

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

In re:

CYNERGY DATA, LLC, *et. al.*,¹

Debtors.

Chapter 11

Case No. 09-13038 (KG)

Jointly Administered

**NOTICE OF APPEARANCE AND REQUEST
FOR SERVICE OF NOTICES AND PLEADINGS**

PLEASE TAKE NOTICE that the undersigned counsel hereby enters his appearance on behalf of creditors SD Enterprises LLC, SD Enterprises LLC Merchant, TI Enterprises LLC, TI Enterprises LLC Merchant, AI Enterprises, and HI Enterprises LLC (collectively, the “Creditors”). Pursuant to Rules 2002, 3017 and 9007 of the Federal Rules of Bankruptcy Procedure and § 1109(b) of the Bankruptcy Code, request is hereby made that copies of all notices and pleadings given or filed in these cases be given and served upon:

Scott K. Brown, Esq.
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¹ The Debtors are the following entities (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.

PLEASE TAKE FURTHER NOTICE that, pursuant to § 1109(b) of the Bankruptcy Code, the foregoing demand includes not only the notices and papers referred to in the Rules specified above, 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, hand delivery, telephone, telegraph, telex, electronic mail or otherwise filed or made with regard to the above-captioned cases and proceedings therein.

This Notice of Appearance and Request for Service of Notices and Pleadings shall not be deemed or construed to be a waiver of the rights (1) to have final orders in non-core matters entered only after *de novo* review by a District Court Judge, (2) to trial by jury in any proceeding so triable in these cases or any cases, controversy, or proceeding related to these cases, (3) to have the District Court withdraw the reference in any matter subject to mandatory or discretionary withdrawal, or (4) to any other rights, claims, actions, setoffs, or recoupments to which the Creditors are or may be entitled.

Dated: January 25, 2010

LEWIS AND ROCA, LLP

/s/ Scott K. Brown

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CERTIFICATE OF SERVICE

I do hereby certify that a true and correct copy of the above and foregoing has been this date served electronically or mailed to the parties listed below:

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DATED this 25th day of January, 2010.

/s/ Scott K. Brown

Scott K. Brown