

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

In re:  CYNERGY DATA, LLC, <i>et al.</i> , <sup>1</sup>  Debtors.	Chapter 11  Case No. 09-13038 (KG)  Jointly Administered  <b>Hearing Date: TBD</b> <b>Objection Deadline: November 30, 2009 at 4:00 p.m.</b>
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**NOTICE OF FILING APPLICATION**

Stifel, Nicolaus & Company, Incorporated, advisor to the Debtors (hereinafter referred to as “Applicant”) has filed its **Second and Final Application of Stifel, Nicolaus & Company, Incorporated as Advisor to the Debtors and Debtors-in-Possession for Compensation and Reimbursement of Expenses Incurred for the Period September 1, 2009 through October 31, 2009** (the “Application”).

Applicant, in its Application, seeks an interim award of compensation in the amount of \$1,551,738.00 for professional services rendered and reimbursement of expenses actually and necessarily incurred in the amount of \$1,563.96 during the period October 1, 2009 through October 31, 2009, and a final award of compensation in the amount of \$1,581,738.00 for professional services rendered and reimbursement of expenses actually and necessarily incurred in the amount of \$5,714.67 during the period September 1, 2009 through October 31, 2009

Copies of the Application can be obtained from the Applicant or from the Clerk of the United States Bankruptcy Court for the District of Delaware, 824 Market Street, 3<sup>rd</sup> Floor, Wilmington, Delaware, (302) 252-2900 (the “Bankruptcy Court”).

All objections and other responses (collectively, “Objections”) to the Application must be: (i) filed with the Clerk of the United States Bankruptcy Court for the District of Delaware, 824 Market Street, 3<sup>rd</sup> Floor, Wilmington, Delaware 19801, on or before **November 30, 2009 at 4:00 p.m. (ET) (the “Objection Deadline”)**; and (ii) served so as to be actually received no later than the Objection Deadline by the following entities:

Office of the United States Trustee  
844 King Street  
Room 2313  
Wilmington, Delaware 19801  
Attn: Thomas P. Tinker, Esq.

Cynergy Data, LLC  
30-30 47<sup>th</sup> Avenue  
9<sup>th</sup> Floor  
Long Island City, NY 11101

<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 47th Avenue, 9th Floor, Long Island City, New York 11101.

Nixon Peabody LLP  
437 Madison Avenue  
New York, NY 10056  
Attn: Dennis J. Drebsky, Esq.

Pepper Hamilton LLP  
John H. Schanne, II, Esq.  
Hercules Plaza, Suite 5100  
1313 N. Market Street, P.O. Box 1709  
Wilmington, Delaware 19899-1709  
Attn: David B. Stratton, Esq.  
Evelyn J. Meltzer, Esq.

Ashby & Geddes  
500 Delaware Avenue, 8th Floor  
P.O. Box 1150  
Wilmington, DE 19899  
Attn: Gregory Alan Taylor, Esq.  
Karen B. Skomorucha, Esq.

A HEARING ON THE APPLICATION WILL BE SCHEDULED at the Court's convenience before the Honorable Kevin Gross, United States Bankruptcy Court for the District of Delaware, 824 Market Street, Wilmington, Delaware 19801, only in the event there are one or more objection(s) to the Application as filed and served in accordance herewith.

IF YOU FAIL TO RESPOND IN ACCORDANCE WITH THIS NOTICE, THE COURT MAY GRANT THE RELIEF DEMANDED IN THE APPLICATION WITHOUT FURTHER NOTICE OR HEARING.

Dated: November 10, 2009  
Wilmington, Delaware

Respectfully submitted,

PEPPER HAMILTON LLP

/s/ Evelyn J. Meltzer  
David B. Stratton (DE No. 960)  
Evelyn J. Meltzer (DE No. 4581)  
John H. Schanne, II (DE No. 5260)  
Hercules Plaza, Suite 5100  
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P.O. Box 1709  
Wilmington, DE 19899-1709  
Telephone: (302) 777-6500  
Facsimile: (302) 421-8390

-and-

NIXON PEABODY LLP  
Mark N. Berman  
Dennis J. Drebsky  
Lee Harrington (DE No. 4046)  
437 Madison Avenue  
New York, New York 10022  
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*Counsel for the Debtors  
and Debtors in Possession*