

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

<p>In re:</p> <p>CD LIQUIDATION CO. PLUS, LLC, f/k/a CYNERGY DATA, LLC, <i>et al.</i>,¹</p> <p style="text-align: center;">Debtors.</p>	<p>Chapter 11</p> <p>Case No. 09-13038 (KG)</p> <p>Jointly Administered</p>
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NOTICE OF BAR DATES FOR FILING OF PROOFS OF CLAIM

TO ALL KNOWN CREDITORS OF THE FOLLOWING DEBTOR ENTITIES:

<u>Debtor</u>	<u>Address</u>	<u>Case Number</u>
Cynergy Data, LLC	30-30 47th Avenue, 9th Floor Long Island City, New York 11101	09-13038
Cynergy Data Holdings, Inc	30-30 47th Avenue, 9th Floor Long Island City, New York 11101	09-13038
Cynergy Prosperity Plus, LLC	30-30 47th Avenue, 9th Floor Long Island City, New York 11101	09-13038

On December 18, 2009, the United States Bankruptcy Court for the District of Delaware (the “Court”) entered an order in the above-captioned chapter 11 cases (the “Bar Date Order”) establishing certain claims bar dates in the chapter 11 cases of the above-captioned debtors and debtors in possession (collectively, the “Debtors”). By the Bar Date Order, the Court fixed **February 1, 2010 at 5:00 p.m., prevailing Pacific Time**, as the general claims bar date (the “General Bar Date”) in these cases. Except as described below, the Bar Date Order requires all Entities that have or assert any prepetition Claims against the Debtors, including administrative expense claims under 11 U.S.C. § 503(b)(9) (the “20 Day Claims”),² to file proofs of claim with Kurtzman Carson Consultants, LLC (“KCC”), the claims and noticing agent in these cases, so that their proofs of claim are **actually received by KCC on or before the General Bar Date**.

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.

² Section 503(b)(9) allows a claim administrative expense priority if such claim is for “the value of any goods received by the debtor within 20 days before the date of commencement of a case under this title in which the goods have been sold to the debtor in the ordinary course of such debtor’s business”. 11 U.S.C. § 503(b)(9).



By the Bar Date Order, the Court fixed **February 28, 2010 at 5:00 p.m. (prevailing Pacific Time)** as the date by which all Governmental Units must file their claims (the “Governmental Unit Bar Date”). Please note that the terms “Entity,” “Governmental Unit” and “Claim” are defined below.

For your convenience, enclosed with this Notice is a proof of claim form which identifies on its face the amount, nature, and classification of your Claim(s), if any, listed in the Debtors’ schedules of assets and liabilities filed in these cases (collectively, the “Schedules”). You will receive a different proof of claim form for each claim scheduled in your name by the Debtors. Additional proof of claim forms as well as the Schedules may be obtained at www.kcellc.net/Cynergydata.

KEY DEFINITIONS

As used in this Notice, the term “**Entity**” has the meaning given to it in section 101(15) of the Bankruptcy Code, 11 U.S.C. §§ 101-1532 (as amended, the “Bankruptcy Code”), and includes all persons, estates, trusts, Governmental Units and the Office of the United States Trustee.

As used in this Notice, the term “**Governmental Unit**” has the meaning given to it in section 101(27) of the Bankruptcy Code and includes the United States; states; commonwealths; districts; territories; municipalities; foreign states; or departments, agencies or instrumentalities of the foregoing (but not including a United States trustee while serving as a trustee under the Bankruptcy Code).

As used in this Notice, the term “**Claim**” shall mean, as to or against any of the Debtors and in accordance with section 101(5) of the Bankruptcy Code: (a) any right to payment, whether or not such right is reduced to judgment, liquidated, unliquidated, fixed, contingent, matured, unmatured, disputed, undisputed, legal, equitable, secured or unsecured; or (b) any right to an equitable remedy for breach of performance if such breach gives rise to a right to payment, whether or not such right to an equitable remedy is reduced to judgment, fixed, contingent, matured, unmatured, disputed, undisputed, secured or unsecured.

WHO MUST FILE A PROOF OF CLAIM AND THE APPLICABLE BAR DATES

The Bar Dates

The Bar Date Order establishes the following bar dates for filing proofs of claim in these cases (collectively, the “Bar Dates”):

The General Bar Date. Pursuant to the Bar Date Order, all Entities, other than Governmental Units, holding Claims against the Debtors (whether secured, unsecured priority or unsecured non-priority and including 20 Day Claims) that arose prior to September 1, 2009 are required to file proofs of claim by the General Bar Date.

The Governmental Unit Bar Date. Pursuant to the Bar Date Order, all Governmental Units holding claims against the Debtor (whether secured, unsecured priority or unsecured non-priority) that arose prior to September 1, 2009 are required to file their claims by the Governmental Unit Bar Date.

The Rejection Bar Date. Any Entity whose Claims arise out of the Bankruptcy Court-approved rejection of an executory contract or unexpired lease, in accordance with section 365 or 1113 of the Bankruptcy Code and pursuant to an order of the Bankruptcy Court, must file a proof of claim on or before the later of: (i) the General Bar Date or (ii) 30 days after the date of the order authorizing the Debtors' rejection of the applicable contract or lease. The later of these dates is referred to in this Notice as the "Rejection Bar Date."

The Schedule Bar Date. If, subsequent to the mailing and publication of this Notice, the Debtors amend their Schedules to reduce the undisputed, noncontingent and liquidated amount, to change the nature or classification of a Claim against a Debtor reflected therein or to change the Debtor the claim is asserted against, the affected claimant is required to file a proof of claim or amend any previously filed proof of claim if such claimant disagrees with the nature, amount or classification of the Claim as set forth in the amended schedules on or before the later of: (i) the General Bar Date or (ii) 20 days after the date that notice of the applicable amendment to the Schedules is served on the affected claimant. The later of these dates is referred to in this Notice as the "Schedule Bar Date."

Entities That Must File Proofs of Claims by the General Bar Date

Subject to the terms described above for the holders of Claims subject to the Rejection Bar Date and the Schedule Bar Date, the following Entities must file proofs of claim on or before the General Bar Date:

1. any entity whose prepetition claim against a Debtor is not listed in the applicable Debtor's Schedules or is listed as "disputed", "contingent" or "unliquidated" and that desires to participate in these Chapter 11 cases or share in any distribution in these Chapter 11 cases;
2. any entity that believes that its prepetition claim is improperly classified in the Schedules or is listed in an incorrect amount or against the wrong Debtor and that desires to have its claim allowed in a classification or amount other than that identified in the Schedules; and
3. any entity that asserts a 20 Day Claim against a Debtor and that desires to participate in these Chapter 11 cases or share in any distribution in these Chapter 11 cases.

Entities Not Required to File Proofs of Claim by the General Bar Date

The Bar Date Order further provides that the following Entities need not file proofs of claim by the General Bar Date:

1. any entity that already has properly filed a proof of claim against one or more of the Debtors in accordance with the procedures described herein;
2. any entity (i) whose claim against a Debtor is not listed as disputed, contingent or unliquidated in the Schedules (ii) that agrees with the nature, classification and amount of its claim as identified in the Schedules and (iii) that does not dispute that the claim is an obligation of the specific Debtor against which the claim is listed in the Schedules;
3. any entity whose claim against a Debtor previously has been allowed by, or paid pursuant to, an order of the Court; and

4. any Debtor that hold claims against another Debtor.

Entities That Must File Proofs of Claim by the Governmental Unit Bar Date

Subject to the terms described above for the holders of claims subject to the General Bar Date, the Rejection Bar Date and the Schedule Bar Date, the following Entities must file proofs of claim on or before the Governmental Unit Bar Date:

1. any Governmental Unit, as that term is defined in 11 U.S.C. §101(27), whose prepetition claim against a Debtor is not listed in the Debtor's Schedules or is listed as "disputed," "contingent" or "unliquidated" and that desires to participate in any of these Chapter 11 cases; and
2. any Governmental Unit that believes its prepetition claim is improperly classified in the Schedules or is listed in an incorrect amount or against the wrong Debtor and that desires to have its claim allowed in a classification or amount other than that identified in the Schedules.

Entities Not Required to File Proofs of Claim by the Governmental Unit Bar Date

The Bar Date Order further provides that the following Governmental Units need not file proofs of claim by the General Bar Date:

1. any Governmental Unit that already has properly filed a proof of claim against one or more of the Debtors in accordance with the procedures described herein;
2. any Governmental Unit (i) whose claim against a Debtor is not listed as "disputed," "contingent" or "unliquidated" in the Schedules, (ii) that agrees with the nature, classification and amount of its claim as identified in the Schedules and (iii) that does not dispute that the claim is an obligation of the specific Debtor against which the claim is listed in the Schedules; and
3. any Governmental Unit whose claim against a Debtor previously has been allowed by, or paid pursuant to, an order of the Court.

PROOFS OF CLAIM AGAINST MULTIPLE DEBTORS: REQUIREMENT TO IDENTIFY DEBTOR

Any Entity asserting Claims against more than one Debtor must file a separate proof of claim with respect to each such Debtor. In addition, any Entity filing a proof of claim must identify on its proof of claim form the particular Debtor against which its Claim is asserted.

ADDITIONAL PROCEDURES FOR ASSERTING 20 DAY CLAIMS

All entities asserting a 20 Day Claim must file a proof of claim on or before the General Bar Date. Any entity asserting a 20 Day Claim shall not and need not file motions to compel allowance or payment of administrative expense claims for their 20 Day Claims or schedule a hearing to consider such claims, unless leave is specifically granted by the Court. The procedures set forth herein shall be the sole and exclusive method for creditors to assert and obtain allowance of their 20 Day Claims, provided, however, that nothing herein shall limit any rights that creditors or the

Debtors have pursuant to any authority granted by the Court.

Each proof of claim asserting a 20 Day Claim must set forth with specificity (i) the amount of the 20 Day Claim; (ii) the particular Debtor against which the 20 Day Claim is asserted; (iii) the date of delivery of the goods the creditor contends the Debtor received within twenty days before the Petition Date; and (iv) the value of the goods. Additionally, each proof of claim asserting a 20 Day Claim must include or attach documentation identifying (i) the particular invoices for which any 20 Day Claim is being asserted; and (ii) any demand to reclaim goods sold to the Debtors under section 546(c). Each proof of claim asserting a 20 Day Claim must also include a certification that the goods with respect to the 20 Day Claim were sold to the applicable Debtor in the ordinary course of the Debtor's business. No proof of claim asserting a 20 day Claim may aggregate 20 Day Claims against multiple Debtors in a single proof of claim.

CONSEQUENCES OF FAILURE TO FILE PROOF OF CLAIM

Any Entity that is required to file a proof of claim, but that fails to do so by the applicable Bar Date described in this Notice, shall be forever barred, estopped and enjoined from the following:

1. asserting any Claim against the Debtors that the Entity has that (i) is in an amount that exceeds the amount, if any, that is identified in the Schedules on behalf of such Entity as undisputed, noncontingent and liquidated, or (ii) is of a different nature or a different classification than any Claim identified in the Schedules on behalf of such Entity (any such Claim being referred to in this Notice as an "Unscheduled Claim"); and/or voting upon, or receiving distributions under any plan of reorganization or liquidation in these Chapter 11 cases in an amount in excess of, or a classification different than, the amount and classification identified on the Schedules, if any, on account of an Unscheduled Claim.

If it is unclear from the Schedules whether your Claim is disputed, contingent or unliquidated as to amount or is otherwise properly listed and classified, you must file a proof of claim on or before the applicable Bar Date. Any Entity that relies on the information in the Schedules bears responsibility for determining that its Claim is accurately listed therein.

PROCEDURE FOR FILING PROOFS OF CLAIM

A signed original of a completed proof of claim, together with any accompanying or supporting documentation, must be delivered to:

VIA U.S. MAIL

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

VIA HAND DELIVERY OR OVERNIGHT COURIER

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

so as to be **actually received** no later than 5:00 p.m., prevailing Pacific Time, on the applicable Bar Date. Proofs of claim may be submitted in person or by courier service, hand delivery or mail addressed to KCC at the foregoing address. **Any proof of claim submitted by facsimile or electronic mail will not be accepted and will not be deemed filed until the proof of claim is submitted by one of the methods described in the foregoing sentence.** Proofs of claim will be

deemed filed only when actually received by KCC. If you wish to receive acknowledgement of KCC's receipt of your proof of claim, you must also submit by the applicable Bar Date and concurrently with submitting your original proof of claim (a) a copy of your original proof of claim and (b) a self-addressed, stamped return envelope. Proofs of claim must include all documentation required by Bankruptcy Rules 3001(c) and 3001(d), including an original or a copy of any written document that forms the basis of the Claim or, for secured Claims, evidence that the alleged security interest has been perfected.

ADDITIONAL INFORMATION

If you require additional information regarding the filing of a proof of claim, you may contact KCC directly at the addresses provided above or at 866-967-0497. The claims registers for the Debtors will be available for review during normal business hours in KCC's offices at the address identified above.

Dated: December 18, 2009
Wilmington, Delaware

Respectfully submitted,

PEPPER HAMILTON LLP

/s/ Evelyn J. Meltzer

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