

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

In re:

CYNERGY DATA, LLC, *et al.*,<sup>1</sup>

Debtors.

Chapter 11

Case No. 09-13038 (KG)

(Jointly Administered)

Ref. No. 63

**AMENDED 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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<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.

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 10, 2009

**LANDIS RATH & COBB LLP**

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Counsel to the parties identified herein

## EXHIBIT A

Entity Name & Address	Role in Cases
Dymas Funding Company, LLC One North Franklin Suite 3500 Chicago, IL 60606	Agent for (a) subordinated lenders (the " <u>Term B Lenders</u> ") under the Debtors' Amended and Restated Credit Agreement dated as of August 1, 2008 (the " <u>Senior Credit Agreement</u> "), and (b) lenders under the Debtors' Financing Agreement dated as of November 15, 2007 (the " <u>Subordinated Credit Agreement</u> ")
Ableco Finance LLC c/o Dymas Funding Company, LLC, as agent One North Franklin Suite 3500 Chicago, IL 60606	Term B Lender and lender under the Subordinated Credit Agreement
A3 Funding LP c/o Dymas Funding Company, LLC, as agent One North Franklin Suite 3500 Chicago, IL 60606	Term B Lender and lender under the Subordinated Credit Agreement
Garrison Credit Investments I, LLC c/o Garrison Investment Group 1350 Avenue of the Americas 9th Floor New York, NY 10019	Term B Lender
Garrison Credit Opportunities Holdings L.P. c/o Garrison Investment Group 1350 Avenue of the Americas 9th Floor New York, NY 10019	Term B Lender