

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF DELAWARE**

In re: Cynergy Data, LLC, et al
Debtors

Case No. 09-13038

INITIAL MONTHLY OPERATING REPORT

File report and attachments with Court and submit copy to United States Trustee within 15 days after order for relief.

Certificates of insurance must name United States Trustee as a party to be notified in the event of policy cancellation. Bank accounts and checks must bear the name of the debtor, the case number, and the designation "Debtor in Possession." Examples of acceptable evidence of Debtor in Possession Bank accounts include voided checks, copy of bank deposit agreement/certificate of authority, signature card, and/or corporate checking resolution.

REQUIRED DOCUMENTS	Document Attached	Explanation Attached
12-Month Cash Flow Projection (Form IR-1)	X	X
Certificates of Insurance:		
Workers Compensation	X	
Property	X	
General Liability	X	
Vehicle	X	
Other: Professional Liability and Director and Officer	X	
Identify areas of self-insurance w/liability caps		
Evidence of Debtor in Possession Bank Accounts		
Tax Escrow Account		
General Operating Account	X	
Money Market Account pursuant to Local Rule 4001-3. Refer to http://www.deb.uscourts.gov/		
Other:		
Retainers Paid (Form IR-2)	X	


I declare under penalty of perjury (28 U.S.C. Section 1746) that this report and the documents attached are true and correct to the best of my knowledge and belief.

Signature of Debtor

Date

Signature of Joint Debtor

Date



Signature of Authorized Individual*

9/16/09

Date

Charles M. Moore

Printed Name of Authorized Individual

Chief Restructuring Officer

Title of Authorized Individual

*Authorized individual must be an officer, director or shareholder if debtor is a corporation; a partner if debtor is a partnership; a manager or member if debtor is a limited liability company.

In place of a 12 month budget the Office of the US Trustee is allowing the Debtor to file the budget filed with the DIP Order that contemplates a sale closing on 10/16/2009.

Cynergy Data
Budget

In \$000's	CF - 10/16							WC Adj. Accrued Total	Wind-down Total
	1 9/1/09	2 9/11/09	3 9/18/09	4 9/25/09	5 10/2/09	6 10/9/09	7 10/16/09		
Beginning Cash	504	155	-	-	-	-	504	-	-
Receipts	-	-	-	-	-	-	-	-	-
Discount Revenue Net of Interchange Fees	-	14,540	564	-	-	13,223	28,821	6,980	-
Assessments & Processing Fees	-	(7,299)	-	-	-	(1,909)	(4,207)	(1,089)	-
Total Receipts for Debt Paydown	-	12,242	564	-	-	11,314	24,614	5,891	-
Operating Expenses	-	-	-	-	-	-	-	-	-
Processing Fees	-	(1,706)	-	(591)	-	(1,314)	(3,611)	(2,912)	-
Commissions	-	(1,194)	-	(7,169)	-	-	(9,281)	(10,811)	-
Payroll	-	-	(358)	-	(408)	-	(1,173)	(204)	-
Operating Expenses	(150)	(135)	(157)	(36)	(32)	(52)	(628)	-	-
Professional Fees	(165)	(65)	(15)	(15)	(15)	(601)	(891)	(2,523)	(250)
Operating Expenses Total	(315)	(3,040)	(530)	(7,811)	(454)	(1,967)	(15,584)	(16,700)	(250)
Non-Operating Cash Items	-	-	-	-	-	-	-	-	-
CAPEX	-	-	-	-	-	-	-	-	-
Debit Networks	-	(541)	418	638	-	(562)	(464)	(438)	-
Debt & Interest	(85)	(50)	-	-	(34)	(46)	(164)	(85)	-
Working Capital	-	-	-	-	-	-	-	-	-
Total Non-Operating Cash Items	(85)	(592)	418	638	40	(608)	(602)	(85)	-
Cash Gain/(Loss)	(350)	(3,632)	(113)	(7,173)	(414)	(2,575)	(16,186)	(10,895)	(250)
Cash Balance Before Revolver	155	(3,477)	(113)	(7,173)	(414)	(2,575)	(15,682)	(10,895)	(250)
Revolver Draw	-	3,477	113	7,173	414	2,575	15,682	-	-
Available Cash	155	-	-	-	-	-	-	(10,895)	(250)
Revolver Balance	-	3,477	3,590	10,763	11,177	13,751	15,682	15,682	-
Availability	-	8,764	9,216	2,043	1,629	10,368	8,932	8,932	-
Forbearance Revolver	9,000	-	-	-	-	-	-	-	-
Term Loan A	22,050	18,808	18,244	18,244	18,244	6,931	6,436	6,436	-
Senior Revolver	17,770	17,770	17,770	17,770	17,770	17,770	17,770	17,770	-
Pre-Petition Debt	48,820	36,579	36,015	36,015	36,015	24,701	24,206	24,206	-



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

9/15/2009

PRODUCER Phone: 212-344-2444 Fax: 212-509-1292

Frank Crystal & Co., Inc.
Financial Square
32 Old Slip
New York NY 10005

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

INSURED
Cynergy Data, LLC
30-30 47th Avenue, 9th Floor
Long Island City NY 11101

INSURERS AFFORDING COVERAGE

NAIC #

INSURER A: The St. Paul Companies

INSURER B: The Travelers

INSURER C: Lloyds of London

INSURER D: XL Specialty Insurance Company 37885

INSURER E:

COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR ADD'L LTR INSRD	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YYYY)	POLICY EXPIRATION DATE (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC	494277	5/1/2009	5/1/2010	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000
A	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS	494277	5/1/2009	5/1/2010	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	GARAGE LIABILITY <input type="checkbox"/> ANY AUTO				AUTO ONLY - EA ACCIDENT \$ OTHER THAN EA ACC \$ AUTO ONLY: AGG \$
	EXCESS / UMBRELLA LIABILITY <input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS MADE <input type="checkbox"/> DEDUCTIBLE RETENTION \$				EACH OCCURRENCE \$ AGGREGATE \$ \$ \$
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under SPECIAL PROVISIONS below	UB4543N534	5/1/2009	5/1/2010	<input checked="" type="checkbox"/> WC STATU-TORY LIMITS <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000
C	OTHER	W15L9F09PNPT	6/1/2009	6/1/2010	Limit/Primary Prof \$5,000,000
D	Professional Liability	ELU11086009	4/23/2009	6/1/2010	Limit / D&O \$5,000,000
D	Directors & Officers	ELU11158809	6/1/2009	6/1/2010	Limit /EPL \$2,000,000
D	Employment Practices				Limit /Fiduciary \$1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS
Evidence of Insurance.

CERTIFICATE HOLDER

U.S. Dept. of Justice
Office of the US Trustee
844 King Street, Suite 2207
Wilmington DE 19801

CANCELLATION 30

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE

Frank Crystal & Co., Inc.

IMPORTANT

If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

DISCLAIMER

This Certificate of Insurance does not constitute a contract between the issuing insurer(s), authorized representative or producer, and the certificate holder, nor does it affirmatively or negatively amend, extend or alter the coverage afforded by the policies listed thereon.



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DATE (MM/DD/YYYY)

9/15/2009

PRODUCER Phone: 212-344-2444 Fax: 212-509-1292
 Frank Crystal & Co., Inc.
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INSURED
 Cynergy Data, LLC
 30-30 47th Avenue, 9th Floor
 Long Island City NY 11101

INSURERS AFFORDING COVERAGE	NAIC #
INSURER A: Continental Casualty	39993
INSURER B:	
INSURER C:	
INSURER D:	
INSURER E:	

COVERAGES

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INSR ADD'L TR INSRD	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YYYY)	POLICY EXPIRATION DATE (MM/DD/YYYY)	LIMITS	
	GENERAL LIABILITY <input type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS MADE <input type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC				EACH OCCURRENCE	\$
					DAMAGE TO RENTED PREMISES (Ea occurrence)	\$
					MED EXP (Any one person)	\$
					PERSONAL & ADV INJURY	\$
					GENERAL AGGREGATE	\$
					PRODUCTS - COMPIOP AGG	\$
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS				COMBINED SINGLE LIMIT (Ea accident)	\$
					BODILY INJURY (Per person)	\$
					BODILY INJURY (Per accident)	\$
					PROPERTY DAMAGE (Per accident)	\$
	GARAGE LIABILITY <input type="checkbox"/> ANY AUTO				AUTO ONLY - EA ACCIDENT	\$
					OTHER THAN AUTO ONLY: EA ACC	\$
					AGG	\$
	EXCESS / UMBRELLA LIABILITY <input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS MADE DEDUCTIBLE RETENTION \$				EACH OCCURRENCE	\$
					AGGREGATE	\$
						\$
						\$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) <input type="checkbox"/> Y/N if yes, describe under SPECIAL PROVISIONS below				WC STATU-TORY LIMITS	OTH-ER
					E.L. EACH ACCIDENT	\$
					E.L. DISEASE - EA EMPLOYEE	\$
					E.L. DISEASE - POLICY LIMIT	\$
A	OTHER Excess Prof. Liability	287392169	6/1/2009	6/1/2010	Excess Limit	\$5,000,000 \$5,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS
 Evidence of Insurance.

CERTIFICATE HOLDER

CANCELLATION 30

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AUTHORIZED REPRESENTATIVE *Frank Crystal & Co., Inc.*

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Debtors' Bank Accounts

<u>BANK NAME</u>	<u>ACCOUNT NUMBER</u>
Capital One	5024020686
Capital One	5224006733
Comerica	1852184116/366000 23300
Comerica	1852252996
Comerica	1852196722
Comerica	1852252988
Comerica	ORJ896667
Comerica	Multiple Accounts
Harris	2362556
Harris	2781011
Wells Fargo	32722514
Wells Fargo	412150772
Sterling National Bank	4400123745

SCHEDULE OF RETAINERS PAID TO PROFESSIONALS

(This schedule is to include each Professional paid a retainer ¹)

Payee	Check		Name of Payor	Amount	Amount Applied to Date	Balance
	Date	Number				
CM&D Management Services LLC	5/14/2009	Wire	Cynergy Data LLC	50,000	-	50,000
CM&D Management Services LLC	6/23/2009	Wire	Cynergy Data LLC	100,000	31,136	116,864
Kurtsman Carson Consultants	8/27/2009	Wire	Cynergy Data LLC	10,000	-	10,000
Nixon Peabody	5/5/2009	Wire	Cynergy Data LLC	250,000	-	250,000
Nixon Peabody	6/2/2009	Wire	Cynergy Data LLC	17,990	-	267,990
Nixon Peabody	7/15/2009	Wire	Cynergy Data LLC	200,000	-	467,990
Nixon Peabody	7/17/2009	Wire	Cynergy Data LLC	100,000	-	567,990
Nixon Peabody	7/28/2009	Wire	Cynergy Data LLC	205,939	-	773,929
Nixon Peabody	8/13/2009	Wire	Cynergy Data LLC	149,628	-	923,557
Nixon Peabody	8/14/2009	Wire	Cynergy Data LLC	164,833	-	1,088,389
Nixon Peabody	8/21/2009	Wire	Cynergy Data LLC	422,109	-	1,510,499
Nixon Peabody	8/25/2009	Wire	Cynergy Data LLC	124,438	-	1,634,937
Nixon Peabody	8/31/2009	Wire	Cynergy Data LLC	103,580	1,477,252	261,265
Pepper Hamilton LLP	7/24/2009	Wire	Cynergy Data LLC	50,000	-	50,000
Peter J. Solomon Company	7/6/2009	Wire	Cynergy Data LLC	20,000	-	20,000
Peter J. Solomon Company	8/14/2009	Wire	Cynergy Data LLC	20,000	-	40,000
Stifel, Nicolaus & Company	7/10/2009	9797	Cynergy Data LLC	30,000	-	30,000
Stifel, Nicolaus & Company	8/14/2009	Wire	Cynergy Data LLC	30,000	-	60,000
Unicom Partners, LLC	6/25/2009	Wire	Cynergy Data LLC	34,703	34,703	-
Unicom Partners, LLC	8/7/2009	Wire	Cynergy Data LLC	33,667	8,667	25,000

¹ Identify all Evergreen Retainers