

**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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**NOTICE OF COMMENCEMENT OF CHAPTER 11 BANKRUPTCY CASES,
MEETING OF CREDITORS AND FIXING OF CERTAIN DATES**

On September 1, 2009, the above-captioned debtors and debtors-in-possession in the above-captioned cases (collectively, the “Debtors”) filed voluntary petitions for relief under chapter 11 of title 11 of the United States Code, 11 U.S.C. § 101 through 1330 (the “Bankruptcy Code”). The Debtors, and their respective addresses, case numbers and federal tax identification numbers are as follows:

<u>DEBTOR</u> (Other names, if any, used by the Debtor in the last 6 years appear in brackets)	<u>ADDRESS</u>	<u>CASE NO.</u>	<u>EID #</u>
Cynergy Data, LLC	30-30 47 th Avenue 9 th Floor Long Island, NY 11101	09-13038	26-1308677
Cynergy Data Holdings, Inc.	30-30 47 th Avenue 9 th Floor Long Island, NY 11101	09-13039	26-1308208
Cynergy Prosperity Plus, LLC	30-30 47 th Avenue 9 th Floor Long Island, NY 11101	09-13040	26-0324562

DATE, TIME AND LOCATION OF MEETING OF CREDITORS. October 23, 2009 at 10:00 a.m. (prevailing Eastern time) at 844 King Street, 2nd Floor, Room 2112, Wilmington, Delaware 19801.

DEADLINE TO FILE A PROOF OF CLAIM. Notice of a deadline will be sent at a later time.

NAME, ADDRESS AND TELEPHONE NUMBER OF TRUSTEE. None appointed to 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.

COUNSEL FOR THE DEBTORS

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COMMENCEMENT OF CASES. Petitions for reorganization under chapter 11 of the Bankruptcy Code have been filed in this Court by the Debtors listed above, and orders for relief have been entered. You will not receive notice of all documents filed in this case. All documents filed with the Court, including lists of the Debtors' property and debts, are available for inspection at the Office of the Clerk of the Bankruptcy Court. In addition, such documents may be available at www.deb.uscourts.gov.

PURPOSE OF CHAPTER 11 FILING. Chapter 11 of the U.S. Bankruptcy Code enables a debtor to reorganize pursuant to a plan. A plan is not effective unless approved by the court at a confirmation hearing. Creditors will be given notice concerning any plan, or in the event the case is dismissed or converted to another chapter of the Bankruptcy Code. The Debtors will remain in possession of their property and will continue to operate any business unless a trustee is appointed.

CREDITORS MAY NOT TAKE CERTAIN ACTIONS. A creditor is anyone to whom a debtor owes money or property. Under the Bankruptcy Code, a debtor is granted certain protection against creditors. Common examples of prohibited actions by creditors are contacting a debtor to demand repayment, taking action against a debtor to collect money owed to creditors or to take property of a debtor, and starting or continuing foreclosure actions or repossessions. If unauthorized actions are taken by a creditor against a debtor, the Court may penalize that creditor. A creditor who is considering taking action against a debtor or the property of a debtor should review § 362 of the Bankruptcy Code and may wish to seek legal advice. The staff of the Clerk of the Bankruptcy Court are not permitted to give legal advice.

MEETING OF CREDITORS. The Debtors' representative, as specified in Rule 9001(5) of the Federal Rules of Bankruptcy Procedure (the "Bankruptcy Rules"), is required to appear at the meeting of creditors on the date and at the place set forth above for the purpose of being examined under oath. Attendance by creditors at the meeting is welcomed, but not required. At the meeting, the creditors may examine the Debtors and transact such other business as may properly come before the meeting. The meeting may be continued or adjourned from time to time by notice at the meeting, without further written notice to the creditors.

CLAIMS. Schedules of creditors will be filed pursuant to Bankruptcy Rule 1007. Any creditor holding a scheduled claim which is not listed as disputed, contingent, or unliquidated as to amount may, but is not required to, file a proof of claim in these cases. Creditors whose claims are not scheduled or whose claims are listed as disputed, contingent, or unliquidated as to amount and who desire to participate in the cases or share in any distribution must file their proofs of claim. A creditor who desires to rely on the schedule of creditors has the responsibility for determining that the claim is listed accurately. **Separate notice of the deadlines to file proofs of claim and proof of claim forms will be provided to the Debtors' known creditors.** Proof of claim forms also are available in the clerk's office of any bankruptcy court. Proof of Claim forms are also available from the Court's web site at www.deb.uscourts.gov. Kurtzman Carson Consultants LLC is the claims agent in these cases and can provide a proof of claim form if you cannot obtain one from your local bankruptcy court. Kurtzman Carson Consultants LLC can be reached as follows:

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DISCHARGE OF DEBTS. Confirmation of chapter 11 plan may result in a discharge of debts, which may include all or part of your debt. See Bankruptcy Code § 1141(d). A discharge means that you may never try to collect the debt from the debtor, except as provided in the plan.

For the Court: /s/ David D. Bird
Clerk of the U.S. Bankruptcy Court

Dated: October 2, 2009