

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

In re:	:	Chapter 11
	:	
CYNERGY DATA, LLC, et al.,¹	:	Case No. 09-13038 (KG)
	:	
	:	(Jointly Administered)
Debtors.	:	
	:	Ref. Docket Nos. 5, 27, 44, 56

**LIMITED OBJECTION TO DEBTORS' MOTION FOR INTERIM ORDER
UNDER 11 U.S.C. §§ 105(A), 345, 363, 364, AND 503(b)(1) AUTHORIZING (A)
CONTINUED MAINTENANCE OF EXISTING BANK ACCOUNTS, (B)
COUNTINUED USE OF EXISTING BUSINESS FORMS, (C) CONTINUED USE OF
EXISTING CASH MANAGEMENT SYSTEM, (D) CONTINUED PAYMENTS TO
ISOs AND MERCHANTS IN ACCORDANCE WITH CUSTOMARY PRACTICE,
(E) WAIVER OF CERTAIN GUIDELINES RELATING TO BANK ACCOUNTS,
AND (F) SCHEDULING A FINAL HEARING**

U.S. Online America Group, LLC ("U.S. Online") hereby objects to "*Debtors' Motion for Interim Order Under 11 U.S.C. §§ 105(a), 345, 363, 364 and 503(b)(1) Authorizing (A) Continued Maintenance of Existing Bank Accounts, (B) Continued Use of Existing Business Forms, (C) Continued Use of Existing Cash Management System, (D) Continued Payments to ISOs and Merchants in Accordance with Customary Practice, (E) Waiver of Certain Guidelines Relating to Bank Accounts, and (F) Scheduling a Final Hearing*" ("Cash Management Motion"). In support of this Limited Objection, U.S. Online, by and through undersigned counsel, respectfully represents:

1. The Cash Management Motion lacks sufficient information for this Court to enter an order granting the relief requested therein. Accordingly, U.S. Online objects to the

¹ The Debtors in these cases, along with the last four digits of each of the Debtor's federal tax identification number, are: 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.

Cash Management Motion pending an explanation by the Debtors of where certain funds required to be held in reserve for U.S. Online's benefit are actually being held, how they are being segregated, and who is in control of those funds.

2. Pursuant to a contract entered into between U.S. Online and Debtors, Debtors were required to maintain a ten percent reserve in a segregated account for the benefit of U.S. Online ("Reserve").

3. Although the Cash Management Motion explains that Cynergy Data has several types of reserve accounts, it fails to address where and/or how the Reserve is being segregated or who is in control of these funds.

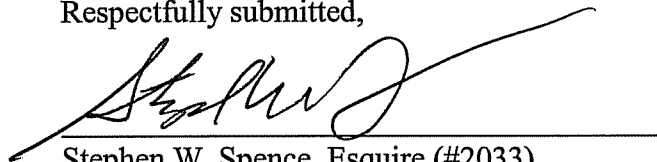
4. Until such time as Debtors can explain to U.S. Online where the Reserve is being held, how it is being segregated, and who is in control of it, U.S. Online objects to the Cash Management Motion.

CONCLUSION

WHEREFORE, U.S. Online respectfully requests that this Court deny entry of a final order granting the relief requested in the Cash Management Motion.

Dated: September 10, 2009

Respectfully submitted,



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CERTIFICATE OF SERVICE

I, CELESTE A. HARTMAN, Senior Paralegal, do hereby certify that I am over the age of 18, and that on September 10, 2009, I caused the foregoing *Limited Objection to Debtors' Motion for Interim Order under 11 U.S.C. §§ 105(A), 345, 363, 364, and 503(b)(1) Authorizing (A) Continued Maintenance of Existing Bank Accounts, (B) Continued Use of Existing Business Forms, (C) Continued Use of Existing Cash Management System, (D) Continued Payments to Isos and Merchants in Accordance with Customary Practice, (E) Waiver of Certain Guidelines Relating to Bank Accounts, and (F) Scheduling a Final Hearing* to be served upon the following persons via the Bankruptcy Court's electronic notification system and by U.S. First Class Mail, postage pre-paid.

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Under penalty of perjury, I certify the foregoing to be true and correct.



CELESTE A. HARTMAN