

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

In re:) Chapter 11
)
CYNERGY DATA, LLC, *et al.*) Case No. 09-13038 (KG)
) (Jointly Administered)
Debtors.)
)
)

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

PLEASE TAKE NOTICE that undersigned counsel hereby enters its appearance on behalf of the Official Committee of Unsecured Creditors (the "Committee") pursuant to Rules 2002, 3017 and 9007 of the Federal Rules of Bankruptcy Procedure and § 1109(b) of the Bankruptcy Code, that copies of all notices and pleadings given or filed in these cases be given and served upon the following persons at the addresses, telephone, facsimile numbers and e-mail addresses indicated below:

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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 Papers 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 Committee is or may be entitled.

Dated: September 14, 2009

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*Proposed Counsel to the Official Committee
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