m. Gulf Harbor Homeowners Association was granted an extension to respond until January 15, 2009 at 12:00 p.m. (noon).

Related Documents:

None.

Response(s) Received:

- a) Limited Objection of Susan Lawson, as Trustee of the Lawson Trust, Dated June 24, 1994 to the Debtors' Motion for an Order Approving

Alternative Dispute Resolution Procedure, filed on January 13, 2009 [Docket No. 979]

- b) Kraft Construction Company, Inc.'s Objection to Debtors' Motion for an Order Approving Alternative Dispute Resolution Procedure, filed on January 13, 2009 [Docket No. 980]
- c) Limited Opposition by Creditor Supreme Drywall & Metal Framing Company Inc. to Debtors' Motion for an Order Approving Alternative Dispute Resolution Procedure, filed on January 13, 2009 [Docket No. 981]
- d) Objection of Cape Marco Property Owners Association, Inc. to Debtors' Motion for an Order Approving Dispute Resolution Procedures, filed on January 13, 2009 [Docket No. 983]
- e) Limited Objection of the United States Trustee to the Debtors' Motion for an Order Approving Dispute Resolution Procedures, filed on January 13, 2009 [Docket No. 986]
- f) Limited Objection of Dwight Clark and Mike Collins to the Debtors' Motion for an Order Approving Dispute Resolution Procedures, filed on January 13, 2009 [Docket No. 987]
 - i) Exhibit A (Florida Complaint) to Limited Objection of Dwight Clark and Mike Collins to the Debtors' Motion for an Order Approving Dispute Resolution Procedures, filed on January 13, 2009 [Docket No. 988]
- g) Objection of Gulf Harbour Master Association, Inc. and Joinder to Objection of Cape Marco Property Owners Association, Inc. to Debtors' Motion for an Order Approving Dispute Resolution Procedures, filed on January 16, 2009 [Docket No. 1007]
- h) Limited Objection to Motion to Approve Alternative Dispute Resolution Procedure, filed on January 20, 2009 [Docket No. 1032]
- i) Objection of Great Expectations, LLC to Debtors' Motion for an Order Approving Alternative Dispute Resolution Procedure, filed on January 28, 2009 [Docket No. 1072]

Status:

This matter will go forward.

7. Motion of Susan Lawson, as Trustee of the Lawson Trust, dated June 24, 1994 for Relief from Stay Under Section 362 of the Bankruptcy Code, filed on December 31, 2008 [Docket No. 914]

Response Deadline:

January 15, 2009 at 4:00 p.m. The Debtors were granted an extension to respond until January 28, 2009.

Related Documents:

None as of this date and time.

Response(s) Received:

- a) Debtor's Objection to the Motion of Susan Lawson, as Trustee of the Lawson Trust, dated June 24, 1994 for Relief from Stay Under Section 362 of the Bankruptcy Code, filed on January 28, 2009 [Docket No. 1068]
- b) Joinder of the Official Committee of Unsecured Creditors of WCI Communities, Inc., et al., to Debtors' Objection to Motion of Susan Lawson, as Trustee of the Lawson Trust, Dated June 24, 1994 for Relief from Stay Under Section 362 of the Bankruptcy Code, filed on January 28, 2009 [Docket No. 1071]

Status:

This matter will go forward.

8. Debtors' Motion for Authority to Adopt and Implement an Incentive Plan for Certain Key Employees, filed on December 31, 2008 [Docket No. 916]

Response Deadline:

January 13, 2009 at 4:00 p.m.

Related Documents:

- a) Order Granting in Part Debtors' Motion for Authority to Adopt and Implement an Incentive Plan for Certain Key Employees, entered on January 22, 2009 [Docket No. 1039]

Response(s) Received:

- a) Objection of the United States Trustee to the Debtors' Motion for Authority to Adopt and Implement an Incentive Plan for Certain Key Employees, filed on January 13, 2009 [Docket No. 984]

Status:

This matter will go forward with respect to consideration of the proposed EIC component of the KEIP and the MIC component of the KEIP as it pertains to employees expected to participate in the EIC component of the KEIP. All other matters have been resolved.

9. Motion to Approve the Debtors' Sale of Certain Real Property Located in Marion County, Florida to Ocala 623 Land Development LLC Free and Clear of Liens, Claims, Encumbrances and Interests, filed on January 15, 2009 [Docket No. 1003]

Response Deadline:

January 28, 2009 at 4:00 p.m.

Related Documents:

None as of this date and time.

Response(s) Received:

- a) Limited Objection to Debtors' Motion for Entry of an Order Approving the Debtors' Sale of Certain Real Property Located in Marion County, Florida to Ocala 623 Land Development LLC Free and Clear of Liens, Claims, Encumbrances and Interests, filed on January 28, 2009 [Docket No. 1070]

Status:

The Debtors are in discussions with the Wells Fargo Equipment Finance, Inc. If a consensual resolution is not reached prior to the hearing this matter will go forward.

10. Debtors' Sixth Omnibus Motion to Reject Certain Unexpired Leases and Executory Contracts Pursuant to Section 365(a) of the Bankruptcy Code Nunc Pro Tunc to January 16, 2009 for the Modular Lease and as of February 15, 2009 for the Valhalla Lease, filed on January 16, 2009 [Docket No. 1012]

Response Deadline:

January 28, 2009 at 4:00 p.m.

Related Documents:

None as of this date and time.

Response(s) Received:

- a) Limited Objection to Debtors' Sixth Omnibus Motion to Reject Certain Unexpired Leases and Executory Contracts Pursuant to Section 356(a) of the Bankruptcy Code Nunc Pro Tunc to January 16, 2009 for the Modular Lease and as of February 15, 2009 for the Valhalla Lease, filed on January 28, 2009 [Docket No. 1069]

Status:

The Debtors are in discussions with the Wells Fargo Equipment Finance, Inc. If a consensual resolution is not reached prior to the hearing this matter will go forward.

11. Debtors' Motion Pursuant to 11 U.S.C. §§ 105, 363, and 365 and Federal Rules of Bankruptcy Procedure 6004 and 6006 Requesting Authority to (I) Reject Unexpired Non-Residential Real Property Lease Agreement Dated March 18, 1996 Nunc Pro Tunc to January 31, 2009; and (II) Enter Into Proposed New Lease Agreement for Corporate Offices with Walden Center, LP as of February 1, 2009, filed on January 29, 2009 [Docket No. 1074]

Response Deadline:

February 3, 2009 at 12:00 p.m. (noon)

Related Documents:

- a) Order Granting Debtors' Motion to Shorten Notice With Respect to Debtors' Motion Requesting Authority to (I) Reject Unexpired Non-Residential Real Property Lease Agreement Dated March 18, 1996 Nunc Pro Tunc to January 31, 2009; and (II) Enter Into Proposed New Lease Agreement for Corporate Offices with Walden Center, LP as of February 1, 2009 [Docket No. 1078]

Response(s) Received:

None as of this date and time.

Status:

This matter will go forward.

FEE APPLICATIONS:

12. First Interim Application of Ernst & Young LLP for Compensation and Reimbursement of Expenses as Auditors and Tax Advisors Providers for the Period August 4, 2008 through October 31, 2008, filed on December 15, 2008 [Docket No. 862]

Response Deadline:

January 5, 2009 at 4:00 p.m.

Related Documents:

None.

Response(s) Received:

None.

Status:

This matter will go forward.

13. First Interim Application of Sitrick & Company Inc. for Compensation and Reimbursement of Expenses as Corporate Communications Consultants for the Debtors for the Period August 4, 2008 through October 31, 2008, filed on December 15, 2008 [Docket No. 863]

Response Deadline:

January 5, 2009 at 4:00 p.m.

Related Documents:

None.

Response(s) Received:

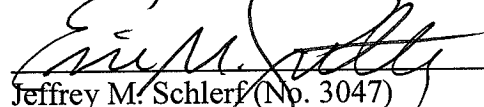
None.

Status:

Sitrick & Company Inc. intends to submit additional information on the expense reimbursement request prior to the hearing. This matter will go forward if the Court determines a hearing is necessary.

Dated: February 2, 2009
Wilmington, Delaware

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