

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

In re: CYNERGY DATA, LLC, <i>et al.</i> , ¹ Debtors.	Chapter 11 Case No. 09-13038 (KG) Jointly Administered
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**DEBTORS' NOTICE OF COMMENCEMENT OF BANKRUPTCY CASES AND
HEARINGS ON VARIOUS MOTIONS AND APPLICATIONS
FOR FIRST DAY RELIEF**

PLEASE TAKE NOTICE that on September 1, 2009, the above-captioned entities (the "Debtors") each filed a voluntary petition for relief under Chapter 11 of Title 11 of the United States Code (the "Bankruptcy Code") with the United States Bankruptcy Court for the District of Delaware (the "Bankruptcy Court"). The Debtors continue to operate their businesses and manage their properties as debtors and debtors in possession, pursuant to sections 1107(a) and 1108 of the Bankruptcy Code.

PLEASE TAKE FURTHER NOTICE that the Debtors have filed the following motions, applications and supporting pleadings in connection with requests for various "first day" relief (collectively, the "Motions"):

- Declaration of Charles M. Moore in Support of Chapter 11 Petitions and Various First-Day Applications and Motions (Docket No. 3)
- Motion of Debtors for Entry of Order Directing Joint Administration of Chapter 11 Cases Pursuant to Fed. R. Bankr. P. 1015(B) (Docket No. 4)
- Debtors' Motion for Interim Order under 11 U.S.C. §§ 105(A), 345, 363, 364, and 503(B)(1) Authorizing (A) Continued Maintenance of Existing Bank Accounts, (B) Continued Use of Existing Business Forms, (C) Continued Use of Existing Cash Management System (D) Waiver of Certain Guidelines

¹ The Debtors are the following entities (with the last four digits of their federal tax identification numbers in parentheses): Cynergy Data, LLC (8677); Cynergy Data Holdings, Inc. (8208); Cynergy Prosperity Plus, LLC (4265). The mailing address for the Debtors is 30-30 47th Avenue, 9th Floor, Long Island City, New York 11101.



Relating to Bank Accounts; and (E) Scheduling a Final Hearing (the “Cash Management Motion”) (Docket No. 5)

- Motion of Debtors for Entry of Order Pursuant to 11 U.S.C. §§ 363(B), 507(A)(8), 541, and 105(A), Authorizing Debtors to Pay Prepetition Taxes and Assessments (Docket No. 6)
- Debtors’ Motion for Order under Bankruptcy Code Sections 105, 361, 362, 363, 1107(A) and 1108 Authorizing Debtor to Maintain Existing Insurance Policies and Pay All Policy Premiums and Brokers’ Fees Arising Thereunder or in Connection Therewith (Docket No. 7)
- Debtors’ Motion for Order Under Bankruptcy Code Sections 105, 363(B), 507(A), 541, 1107(A) and 1108, Authorizing, but Not Directing, Debtor, Inter Alia, to Pay Prepetition Wages, Commissions, Compensation, and Employee Benefits (Docket No. 8)
- Debtors’ Motion for Order Determining Adequate Assurance of Payment for Future Utility Services (Docket No. 9)
- Debtors’ Motion for an Order under Bankruptcy Rules 1007(A)(5) and 1007(C) and Local Rule 1007-1(B) Granting the Debtors Additional Time to File Schedules of Assets and Liabilities and Statements of Financial Affairs (Docket No. 10)

PLEASE TAKE FURTHER NOTICE that a hearing (the “Emergency Hearing”) on the Cash Management Motion will be held before the Honorable Kevin Gross, United States Bankruptcy Judge, at the United States Bankruptcy Court, 824 Market Street, 6th Floor, Wilmington, Delaware 19801 **on September 1, 2009 at 3:30 p.m. (ET)**. At the Emergency Hearing, the Debtors will seek entry of an order permitting them to continue to use their existing cash management system through and including September 2, 2009.

PLEASE TAKE FURTHER NOTICE that a hearing (the “First Day Hearing”) on the foregoing Motions will be held before the Honorable Kevin Gross, United States Bankruptcy Judge, at the United States Bankruptcy Court, 824 Market Street, 6th Floor, Wilmington, Delaware 19801 **on September 2, 2009 at 10:00 a.m. (ET)**.

Copies of the Motions may be inspected in the offices of the Clerk of the Bankruptcy Court during normal business hours or downloaded from the Bankruptcy Court's web site at www.deb.uscourts.gov. Please note that prior registration with the PACER Service Center and payment of a fee may be required to access such documents through the Bankruptcy Court's website. Parties in interest may sign up for a PACER account by visiting the PACER website at <http://pacer.psc.uscourts.gov> or by calling (800) 676-6856. Requests for copies of the Motions and further information regarding the Emergency Hearing of the First Day Hearing may also be made to proposed counsel for the Debtors at the telephone numbers listed below.

Dated: September 1, 2009
Wilmington, Delaware

Respectfully submitted,

PEPPER HAMILTON LLP

/s/ Evelyn J. Meltzer

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Proposed Counsel for the Debtors
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