

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE

In re: ) Chapter 11  
)  
CYNERGY DATA, LLC, et al.,<sup>1</sup> ) Case No. 09-13038  
) Jointly Administered  
Debtors.

**NOTICE OF APPEARANCE AND REQUEST  
FOR SERVICE PURSUANT TO FED. R. BANKR. P. 2002**

PLEASE TAKE NOTICE that Garrison Credit Investments I LLC, party in interest in the above-captioned cases, hereby appears by their counsel, Proskauer Rose LLP (“Proskauer”) and Pachulski Stang Ziehl & Jones LLP (“PSZJ”). Proskauer and PSZJ hereby enter their appearances pursuant to section 1109(b) of title 11 of the United States Code (the “Bankruptcy Code”), and Rule 9010(b) of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”), and request that the undersigned be added to the official mailing matrix and service lists in the above-captioned cases. Proskauer and PSZJ request, pursuant to Bankruptcy Rules 2002, 3017, and 9007 and section 1109(b) of the Bankruptcy Code, that copies of all notices and pleadings given or required to be given in these chapter 11 cases and copies of all papers served or required to be served in these chapter 11 cases, including but not limited to, all notices (including those required by Bankruptcy Rule 2002), reports, pleadings, motions, applications, lists, schedules, statements, chapter 11 plans, disclosure statements, and all other matters arising herein or in any related adversary proceeding, be given and served upon the Garrison Credit Investments I LLC through service upon Proskauer and PSZJ, at the addresses, telephone, and facsimile numbers set forth below:

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PLEASE TAKE FURTHER NOTICE that, pursuant to section 1109(b) of the Bankruptcy Code, the foregoing demand includes not only the notices and papers referred to in the Bankruptcy Rules specified above, but also includes, without limitation, orders and notices of any application, complaint or demand, motion, petition, pleading or request, and answering or reply papers filed in these cases, whether formal or informal, written or oral, and whether served, transmitted or conveyed by mail, hand delivery, telephone, telegraph, telex, or otherwise filed or made with regard to the above-captioned cases and proceedings therein.

PLEASE TAKE FURTHER NOTICE that this *Notice of Appearance and Request for Service Pursuant to Fed. R. Bankr. P. 2002* shall not be deemed or construed to be a waiver of any of the rights of any member of the Garrison Credit Investments I LLC, including, without limitation, to (i) have final orders in non-core matters entered only after *de novo* review by a

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<sup>1</sup> 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 47<sup>th</sup> Avenue, 9<sup>th</sup> Floor, Long Island City, New York 11101.

higher court, (ii) trial by jury in any proceeding so triable in these cases, or any case, controversy, or adversary proceeding related to these cases, (iii) have the reference withdrawn in any matter subject to mandatory or discretionary withdrawal, or (iv) any other rights, claims, actions, defenses, setoffs, or recoupments to which the members of the Garrison Credit

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Investments I LLC may be entitled, in law or in equity, all of which rights, claims, actions, defenses, setoffs, and recoupments are expressly reserved.

Dated: September 1, 2009

PACHULSKI STANG ZIEHL & JONES LLP

/s/ Mark M. Billion

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