

UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE

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

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

PLEASE TAKE NOTICE that Tribul Merchant Services, LLC, Tribul LLC, and Second Source Funding LLC (together, the "Tribul Parties"), hereby appear in the above-captioned cases pursuant to 11 U.S.C. § 1109(b) and request, pursuant to Federal Rules of Bankruptcy Procedure 2002, 3017, 9007 and 9010, that copies of all notices and pleadings given or filed in the above-captioned cases be given and served upon the persons listed below at the following addresses:

MORRIS NICHOLS ARSHT &  
TUNNELL LLP  
Derek C. Abbott (#3376)  
Curtis S. Miller (#4593)  
1201 N. Market Street  
P.O. Box 1347  
Wilmington, DE 19899-1347  
Telephone: (302) 658-9200  
Facsimile: (302) 658-3989  
Email: dabbott@mnat.com  
cmiller@mnat.com

LAW OFFICES OF MITCHELL C. SHAPIRO  
Mitchell C. Shapiro  
15 Cutter Mill Road, #207  
Great Neck, New York 11021  
Telephone: (516) 570-2773  
Facsimile: (516) 829-1555  
Email: mcs@mcs ShapiroLaw.com

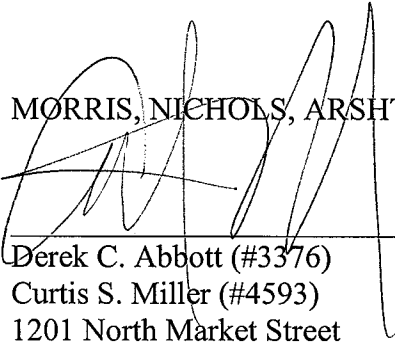
DANIEL B. FAIZAKOFF P.C.  
Daniel B. Faizakoff  
150 Broadway - 14th Floor  
New York, New York 10038  
Telephone: (212) 619-3100  
Facsimile: (212) 385-1916  
Email: dbf@legalesq.com

PLEASE TAKE FURTHER NOTICE that the foregoing demand 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, e-mail, facsimile, telephone, telegraph, telex, or otherwise filed or made with regard to the captioned case and proceedings therein.

PLEASE TAKE FURTHER NOTICE that neither this Notice of Appearance nor any pleading, claim or suit shall waive (1) the right to have final orders in non-core matters entered only after *de novo* review by a judge of a United States District Court (a “District Court”), (2) the right to trial by jury in any proceeding so triable in these cases or any case, controversy or proceeding related to these cases, (3) the right to have a District Court withdraw the reference in any matter subject to mandatory or discretionary withdrawal, or (4) any other rights, claims, actions, defenses, setoffs or recoupments to which the Tribul Parties may be entitled under agreements, in law or in equity, all of which rights, claims, actions, defenses, setoffs and recoupments are expressly reserved.

Date: October 9, 2009  
Wilmington, Delaware

MORRIS, NICHOLS, ARSHT & TUNNELL LLP



---

Derek C. Abbott (#3376)  
Curtis S. Miller (#4593)  
1201 North Market Street  
P.O. Box 1347  
Wilmington, DE 19899  
Telephone: (302) 658-9200  
Facsimile: (302) 658-3989

and

LAW OFFICES OF MITCHELL C. SHAPIRO  
Mitchell C. Shapiro  
15 Cutter Mill Road, #207  
Great Neck, New York 11021  
Telephone: (516) 570-2773  
Facsimile: (516) 829-1555

and

DANIEL B. FAIZAKOFF P.C.  
Daniel B. Faizakoff  
150 Broadway - 14th Floor  
New York, New York 10038  
Telephone: (212) 619-3100  
Facsimile: (212) 385-1916

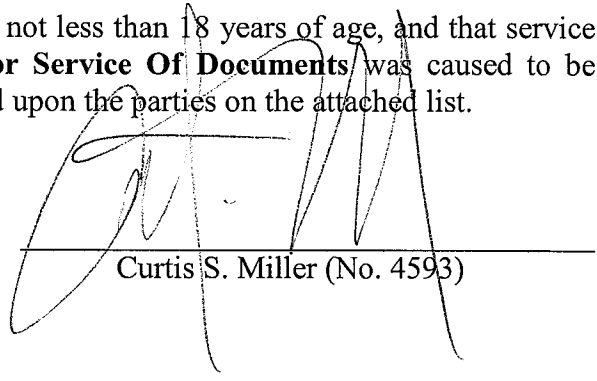
*Attorneys For Tribul Merchant Services, LLC, Tribul  
LLC, And Second Source Funding LLC*

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**CERTIFICATE OF SERVICE**

I, Curtis S. Miller, certify that I am not less than 18 years of age, and that service of the **Notice Of Appearance And Request For Service Of Documents** was caused to be served on October 9, 2009, in the manner indicated upon the parties on the attached list.

Date: October 9, 2009



Curtis S. Miller (No. 4593)

# SERVICE LIST

## BY HAND DELIVERY

Gregory A. Taylor Esq.  
Karen B. Skomorucha, Esq.  
Ashby & Geddes PA  
500 Delaware Ave 8th Fl  
PO Box 1150  
Wilmington, DE 19899

David M Powlen  
Barnes & Thornburg LLP  
1000 N West St Ste 1200  
Wilmington, DE 19801

Attn Bankruptcy Dept  
Delaware Dept of Justice  
Div of Securities  
820 N French St 5th Fl  
Wilmington, DE 19801

Adam G. Landis, Esq.  
William E. Chipman, Jr., Esq.  
Landis Rath & Cobb LLP  
919 Market St Ste 1800  
Wilmington, DE 19801

Fred Rosner  
Messana Rosner & Stern LLP  
1000 N West St Ste 1200  
Wilmington, DE 19801

Mark S Kenney Esq Trial Attorney  
Office of the United States Trustee  
Delaware  
844 King St Ste 2207  
Lockbox 35  
Wilmington, DE 19801

Joseph R Biden III  
Office of the US Attorney General  
Carvel State Office Building  
820 N French ST  
Wilmington, DE 19801

Laura Davis Jones, Esq.  
Mark M. Billion, Esq.  
Timothy P. Cairns, Esq.  
Pachulski Stang Ziehl & Jones LLP  
919 N Market St 17th Fl  
PO Box 8705  
Wilmington, DE 19899

Randy R Weller  
State of Delaware Division of Revenue  
820 N French St 8th Fl  
Carvel State Building  
Wilmington, DE 19801-0820

Joseph H. Huston Jr., Esq.  
Maria Aprile Sawczuk, Esq.  
Stevens & Lee PC  
1105 N Market St 7th Fl  
Wilmington, DE 19801

Ellen W Slights Esq  
U S Attorneys Office  
1007 Orange St Ste 700  
The Nemours Building  
Wilmington, DE 19899-2046

Robert J. Stearn, Jr., Esq.  
Richards, Layton & Finger, P.A.  
One Rodney Square  
920 North King Street  
Wilmington, DE 19801

Christopher A. Ward, Esq.  
Justin K. Edelson, Esq.  
Polsinelli Shughart PC  
222 Delaware Avenue, Suite 1101  
Wilmington, DE 19801

## BY FIRST CLASS U.S. MAIL

Division of Corporations Franchise Tax  
Delaware Secretary of State  
PO Box 7040  
Dover, DE 19903

Delaware Secretary of the Treasury  
PO Box 7040  
Dover, DE 19903

First Data  
PO Box 2025  
Englewood, CO 80150

Linda K Beck  
Internal Revenue Service  
PO Box 21126  
Philadelphia, PA 19114-0326

Jan M Geht Esq Trial Attorney  
U S Department of Justice  
Tax Division  
PO Box 227  
Washington, DC 20044

Susan F Balaschak  
Akerman Senterfitt LLP  
335 Madison Ave Ste 2600  
New York, NY 10017

Martin Burkett  
Akerman Senterfitt LLP  
One SE 3rd Ave 25 Fl  
Miami, FL 33131

Marc M Bakst  
Bodman LP  
1901 St Antoine St 6th Fl at Ford Field  
Detroit, MI 48226

Robert J Diehl, Jr.  
Mary F. Caloway  
Bodman LP  
1901 St Antoine St 6th Fl at Ford Field  
Detroit, MI 48226

Capital One Bank  
a/c no 5224006733  
20 02 Francis Lewis Blvd  
Clearview Branch  
Whitestone, NY 11357

Calvin Wilder for Denise A Mertz  
Commonwealth of Pennsylvania Dept of  
Labor & Industry  
Reading Bankruptcy & Compliance Unit  
625 Cherry St Rm 203  
Reading, PA 19602

Annette Atha  
First Data  
6902 Pine St PS 11  
Omaha, NE 68106-2855

Michael G Menkowitz Esq  
Fox Rothchild LLP  
2000 Market St 10th Fl  
Philadelphia, PA 19103-3291

Charles M Hamilton  
French & Hamilton  
211 N Record St Ste 400  
Dallas, TX 75202

Andrew Kamensky  
Hunton & Williams LLP  
1111 Brickell Ave Ste 2500  
Mellon Financial Ctr  
Miami, FL 33131

Centralized Insolvency Operation  
Internal Revenue Service  
11601 Roosevelt Blvd Mail Drop N781  
Philadelphia, PA 19255-0002

Ed Laubach Esq  
Internal Revenue Service  
Office of Chief Counsel  
1001 Liberty Ave Ste 601 C  
Pittsburgh, PA 15222

Bruce F. Smith, Esq.  
Michael J. Fencer, Esq.  
Steven C. Reingold, Esq.  
Jager Smith PC  
1 Financial Ctr  
Boston, MA 02111-0000

Attn Gregory A Bray  
Milbank Tweed Hadley & McCloy LLP  
601 S Figueroa St 30th Fl  
Los Angeles, CA 90017

Lena Mandel  
Milbank Tweed Hadley & McCloy LLP  
1 Chase Manhattan Plz  
New York, NY 10005

Andrew P Lederman  
Moses & Singer LLP  
The Chrysler Bldg  
405 Lexington Ave  
New York, NY 07024-0000

Paul Hastings Janofsky & Walker LLP  
515 S Flower St 20th Fl  
Los Angeles, CA 90071

Douglas J Pick Esq  
Pick & Zabicki LLP  
369 Lexington Ave 12th Fl  
New York, NY 10017

Peter J Antoszyk, Esq.  
Proskauer Rose LLP  
One International Place  
Boston, MA 02110-2600

Scott K . Rutsky, Esq  
Proskauer Rose LLP  
1585 Broadway  
New York, NY 10036

Mark Schonfeld  
Securities & Exchange Commission  
New York Regional Office  
3 World Financial Ctr  
New York, NY 10285

Alec P Ostrow  
Stevens & Lee PC  
485 Madison Ave  
New York, NY 10022

Attn Alyssa Klausner  
Swedelson & Gottlieb  
11900 W Olympic Blvd Ste 700  
Los Angeles, CA 90064

Attn Alison D Bauer  
Torys LLP  
237 Park Ave  
New York, NY 10017

Michael Mukasey Esq  
United States Attorney General  
United States Department of Justice  
950 Pennsylvania Ave N W  
Washington, DC 20530

David E. Lemke, Esq  
Katie G. Sternberg, Esq.  
Waller Lansden Dortch & Davis LLP  
511 Union St Ste 2700  
Nashville, TN 37219

J.Robert Arnett, II, Esq.  
Munck Carter, LLP  
600 Banner Place Tower  
12770 Coit Road  
Dallas, TX 75251

Tracy L. Klestadt, Esq.  
Joseph C. Corneau, Esq.  
Klestadt & Winters, LLP  
292 Madison Avenue  
17th Floor  
New York, NY 10017