

IN THE CIRCUIT COURT OF THE
18TH JUDICIAL CIRCUIT IN AND FOR
SEMINOLE COUNTY, FLORIDA

In re:

Assignment for the Benefit of Creditors of
AMERICA'S FIRST HOME, LLP
a Florida limited liability partnership,

CASE NO. 07-CA-4379-16-L

Assignor,

To:

LEWIS B. FREEMAN,

Assignee.

**MOTION BY ASSIGNEE FOR ENTRY OF AN ORDER
ESTABLISHING BAR DATE FOR WARRANTY CLAIMS**

Assignee, Lewis B. Freeman, by and through undersigned counsel hereby moves, pursuant to Section 727.109(15) of the Florida Statutes, for entry of an order establishing a bar date for warranty claims and, in support thereof, states as follows:

1. On December 21, 2007, America's First Home, LLP ("Assignor"), executed an assignment ("Assignment") in favor of Assignee whereby it assigned all of its assets ("Assets") to Lewis B. Freeman (the "Assignee") to be liquidated for the benefit of creditors.
2. Prior to the Assignment, Assignor provided home warranties ("Home Warranties") to purchasers (the "Home Owners") of residential homes from Assignor.
3. Because Assignor will not be fulfilling its obligations under the Home Warranties, the Home Owners are entitled to file general unsecured claims against the estate of Assignor ("Assignment Estate") for breach of the Home Warranties.

4. Previously, this Court set the claims bar date in this case for April 21, 2008.

5. The Assignee is concerned that many of the Home Owners with potential claims for breach of the Home Warranties did not file a timely proof of claim in this case because they are likely unaware of the effect of the Assignment on the Home Warranties.

6. Consequently, the Assignee is requesting that the Court schedule an additional claims bar date for any Home Owner who may have a claim related to Assignor's breach of the Home Warranties ("Warranty Claim Bar Date"). The Assignee requests that the Warranty Claims Bar Date be scheduled thirty (30) days following entry of an order approving this Motion.

7. The Warranty Claim Bar Date will provide a fair opportunity for Home Owners with potential warranty claims to file such claims with the Court.

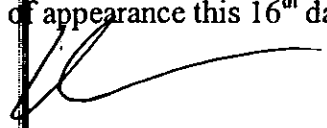
8. Pursuant to Florida Statute Section 727.109(15), this Court has the power to "[e]xercise any other powers that are necessary to enforce or carry out the provisions of this chapter."

9. The establishment of the Warranty Claim Bar Date is necessary to carry out the provisions of this chapter. Moreover, the Assignee submits that it is in the best interest of the Assignment Estate to allow additional time for Home Owners to file claims related to the Home Warranties.

WHEREFORE, the Assignee respectfully requests the Court enter an order: (i) authorizing holders of warranty claims to file such claims with the Assignee within thirty (30) days of approval of this motion; (ii) providing that any warranty claim not timely served upon the Assignee within thirty (30) days after entry of the order will be deemed disallowed; and (iii) granting such other and further relief as the Court deems just or proper in the circumstances.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was furnished by U.S. Mail to: Lewis B. Freeman, 6600 NW 16th Street, Suite 11, Plantation, FL 33313; all parties to a warranty agreement by Assignor as listed on the matrix attached to the original motion filed with the Court; and all parties who have filed a notice of appearance this 16th day of June 2008.



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