

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE

In re:  CYNERGY DATA, LLC,  Debtor.	Chapter 11  Case No. 09- <u>13038</u> (KG)
In re:  CYNERGY DATA HOLDINGS, INC.,  Debtor.	Chapter 11  Case No. 09- <u>13039</u> (KG)
In re:  CYNERGY PROSPERITY PLUS, LLC,  Debtor.	Chapter 11  Case No. 09- <u>13040</u> (KG)  Re: Dkt. No. A

**ORDER PURSUANT TO FED. R. BANKR. P. 1015(b)  
DIRECTING JOINT ADMINISTRATION OF CHAPTER 11 CASES**

Upon the motion (the "Motion") of the Debtors,<sup>1</sup> pursuant to Rule 1015(b) of the Federal Rules of Bankruptcy Procedure (the "Bankruptcy Rules") and Rule 1015-1 of the Local Rules of Bankruptcy Practice and Procedure of the United States Bankruptcy Court for the District of Delaware (the "Local Rules"), for entry of an order consolidating these chapter 11 cases **for procedural purposes** only and directing the joint administration of these chapter 11 cases; and upon the Moore Declaration; and the Court having jurisdiction to consider the Motion and the relief requested therein in accordance with 28 U.S.C. §§ 157 and 1334; and consideration of the Motion and the relief requested therein being a core proceeding pursuant to 28 U.S.C. § 157(b); and venue being proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409; and due and

<sup>1</sup> Capitalized terms used herein and not otherwise defined herein shall have the meanings ascribed to such terms in the Motion.



proper notice of the Motion having been given and it appearing that no other or further notice need be provided; and a hearing having been held to consider the relief requested in the Motion (the "Hearing"); and upon the record of the Hearing and all of the proceedings had before the Court; and the Court having found and determined that the relief sought in the Motion is in the best interests of the Debtors, their estates, creditors, and all parties in interest and that the legal and factual bases set forth in the Motion establish just cause for the relief granted herein; and after due deliberation and sufficient cause appearing therefor, it is hereby

**ORDERED, ADJUDICATED, AND DECREED THAT:**

1. The Motion is granted as provided herein.
2. The above-captioned chapter 11 cases are hereby consolidated for procedural purposes only and shall be jointly administered by the Court.
3. Nothing contained in this Order shall be deemed or construed as directing or otherwise effecting the substantive consolidation of any of the above-captioned cases.
4. The caption of the jointly administered cases shall read as follow:

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

In re:  CYNERGY DATA, LLC, <i>et al.</i> , <sup>1</sup>  Debtors.	Chapter 11  Case No. 09- <u>1303B</u> (KG)  Jointly Administered
---	--

<sup>1</sup> 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.

5. A docket entry shall be made in the chapter 11 cases of Cynergy Data Holdings, Inc., Case No. 13039 (KG) and Cynergy Prosperity Plus, LLC, Case No. 13040 (KG) substantially as follows:

An Order has been entered in this case directing the procedural consolidation and joint administration of the chapter 11 cases of Cynergy Data, LLC, Case No. 13038, Cynergy Data Holdings, Inc., Case No. 13039 and Cynergy Prosperity Plus, LLC, Case No. 13038. The docket in Case No. 09-13038 (KG) should be consulted for all matters affecting this case.

6. This Court shall retain jurisdiction to hear and determine all matters arising from or related to this Order.

7. This Order shall take effect immediately upon its entry.

Dated: September 1 2009

  
UNITED STATES BANKRUPTCY JUDGE