

**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)

**VERIFIED STATEMENT OF MILBANK, TWEED, HADLEY & McCLOY LLP
AND LANDIS RATH & COBB LLP PURSUANT TO FEDERAL
RULE OF BANKRUPTCY PROCEDURE 2019**

Pursuant to Rule 2019 of the Federal Rules of Bankruptcy Procedure, Milbank, Tweed, Hadley & McCloy LLP (“Milbank”) and Landis Rath & Cobb LLP (“LRC”) make the following disclosures in connection with the chapter 11 cases (the “Cases”) of the above-captioned debtors and debtors-in-possession (collectively, the “Debtors”):

1. Milbank and LRC appear in the Cases on behalf of the parties in interest listed on Exhibit A hereto (the “Entities”).
2. Milbank and LRC represent the Entities in connection with the Cases.

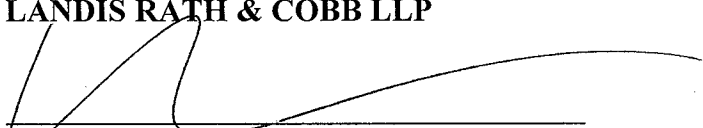
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¹ The Debtors are the following entities (with the last four digits of their federal tax identification numbers in parentheses): Cynergy Data, LLC (8677); Cynergy Data Holdings, Inc. (8208); Cynergy Prosperity Plus, LLC (4265). The mailing address for the Debtors is 30-30 47th Avenue, 9th Floor, Long Island City, New York 11101.

3. Upon information and belief, Milbank and LRC do not currently possess and have not possessed in the past any claims against or interests in any Debtor.

Dated: Wilmington, Delaware
September 3, 2009

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Counsel to Dymas Funding Company, LLC
and Ableco Finance LLC

EXHIBIT A

Entity Name & Address	Role in Cases
Dymas Funding Company, LLC One North Franklin 35 th Floor Chicago, IL 60606	Agent for lenders under the Financing Agreement dated as of November 15, 2007 by and among such lenders, Dymas Funding Company, LLC, as agent, Cynergy Data Holdings, Inc., and Cynergy Data, LLC (the "Subordinated Credit Agreement")
Ableco Finance LLC 299 Park Avenue, 22 nd Floor New York, NY 10171	Lender under the Subordinated Credit Agreement and under Amended and Restated Credit Agreement dated as of August 1, 2008 among Cynergy Data, LLC, as borrower, the financial institutions from time to time party thereto, and Comerica Bank, as agent (the "Senior Credit Agreement").

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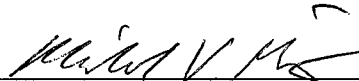
AFFIDAVIT OF SERVICE

STATE OF DELAWARE)
) SS
NEW CASTLE COUNTY)

Michael V. Girello, being duly sworn according to law, deposes and says that he is employed by the law firm of Landis Rath & Cobb LLP, attorneys for Dymas Funding Company, LLC and Ableco Finance LLC in the above referenced cases, and on the 3rd day of September, 2009, he caused a copy of the following:

**VERIFIED STATEMENT OF MILBANK, TWEED, HADLEY & McCLOY LLP
AND LANDIS RATH & COBB LLP PURSUANT TO FEDERAL
RULE OF BANKRUPTCY PROCEDURE 2019**

to be served upon the parties identified on the attached list in the manner indicated.



Michael V. Girello

SWORN TO AND SUBSCRIBED before me this 3rd day of September, 2009.



Notary Public

**KIMBERLY A. BECKER
NOTARY PUBLIC
STATE OF DELAWARE
My Commission Expires July 23, 2010**

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