

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

In re:

CD LIQUIDATION CO. PLUS, LLC, f/k/a
CYNERGY DATA, LLC, *et al.*,¹

Debtors.

Chapter 11

Case No. 09-13038 (KG)

Jointly Administered
Related Docket No. 1144

**CERTIFICATE OF NO OBJECTION REGARDING FOURTEENTH MONTHLY
APPLICATION OF NIXON PEABODY LLP, COUNSEL FOR THE DEBTORS,
FOR ALLOWANCE OF COMPENSATION FOR SERVICES RENDERED
AND REIMBURSEMENT OF EXPENSES INCURRED FROM
OCTOBER 1, 2010 THROUGH OCTOBER 31, 2010**

The undersigned hereby certifies that she has received no formal or informal objection or response to the **Fourteenth Monthly Application of Nixon Peabody LLP, Counsel for the Debtors, for Allowance of Compensation for Services Rendered and Reimbursement of Expenses Incurred from October 1, 2010 through October 31, 2010** (the “Application”) filed by the undersigned on November 15, 2010. The undersigned further certifies that she has reviewed the docket in these cases and that no objection to the Application appears thereon. The notice to the Application set an objection deadline of December 6, 2010 at 4:00 p.m. (Eastern) (the “Objection Deadline”) for receipt of Objections to the Application.

Pursuant to the Administrative Order Establishing Procedures for Interim Compensation and Reimbursement of Expenses of Professionals and Committee Members dated September 15, 2009 (the “Order”), the Debtors are authorized to pay Nixon Peabody \$66,581.60²

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 Nixon Peabody performed services totaling \$83,227.00 and incurred expenses totaling \$379.09 between October 1, 2010 and October 31, 2010. The Fifth Stipulated Order Amending Final Order (I) Authorizing Use of Cash Collateral, (II) Authorizing Postpetition Financing, (III) Granting Senior Priming Liens and Superpriority (continued...)

which represents (80%) of the fees, and \$379.09 which represents (100%) of the expenses requested in the Application upon the filing of this Certificate and without the need for entry of a Court order approving the Application.

Dated: December 8, 2010
Wilmington, Delaware

Respectfully submitted,
PEPPER HAMILTON LLP

/s/ Evelyn J. Meltzer
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-and-

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*Co-Counsel for the Debtors
and Debtors in Possession*

(continued...)

claims, and (IV) Granting Adequate Protection to the Prepetition Secured Parties [Docket No. 883] provides for a budget of \$75,000.00 for Nixon Peabody's legal fees and disbursements. Nixon Peabody hereby requests the payment of \$66,581.60 in fees (80% of \$83,227.00) and \$379.09 in expenses (100% of \$379.09), totaling \$66,960.69. Nixon Peabody intends to request the remaining \$16,645.40 in fees as a part of an upcoming quarterly fee application pending further discussion with relevant parties with respect to the budget once all three months of fees covered by the application can be compared to the budget.