

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

In re:)
)
)
CYNERGY DATA, LLC, *et al.*,¹) Chapter 11
) Case No. 09-13038-KG
Debtors.) Jointly Administered
)

**NOTICE OF APPEARANCE AND
REQUEST FOR SERVICE OF PAPERS**

PLEASE TAKE NOTICE that the undersigned appears as counsel for Direct Technologies, LLC, a wholly-owned subsidiary of FrontStream Payments, Inc. (“Direct”). Pursuant to Sections 102 and 342 of the Bankruptcy Code, Rules 2002, 3017, 9007, and 9010 of the Federal Rules of Bankruptcy Procedure, request is hereby made that all papers, pleadings, motions, and applications served or required to be served in this case be given to and served upon:

David E. Lemke, Esquire
Katie G. Stenberg, Esquire
Waller Lansden Dortch & Davis, LLP
511 Union Street, Suite 2700
Nashville, Tennessee 37219
Telephone: (615) 244-6380
Facsimile: (615) 244-6804
David.Lemke@wallerlaw.com
Katie.Stenberg@wallerlaw.com

*Attorneys for Direct Technologies, LLC,
and FrontStream Payments, Inc.*

PLEASE TAKE FURTHER NOTICE that the foregoing demand includes not only the notices and papers referred to in the Bankruptcy Rules and above-specified Sections of the Bankruptcy Code, but also includes without limitation any notice, application, complaint,

demand, motion, petition, pleading or request, whether formal or informal, written or oral, and whether transmitted or conveyed by mail, delivery, telephone, telegraph, telex, electronic filing or otherwise filed or made with regard to the above-captioned case and proceedings therein.

This Notice of Appearance and Request for Service of Papers is without prejudice to Direct's rights, remedies, and claims against other entities or any objection that may be had to the subject-matter jurisdiction of the court, and shall not be deemed or construed to submit Direct to the jurisdiction of the Court. All rights, remedies, and claims are hereby expressly reserved, including without limitation Direct's (i) right to have final orders in non-core matters entered only after *de novo* review by a District Judge, (ii) right to trial by jury in any proceeding so triable in these cases or in any case, controversy, or proceeding related to these cases, (iii) right to have the District Court withdraw the reference in any matter subject to mandatory or discretionary withdrawal, (iv) right to seek a change of venue, or (v) any other rights, claims, actions, setoffs or recoupments to which Direct is or may be entitled, in law or in equity, all of which rights, claims, actions, defenses, setoffs, and recoupments Direct expressly reserves.

Dated: September 17, 2009

/s/ Katie G. Stenberg
David E. Lemke, Esq. (TN SBN #13586)
Katie G. Stenberg, Esq. (TN SBN #22301)
WALLER LANSDEN DORTCH & DAVIS, LLP
511 Union Street, Suite 2700
Nashville, Tennessee 37219
(615) 244-6380
(615) 244-6804 (fax)
David.Lemke@wallerlaw.com
Katie.Stenberg@wallerlaw.com

*Attorneys for Direct Technologies, LLC,
and FrontStream Payments, Inc.*

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. 3097024.1

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been served via the Court's CM/ECF system on this the 17 day of September, 2009.

/s/ Katie G. Stenberg_____