

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

)	
In re:)	Chapter 11
)	
CYNERGY DATA, LLC, <i>et al.</i> , ¹)	Case No. 09-13038 (KG)
)	
Debtors.)	Jointly Administered
)	

**SCHEDULES OF ASSETS AND LIABILITIES FOR
CYNERGY DATA HOLDINGS, INC**

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.



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

In re: CYNERGY DATA, LLC, <i>et al.</i> , ² Debtors.	Chapter 11 Case No. 09-13038 (KG) Jointly Administered
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**GLOBAL NOTES AND STATEMENT OF LIMITATIONS, METHODOLOGY,
AND DISCLAIMERS REGARDING THE DEBTORS' SCHEDULES OF
ASSETS AND LIABILITIES AND STATEMENTS OF FINANCIAL AFFAIRS**

The above-captioned debtors and debtors in possession (the “Debtors”), with the assistance of their court-appointed advisors, have prepared their respective schedules of assets and liabilities (the “Schedules”) and statements of financial affairs (the Statements”) pursuant to section 521 of title 11 of the United States Code (the “Bankruptcy Code”) and Rule 1007 of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”). The Schedules and Statements are unaudited. While management has made reasonable efforts to ensure that the Schedules and Statements are accurate and complete based on information that was available to them at the time of preparation, subsequent information or discovery may result in material changes to these Schedules and Statements, and inadvertent errors or omissions may exist in the Schedules and Statements. Moreover, because the Schedules and Statements contain unaudited information that is subject to further review and potential adjustment, there can be no assurance that these Schedules and Statements are wholly accurate and complete. Nothing contained in the Schedules and Statements shall constitute a waiver of any right of the Debtors, specifically the Debtors’ right to amend these Schedules and Statements and any right with respect to any issues relating to substantive consolidation, equitable subordination, defenses and/or causes of action arising under the provisions of chapter 5 of the Bankruptcy Code and other relevant nonbankruptcy laws. These Global Notes and Statement of Limitations, Methods and Disclaimer Regarding Debtors’ Schedules and Statements (the “Global Notes”) are incorporated by reference in, and comprise an integral part of, the Schedules and Statements, and should be referred to and reviewed in connection with any review of the Schedules and Statements.³

² 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 These Global Notes are in addition to the specific notes contained in the Debtors’ Schedules and Statements. The fact that the Debtors have prepared a Global Note with respect to a particular Schedule (or Statement) and not to others does not reflect, and should not be interpreted as, a decision by the Debtors to exclude the
(Footnote continued on next page)

Global Notes for the Schedules and Statements

1) Case - On September 1, 2009 (the “Petition Date”), the Debtors filed their voluntary petitions for relief under chapter 11 of title 11 of the United States Code, 11 U.S.C. §§ 101, *et seq.* (the “Bankruptcy Code”). Unless otherwise indicated, the information provided is as of the close of business on the Petition Date. On October 9, 2009, the Court entered an Order (the “Sale Order”) approving a sale of substantially all of the Debtors’ assets to purchaser Cynergy Holdings, LLC (“Holdings”).

2) Confidentiality. There may be instances within the Schedules and Statements where names, addresses or amounts have been left blank. Due to the nature of an agreement between the Debtors and the third party, concerns of confidentiality or concerns for the privacy of an individual, the Debtors may have deemed it appropriate and necessary to avoid listing such names, addresses and amounts. To the extent that certain addresses are withheld, the Debtors will make such address available upon reasonable request.

3) Amendments - The Debtors reserve their right to amend the Schedules and Statements in all respects at any time as may be necessary or appropriate, including, without limitation, the right to dispute or to assert offsets or defenses to any claim reflected on the Schedules and Statements as to amount, to liability, or to classification, or to otherwise subsequently designate any claim as “disputed,” “contingent,” or “unliquidated.” Any failure to designate a claim as “contingent,” “unliquidated,” or “disputed” does not constitute an admission.

4) Assumptions - The preparation of the Schedules and Statements requires the Debtors to make assumptions that affect the reported amounts of assets and liabilities, the disclosures of contingent assets and liabilities on the date of the Schedules and Statements and the reported amounts of revenues and expenses during the reporting period.

5) Excluded Assets and Liabilities. The Debtors have excluded the following categories of assets and liabilities from the Schedules and Statements: Petty Cash, QM Reserve Cash Account and related Owed Merchant Funds liabilities that offset each other, Prepaid Transitchex, Intangible Assets (including Residual Buy-Outs that are wholly owned by the Debtors), Leasehold Improvements, Residual Commissions Accrued. Other immaterial assets and liabilities may also have been excluded.

6) Summary of Significant Reporting Policies. The following is a summary of significant reporting policies:

- a. Paid Claims. Pursuant to certain first-day orders issued by the Bankruptcy Court (collectively, the “First Day Orders”), the Bankruptcy Court has authorized (but

(Footnote continued from previous page)

applicability of such Global Note to any or all of the Debtors’ remaining Schedules (or Statements), as appropriate.

not directed) the Debtors to pay certain outstanding prepetition claims, such as certain employee wages and benefit claims, claims for taxes and fees, and other payments made within the ordinary course. These Schedules may reflect prepetition obligations that may have been satisfied pursuant to such First Day Orders. To the extent claims listed on the Schedules are paid pursuant to an order of the Bankruptcy Court (including the First Day Orders), the Debtors reserve all rights to amend or supplement their Schedules and Statements as is necessary and appropriate. Moreover, certain of the First Day Orders preserve the rights of parties in interest to dispute any amounts paid pursuant to First Day Orders. Nothing herein shall be deemed to alter the rights of any party in interest to contest a payment made pursuant to a First Day Order that preserves such right to contest.

- b. Current Market Value of Assets. It would be prohibitively expensive, unduly burdensome and an inefficient use of estate assets for the Debtors to obtain current market valuations of all of their assets. Accordingly, unless otherwise indicated, net book values for assets as of August 31, 2009 are reflected in the Debtors' Schedules and Statements. For this reason, amounts ultimately realized may vary from net book value and such variance may be material.
- c. Contingent Assets. The Debtors believe that they may possess certain claims and causes of action against various parties. Additionally, the Debtors may possess contingent claims in the form of various avoidance actions they could commence under the provisions of the Bankruptcy Code and other relevant non-bankruptcy laws. The Debtors, despite efforts, may not have set forth all of their causes of action against third parties as assets in their Schedules and Statements. The Debtors reserve all of their rights with respect to any claims, causes of action or avoidance actions they may have and nothing contained in these Global Notes or the Schedules and Statements shall be deemed a waiver of any such claims, avoidance actions or causes of action or in any way prejudice or impair the assertion of such claims.

7) Classifications. Listing a claim (a) on Schedule D as "secured," (b) on Schedule E as "priority" or (c) on Schedule F as "unsecured nonpriority," or listing a contract on Schedule G as "executory" or "unexpired," does not constitute an admission by the Debtor of the legal rights of the claimant, or a waiver of the Debtor's right to recharacterize or reclassify such claim or contract. In particular, the Debtors reserve the right to amend the Schedules and Statements to recharacterize or reclassify any such contract or claim.

8) Disputed, Contingent and/or Unliquidated Claims. Schedules D, E and F permit each of the Debtors to designate a claim as "disputed," "contingent" and/or "unliquidated." Any failure to designate a claim on the Debtors' Schedules as "disputed," "contingent" or "unliquidated" does not constitute an admission by the Debtors that such amount is not "disputed," "contingent" or "unliquidated" or that such claim is not subject to objection. The Debtors reserve the right to dispute, or assert offsets or defenses to, any claim reflected on these Schedules as to amount, liability or classification or to otherwise subsequently designate any claim as "disputed," "contingent" or "unliquidated." Listing a claim does not constitute an

admission of liability by the Debtors.

9) Schedule A - Real Property. The Debtors have do not own real property.

10) Schedule B - Personal Property. Personal property owned by any of the Debtors is listed in Schedule B for that individual Debtor. Except as otherwise noted, personal property is scheduled at the value that the Debtors carried on their books as of August 31, 2009.

Accounts receivable listed on B16 is comprised mostly of the amount due from Harris Bank that is the monthly revenue file received on or about the 6th day of each month for the prior month's merchant processing services. The entire amount is listed as due from Harris Bank, instead of from the specific merchants, because Harris Bank ultimately provides the Debtors with those funds every month. The other accounts receivable listed on Schedule B are miscellaneous amounts due from, for example, ISO's, merchants, or agents.

Schedule B18 contains certain loans made to shareholders of the Debtors that remained outstanding as of 9/1/2009. The shareholder loan due from Andres Ordonez is included in the assets purchased by ComVest and is no longer owed to the Debtors. Also on this Schedule are two loans made to ISO's, various pre-paid expenses, and Settlement Assets. These Settlement Assets consist of amounts potentially owed to Cynergy from various merchants due to chargebacks, rejects, fines, and fees. The Settlement Assets listed on B18 are net of various funds owed to merchants and may ultimately be payable to the ISO rather than the Debtors.

Schedule B22. Patents, Copyrights, and Other Intellectual Property. Please refer to Exhibit A of the Global Notes for descriptions of these assets. All of these assets were included in the sale to Holdings.

Schedule B35. Other Personal Property. The Debtors believe they may be entitled to tax refunds because there was most likely an overpayment of taxes from prior years on behalf of certain of the Debtors' Shareholders.

11) Schedule D - Creditors Holding Secured Claims. The Debtors list these amounts as disputed because there is a slight variance between the Debtors' and Lenders' loan balance calculations. This variance is due to certain interest calculations and other fees. Please refer to Exhibit B for a description of Liens for each secured debt.

12) Schedule E - Creditors Holding Unsecured Priority Claims. The Debtors listed amounts owed as of the filing date to employees including; wage claims and earned unused vacation days. The amounts listed here are contingent because the Debtors may not be liable for these amounts if the purchaser assumes these liabilities. The amounts are also disputed because the Debtors cannot guarantee the accuracy of these amounts because they may not have been entirely earned by the employee as of the filing date.

13) Schedule F - Creditors Holding Unsecured Nonpriority Claims. The Debtors may owe amounts to: certain vendors for goods and services provided; merchants for unfunded rolling reserves; ISO's for commissions that have been withheld and unfunded EP Reserves; and a

former shareholder for amounts owed to him. There is also a Letter of Credit from Comerica Bank for \$165,000 that is scheduled as a contingent liability. All unsecured nonpriority items are listed as disputed because the Debtors cannot be certain that these amounts are accurate and are due and owing.

14) Schedule G - Unexpired Leases and Executory Contracts. The Debtors listed all contracts to which they may be a party. The Debtors lose merchants on a daily basis; therefore this list may reflect contracts that have been terminated.

15) Schedule H - Co-Debtors. Cynergy Data Holdings, Inc. is the parent company of Cynergy Data, LLC and is a Co-Debtor to all secured Debts owed by Cynergy Data, LLC. Cynergy Data, LLC wholly owns Cynergy Prosperity, LLC and is a Co-Debtor to the secured amounts owed by Cynergy Prosperity, LLC. Marcelo Paladini has a personal guarantee of up to \$10,000,000 of the secured debts listed on Schedule D.

16) Statements- Question 3 Payments to Creditors. 3(b) The Debtors attached five (5) check registers for each of their bank accounts that show all transfers made within ninety (90) days of the Petition Date. 3(c) The Debtors listed all transfers to or on behalf of each of the four current and former shareholders. These amounts consist of wages, housing payments, car payments, and payments made to various tax authorities to cover amounts owed by these shareholders. In most cases, the transfers were not made to the shareholder but instead directly to the payee on behalf of such shareholder. Other transfers may have been made on behalf of these shareholders that are not scheduled here.

17) Statements - Question 4(a) Suits and Administrative Proceedings. Attached as Exhibit C is a summary description of any litigation to which the Debtors have been a party in the past year.

18) Statements - Question 9 Payments Related to Debt Counseling or Bankruptcy. Transfers in this schedule include all payments made to those professionals that were retained in connection with these bankruptcy cases and FTI Consulting.

19) Statements - Question 10(a) Property Transferred within Two Years. The Debtors listed two transactions that occurred outside the ordinary course of business within the past two years. The first is the sale of 20% of the Debtors 37.5% stake in Transworks, LLC to Transworks, LLC for \$800,000. The second is the Debtors' purchase of John Martillo's remaining shares in the Debtors for \$31,500,000. Prior to this transaction with John Martillo, the Debtors purchased a large portion of his shares in April 2007 for \$15,000,000. This transaction is not listed here because it occurred more than two years prior to the Petition Date.

20) Statements - Question 13 Setoffs. On or about 6/26/2009, Harris Bank setoff \$6,665,607.86 to cover the underfunded QM reserve balance held at Harris Bank. This amount was setoff from the Debtors' monthly revenue received from Harris Bank each month.

21) Statements - Question 18 Ownership in Entities. All of the entities listed are partially owned by the Debtors and were included in the sale to Holdings.

22) Statements - Questions 19(a)(b)(c)(d) Bookkeeping, Accounting, Financial Statements. The Debtors listed those accounting and finance employees that held the position of either Controller or CFO within the past two years, those accounting and consulting firms that either audited or assisted with the preparation of financial statements within the past two years, the individuals and firms that were in possession of the books and records as of the filing date, and the lenders that were provided copies of the Debtors' financial statements. Please note that the Debtors did not include those firms and individuals that provided the Debtors' financial statements during the sale process.

23) Statements - Questions 21(b) and 22(b) Current and Former Directors, Officers, and Stockholders Owning more than 5%. Marcelo Paladini owns more than 5% of the Debtors and is a director of the Debtors. Andres Ordonez and Gustavo Ceballos own less than 5% but are managers of the Debtors and are therefore listed here.

24) Statements - Question 25 Pension Funds. The Debtors do not contribute to a Pension Fund but do participate in a 401(k) plan with their employees that is not listed here.

CYNERGY DATA INTELLECTUAL PROPERTY PORTFOLIO

Prepared by Peter M. Falkenstein
 Jaffe Raitt Heuer & Weiss, PC
Updated as of July 6, 2009
 Revises version of January 9, 2009

Trademarks and Service Marks:

<u>Mark</u>	<u>Reg*. or Filing Date</u>	<u>Reg. or Serial No.</u>	<u>Classes</u>	<u>Owner</u>	<u>Next Action</u>
CYNERGY DATA	*December 23, 2003	2797089	036	Cynergy Data, LLC	Sec. 8&15 Aff. Due 12/23/2009
CYNERGY DATA, with design	*March 16, 2004	2822474	036	Cynergy Data, LLC	Sec. 8&15 Aff. Due 03/16/2010
CYNERGY DATA YOUR LAST ACQUIRER	*June 8, 2004	2850502	036	Cynergy Data, LLC	Sec. 8&15 Aff. Due 06/08/2010
Design [Teardrops]	*July 12, 2005	2966052	036	Cynergy Data, LLC	Sec. 8&15 Aff. Due 07/12/2011

<u>Mark</u>	<u>Reg*. or Filing Date</u>	<u>Reg. or Serial No.</u>	<u>Classes</u>	<u>Owner</u>	<u>Next Action</u>
VIMAS	*January 10, 2006	3038842	042	Cynergy Data, LLC	Sec. 8&15 Aff. Due 01/10/2012
CYNERGY PROSPERITY PLUS	*March 10, 2009	3588181	036	Cynergy Prosperity Plus, LLC	Sec 8&15 Aff. Due 03/10/2015
LUCY	*May 26, 2009	3625346	036	Cynergy Data, LLC	Sec. 8&15 Aff. Due 05/26/2015
LET US CONNECT YOU	*March 10, 2009	3585497	036	Cynergy Data, LLC	Sec. 8&15 Aff. Due 03/10/2015
LUCY GATEWAY	*June 2, 2009	3629546	036	Cynergy Data, LLC	Sec. 8&15 Aff. Due 06/02/2015
CYNERGY HUB	July 11, 2008	77/519732	009	Cynergy Data, LLC	Notice of Allowance Issued 02/24/2009; Statement of Use or Request for Extension due 08/24/2009

Copyrights:

<u>Title of Work</u>	<u>Reg. Date</u>	<u>Reg. No.</u>	<u>Nature of Work</u>	<u>Owner</u>
VIMAS Internet Website	12/12/2003	TXu001148583	Internet website	CPS Group, Inc.
VIMAS Cynergy Data: The next necessity	07/26/2004	TXu001189268	VIMAS Internet website	CPS Group, Inc.
VIMAS pro Cynergy Data: The next necessity	07/26/2004	TXu001189267	VIMAS ep Internet website	CPS Group, Inc.
VIMAS pro ep Cynergy Data: The next necessity	07/26/2004	TXu001189269	VIMAS pro Internet website	CPS Group, Inc.

Exhibit B

Lien Descriptions

The Prepetition Senior Lender Indebtedness (Excluding Harris Interchange Financing and the Cynergy Data Prosperity Senior Indebtedness) is secured by all assets of Debtors, including without limitation, all of their respective now owned or after acquired:

accounts;

chattel paper (whether tangible chattel paper or electronic chattel paper);

general intangibles (including, without limitation, payment intangibles);

equipment;

inventory and goods;

documents;

instruments (including, without limitation, promissory notes);

deposit accounts and any other cash collateral, deposit or investment accounts, including all cash collateral, deposit or investment accounts established or maintained pursuant to the terms of the Security Agreement (as defined below) or the other Prepetition Senior Loan Documents, together with all cash and other assets and property from time to time deposited therein and the monies, assets and properties in the possession or control of Prepetition Senior Agent or any Prepetition Senior Lender or any affiliate, representative, agent or correspondent of Prepetition Senior Agent or any Prepetition Senior Lender;

computer records and software, whether relating to the foregoing collateral or otherwise, but in the case of such software, subject to the rights of any non-affiliated licensee of software;

investment property;

commercial tort claims listed in the Prepetition Senior Loan Documents, if any; and

the proceeds, in cash or otherwise, of any of the property described in the foregoing clauses (a) through (k) and all liens, security, rights, remedies and claims of such debtor with respect thereto;

all as more particularly described in the Security Agreement executed by Debtors in favor of Prepetition Senior Agent dated April 16, 2007 (as amended "Security Agreement"). The Prepetition Senior Lender Indebtedness is also secured by (a) all of Andres Ordonez's shares of stock of Holdings, (b) all of Marcelo Paladini's shares of stock of Holdings, and (c) all of Gustavo Ceballos's shares of stock in Holdings.

The Harris Interchange Financing is secured by all merchant processing revenue that is received by the Debtors from Harris bank each month and is more particularly described in the Intercreditor Agreement dated on or about 5/28/2009.

The Cynergy Prosperity, LLC Prepetition Senior Lender Indebtedness is secured by all assets of Cynergy Prosperity, LLC.

Exhibit C Litigation Overview

With approximately 72,000 merchants and over 500 active Independent Sales Organizations, it is not uncommon for Cynergy Data to receive claim letters from its clients seeking reimbursement of certain fees or losses. The vast majority of these claims are due to misunderstandings or miscommunications that are quickly resolved. Occasionally, some of the matters that cannot be resolved lead to litigation. Following is a summary of the material litigations which are currently pending:

(1) In June, 2009, Tribul Merchant Services, LLC, Second Source Funding, LLC and Sam Chanin (collectively ("Plaintiffs") filed suit in state court in New York, New York against Cynergy Data, LLC Cynergy Data's wholly owned subsidiary, Cynergy Prosperity Plus, LLC and three Cynergy Data executives. Plaintiffs' lawsuit was filed after Cynergy Prosperity Plus, LLC commenced foreclosure proceedings with regard to an \$8,000,000.00 loan to Second Source Funding, LLC that was in default. Plaintiffs' complaint seeks a judgment declaring that such default did not occur, seeks an accounting of fees and costs charged by Defendants to Plaintiffs and contains allegations of tortious interference with contractual relations. The Complaint seeks in excess of \$10,000,000.00 in compensatory damages. The Court dismissed this case on September 8, 2009, on administrative grounds. It is not presently known whether Plaintiffs will seek to restore the case or re-file, nor has Cynergy Data determined whether it will commence litigation against the Plaintiffs.

(2) In March, 2009, Kassap Family Limited Partnership and several related parties (collectively "Plaintiffs") commenced a lawsuit against Cynergy Data and various other defendants in state court in Baltimore, Maryland. Plaintiffs allege that Cynergy Data purchased a portfolio of merchants and a corresponding commission income stream that were subject to a security interest held by Plaintiffs. Those merchants are alleged to have served as a portion of the collateral for a loan that Plaintiffs made to Shimgil Holding ("Shimgil"), one of Cynergy Data's Independent Sales Organizations. The Complaint thus seeks a judgment declaring that the Plaintiffs have a first-priority security interest in the merchant commission income and that Cynergy Data must surrender proceeds generated from the income stream until such time as the Plaintiffs loans to Shimgil are paid in full. Cynergy Data has denied all allegations and contends that there was no evidence of a perfected security interest at the time Cynergy Data purchased the merchant portfolio at issue. The Plaintiffs' loans to Shimgil total \$2,150,000.00.

(3) On August 13, 2009, Cynergy Data received a Summons and Complaint from Merchant Processing Services Corp. ("MPS"), one of its Independent Sales Organizations ("ISO"), referable to an action commenced in state court in New York, New York. MPS alleges, *inter alia*, breach of its ISO Conduit Processing Agreement with Cynergy Data, dated September 27, 2007, and breach of a Settlement and Modification Agreement, dated June 24, 2009, and seeks damages amounting to \$340,481.18. Although a final determination has not yet been made, it is anticipated that Cynergy Data will, in its answer to the Complaint, assert a counterclaim in the amount of approximately \$1,550,000 by virtue of MPS's alleged failure to perform pursuant to a Residual Purchase Agreement entered into between the parties on October 15, 2008.

(4) *American Retail Group, Inc. v. EMG Assoc. and Cynergy Data*

- Circuit Court for Orange County, Florida Index No.: 06-CA-8346
- ISO, EMG Assoc. has agreed to indemnify Cynergy Data and has retained their counsel to represent Cynergy.
- Bennett R. Ford, Esq. Law Offices of Mark L. Horwitz, 17 East Pine Street, Orlando, Florida 32801, (407) 843-7733

(5) *Atlantic Global Transportation v. Cynergy Data, et al.*

- Civil Court of the City of New York, Small Claims Part – Queens County
- Veronica Wayner, Esq., Callan, Koster, Brady & Brennan, LLP, One Whitehall Street, New York, New York 10004, (212) 248-8800

(6) *Cardona, Virgilio v. 45 W. 36th St. Realty, et al.*

- Supreme Court, New York County - Index No.: 116603/06
- Law Offices of James J. Toomey, 485 Lexington Avenue, 7th Floor, New York, New York 10017, (917) 778-6600

(7) *CPS Group Inc. v. Gastro Enterprises Corp.*

- Supreme Court, Queens County – Index No.: 10233/06
- Michael J. Levin, Esq., Barger & Wolen, LLP, 10 East 40th Street, 40th Floor, New York, New York 10016, (212) 557-2800

B6 Summary (Official Form 6 - Summary) (12/07)**UNITED STATES BANKRUPTCY COURT****District of Delaware****In re: Cynergy Data Holdings, Inc.****Case No. 09-13039 (KG)****Chapter 11****SUMMARY OF SCHEDULES**

Indicate as to each schedule whether that schedule is attached and state the number of pages in each. Report the totals from Schedules A, B, D, E, F, I, and J in the boxes provided. Add the amounts from Schedules A and B to determine the total amount of the debtor's assets. Add the amounts of all claims from Schedules D, E, and F to determine the total amount of the debtor's liabilities. Individual debtors also must complete the "Statistical Summary of Certain Liabilities and Related Data" if they file a case under chapter 7, 11, or 13.

Name of Schedule	Attached (YES/NO)	No. of Sheets	Assets	Liabilities	Other
A - Real Property	YES	1	\$0.00		
B - Personal Property	YES	13	\$467.00		
C - Property Claimed as Exempt	NO	N/A			
D - Creditors Holding Secured Claims	YES	1		\$0.00	
E - Creditors Holding Unsecured Priority Claims (Total of Claims on Schedule E)	YES	3		\$0.00	
F - Creditors Holding Unsecured Nonpriority Claims	YES	1		\$0.00	
G - Executory Contracts and Unexpired Leases	YES	1			
H - Codebtors	YES	1			
I - Current Income of Individual Debtor(s)	NO	N/A			
J - Current Expenditures of Individual Debtor(s)	NO	N/A			
TOTAL		21	\$467.00	\$0.00	

SCHEDULE A - REAL PROPERTY

Except as directed below, list all real property in which the debtor has any legal, equitable, or future interest, including all property owned as a co-tenant, community property, or in which the debtor has a life estate. Include any property in which the debtor holds rights and powers exercisable for the debtor's own benefit. If the debtor is married, state whether the husband, wife, both, or the marital community own the property by placing an "H," "W," "J," or "C" in the column labeled "HWJC." If the debtor holds no interest in real property, write "None" under "Description and Location of Property."

Do not include interests in executory contracts and unexpired leases on this schedule. List them in Schedule G - Executory Contracts and Unexpired Leases.

If an entity claims to have a lien or hold a secured interest in any property, state the amount of the secured claim. See Schedule D. If no entity claims to hold a secured interest in the property, write "None" in the column labeled "Amount of Secured Claim."

If the debtor is an individual or if a joint petition is filed, state the amount of any exemption claimed in the property only in Schedule C - Property Claimed as Exempt.

DESCRIPTION AND LOCATION OF PROPERTY	NATURE OF DEBTOR'S INTEREST IN PROPERTY	H W J C	CURRENT VALUE OF DEBTOR'S INTEREST IN PROPERTY, WITHOUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION	AMOUNT OF SECURED CLAIM OR MORTGAGE
NONE				
Total			\$0.00	

(Report total also on Summary of Schedules.)

In re: **Cynergy Data Holdings, Inc.**

Case No. 09-13039 (KG)

SCHEDULE B - PERSONAL PROPERTY

Except as directed below, list all personal property of the debtor of whatever kind. If the debtor has no property in one or more of the categories, place an "X" in the appropriate position in the column labeled "None". If additional space is needed in any category, attach a separate sheet properly identified with the case name, case number, and the number of the category. If the debtor is married, state whether the husband, wife, both, or the marital community own the property by placing an "H," "W," "J," or "C" in the column labeled "HWJC." If the debtor is an individual or a joint petition is filed, state the amount of any exemptions claimed only in Schedule C - Property Claimed as Exempt.

Do not list interests in executory contracts and unexpired leases on this schedule. List them in Schedule G - Executory Contracts and Unexpired Leases.

If the property is being held for the debtor by someone else, state that person's name and address under "Description and Location of Property." If the property is being held for a minor child, simply state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007 (m).

TYPE OF PROPERTY	NONE	DESCRIPTION AND LOCATION OF PROPERTY	H W J C	CURRENT VALUE OF DEBTOR'S INTEREST IN PROPERTY, WITHOUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION
1. Cash on hand.	X			
2. Checking, savings or other financial accounts, certificates of deposit or shares in banks, savings and loan, thrift, building and loan, and homestead associations, or credit unions, brokerage houses, or cooperatives.		Comerica Bank 500 Woodward, Detroit MI 48226 Checking Account - 1852196722		\$467.00

Subtotal (Total on this page) **\$467.00**

SCHEDULE B - PERSONAL PROPERTY

(Continuation Sheet)

TYPE OF PROPERTY	NONE	DESCRIPTION AND LOCATION OF PROPERTY	H W J C	CURRENT VALUE OF DEBTOR'S INTEREST IN PROPERTY, WITHOUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION
3. Security deposits with public utilities, telephone companies, landlords, and others.	X			
4. Household goods and furnishings, including audio, video, and computer equipment.	X			
5. Books; pictures and other art objects; antiques; stamp, coin, record, tape, compact disc, and other collections or collectibles.	X			

Subtotal (Total on this page) **\$0.00**

SCHEDULE B - PERSONAL PROPERTY

(Continuation Sheet)

TYPE OF PROPERTY	NONE	DESCRIPTION AND LOCATION OF PROPERTY	H W J C	CURRENT VALUE OF DEBTOR'S INTEREST IN PROPERTY, WITHOUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION
6. Wearing apparel.	X			
7. Furs and jewelry.	X			
8. Firearms and sports, photographic, and other hobby equipment.	X			

Subtotal (Total on this page) **\$0.00**

In re: **Cynergy Data Holdings, Inc.**

Case No. **09-13039 (KG)**

SCHEDULE B - PERSONAL PROPERTY

(Continuation Sheet)

TYPE OF PROPERTY	NONE	DESCRIPTION AND LOCATION OF PROPERTY	H W J C	CURRENT VALUE OF DEBTOR'S INTEREST IN PROPERTY, WITHOUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION
9. Interests in insurance policies. Name insurance company of each policy and itemize surrender or refund value of each.	X			
10. Annuities. Itemize and name each issuer.	X			
11. Interests in an education IRA as defined in 26 U.S.C. § 530(b)(1) or under a qualified State tuition plan as defined in 26 U.S.C. § 529(b)(1). Give particulars. (File separately the record(s) of any such interest(s). 11 U.S.C. § 521(c).)	X			

Subtotal (Total on this page)

\$0.00

SCHEDULE B - PERSONAL PROPERTY

(Continuation Sheet)

TYPE OF PROPERTY	NONE	DESCRIPTION AND LOCATION OF PROPERTY	H W J C	CURRENT VALUE OF DEBTOR'S INTEREST IN PROPERTY, WITHOUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION
12. Interests in IRA, ERISA, Keogh, or other pension or profit sharing plans. Give particulars.	X			
13. Stock and interests in incorporated and unincorporated businesses. Itemize.	X			
14. Interests in partnerships or joint ventures. Itemize.	X			

Subtotal (Total on this page) **\$0.00**

SCHEDULE B - PERSONAL PROPERTY

(Continuation Sheet)

TYPE OF PROPERTY	NONE	DESCRIPTION AND LOCATION OF PROPERTY	H W J C	CURRENT VALUE OF DEBTOR'S INTEREST IN PROPERTY, WITHOUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION
15. Government and corporate bonds and other negotiable and nonnegotiable instruments.	X			
16. Accounts Receivable.	X			
17. Alimony, maintenance, support, and property settlements to which the debtor is or may be entitled. Give particulars.	X			

Subtotal (Total on this page) **\$0.00**

SCHEDULE B - PERSONAL PROPERTY

(Continuation Sheet)

TYPE OF PROPERTY	NONE	DESCRIPTION AND LOCATION OF PROPERTY	H W J C	CURRENT VALUE OF DEBTOR'S INTEREST IN PROPERTY, WITHOUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION
18. Other liquidated debts owed to debtor including tax refunds. Give particulars.	X			
19. Equitable or future interests, life estates, and rights or powers exercisable for the benefit of the debtor other than those listed in Schedule A – Real Property.	X			
20. Contingent and noncontingent interests in estate of a decedent, death benefit plan, life insurance policy, or trust.	X			

Subtotal (Total on this page) **\$0.00**

In re: **Cynergy Data Holdings, Inc.**

Case No. **09-13039 (KG)**

SCHEDULE B - PERSONAL PROPERTY

(Continuation Sheet)

TYPE OF PROPERTY	NONE	DESCRIPTION AND LOCATION OF PROPERTY	H W J C	CURRENT VALUE OF DEBTOR'S INTEREST IN PROPERTY, WITHOUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION
21. Other contingent and unliquidated claims of every nature, including tax refunds, counterclaims of the debtor, and rights to setoff claims. Give estimated value of each.	X			
22. Patents, copyrights, and other intellectual property. Give particulars.	X			
23. Licenses, franchises, and other general intangibles. Give particulars.	X			

Subtotal (Total on this page) **\$0.00**

In re: **Cynergy Data Holdings, Inc.**

Case No. **09-13039 (KG)**

SCHEDULE B - PERSONAL PROPERTY

(Continuation Sheet)

TYPE OF PROPERTY	NONE	DESCRIPTION AND LOCATION OF PROPERTY	H W J C	CURRENT VALUE OF DEBTOR'S INTEREST IN PROPERTY, WITHOUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION
24. Customer lists or other compilations containing personally identifiable information (as defined in 11 U.S.C. § 101(41A)) provided to the debtor by individuals in connection with obtaining a product or service from the debtor primarily for personal, family, or household purposes.	X			
25. Automobiles, trucks, trailers, and other vehicles and accessories.	X			
26. Boats, motors, and accessories.	X			

Subtotal (Total on this page)

\$0.00

SCHEDULE B - PERSONAL PROPERTY

(Continuation Sheet)

TYPE OF PROPERTY	NONE	DESCRIPTION AND LOCATION OF PROPERTY	H W J C	CURRENT VALUE OF DEBTOR'S INTEREST IN PROPERTY, WITHOUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION
27. Aircraft and accessories.	X			
28. Office equipment, furnishings, and supplies.	X			
29. Machinery, fixtures, equipment, and supplies used in business.	X			

Subtotal (Total on this page) **\$0.00**

SCHEDULE B - PERSONAL PROPERTY

(Continuation Sheet)

TYPE OF PROPERTY	NONE	DESCRIPTION AND LOCATION OF PROPERTY	H W J C	CURRENT VALUE OF DEBTOR'S INTEREST IN PROPERTY, WITHOUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION
30. Inventory.	X			
31. Animals.	X			
32. Crops - growing or harvested. Give particulars.	X			

Subtotal (Total on this page) **\$0.00**

SCHEDULE B - PERSONAL PROPERTY

(Continuation Sheet)

TYPE OF PROPERTY	NONE	DESCRIPTION AND LOCATION OF PROPERTY	H W J C	CURRENT VALUE OF DEBTOR'S INTEREST IN PROPERTY, WITHOUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION
33. Farming equipment and implements.	X			
34. Farm supplies, chemicals, and feed.	X			
35. Other personal property of any kind not already listed. Itemize.	X			

Subtotal (Total on this page) **\$0.00**

In re: **Cynergy Data Holdings, Inc.**

Case No. 09-13039 (KG)

SCHEDULE B - PERSONAL PROPERTY

(Continuation Sheet)

Subtotal (Total on this page)	\$0.00
Total	\$467.00

(Include amounts from any continuation sheets attached. Report total also on Summary of Schedules.)

SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS

State the name, mailing address, including zip code, and last four digits of any account number of all entities holding claims secured by property of the debtor as of the date of filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. List creditors holding all types of secured interests such as judgment liens, garnishments, statutory liens, mortgages, deeds of trust, and other security interests.

List creditors in alphabetical order to the extent practicable. If a minor child is the creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. § 112 and Fed. R. Bankr. P. 1007(m). If all secured creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H – Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "HWJC."

If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Total the columns labeled "Amount of Claim Without Deducting Collateral" and "Unsecured Portion, if Any" in the boxes labeled "Total(s)" on the last sheet of the completed schedule. Report the total from the column labeled "Amount of Claim Without Deducting Value of Collateral" also on the Summary of Schedules and, if the debtor is an individual with primarily consumer debts, report the total from the column labeled "Unsecured Portion, if Any" on the Statistical Summary of Certain Liabilities and Related Data.

Check this box if debtor has no creditors holding secured claims to report on this Schedule D.

CREDITOR'S NAME AND MAILING ADDRESS, INCLUDING ZIP CODE, AND AN ACCOUNT NUMBER <i>(See Instructions Above.)</i>	C O D E B T O R	H W J C	DATE CLAIM WAS INCURRED, NATURE OF LIEN, AND DESCRIPTION AND VALUE OF PROPERTY SUBJECT TO LIEN	C O N T I N G E N T	U N L I Q U I D A T E D	D I S P U T E D	AMOUNT OF CLAIM WITHOUT DEDUCTING VALUE OF COLLATERAL	UNSECURED PORTION, IF ANY
NONE								
Subtotal(s) (Total(s) on this page)							\$0.00	\$0.00
Total(s) (Use only on last page)							\$0.00	\$0.00

(Report also on Summary of Schedules) (If applicable, report also on Statistical Summary of Certain Liabilities and Related Data)

In re: **Cynergy Data Holdings, Inc.**Case No. **09-13039 (KG)**

SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS

A complete list of claims entitled to priority, listed separately by type of priority, is to be set forth on the sheets provided. Only holders of unsecured claims entitled to priority should be listed in this schedule. In the boxes provided on the attached sheets, state the name, mailing address, including zip code, and last four digits of the account number, if any, of all entities holding priority claims against the debtor or the property of the debtor, as of the date of the filing of the petition. Use a separate continuation sheet for each type of priority and label each with the type of priority.

The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. If a minor child is a creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. § 112 and Fed. R. Bankr. P. 1007(m).

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H-Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "HWJC." If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report the total of claims listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all claims listed on this Schedule E in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules.

Report the total of amounts entitled to priority listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all amounts entitled to priority listed on this Schedule E in the box labeled "Totals" on the last sheet of the completed schedule. Individual debtors with primarily consumer debts report this total also on the Statistical Summary of Certain Liabilities and Related Data.

Report the total of amounts not entitled to priority listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all amounts not entitled to priority listed on this Schedule E in the box labeled "Totals" on the last sheet of the completed schedule. Individual debtors with primarily consumer debts report this total also on the Statistical Summary of Certain Liabilities and Related Data.

Check this box if debtor has no creditors holding unsecured priority claims to report on this Schedule E.

TYPES OF PRIORITY CLAIM (Check the appropriate box(es) below if claims in that category are listed on the attached sheets)

Domestic Support Obligations

Claims for domestic support that are owed to or recoverable by a spouse, former spouse, or child of the debtor, or the parent, legal guardian, or responsible relative of such a child, or a governmental unit to whom such a domestic support claim has been assigned to the extent provided in 11 U.S.C. § 507(a)(1).

Extensions of credit in an involuntary case

Claims arising in the ordinary course of the debtor's business or financial affairs after the commencement of the case but before the earlier of the appointment of a trustee or the order for relief. 11 U.S.C. § 507(a)(3).

Wages, salaries, and commissions

Wages, salaries, and commissions, including vacation, severance, and sick leave pay owing to employees and commissions owing to qualifying independent sales representatives up to \$10,950* per person earned within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(4).

Contributions to employee benefit plans

Money owed to employee benefit plans for services rendered within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(5).

In re: Cynergy Data Holdings, Inc.

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Certain farmers and fishermen

Claims of certain farmers and fishermen, up to \$5,400* per farmer or fisherman, against the debtor, as provided in 11 U.S.C. § 507(a)(6).

Deposits by individuals

Claims of individuals up to \$2,425* for deposits for the purchase, lease, or rental of property or services for personal, family, or household use, that were not delivered or provided. 11 U.S.C. § 507(a)(7).

Taxes and Certain Other Debts Owed to Governmental Units

Taxes, customs duties, and penalties owing to federal, state, and local governmental units as set forth in 11 U.S.C. § 507(a)(8).

Commitments to Maintain the Capital of an Insured Depository Institution

Claims based on commitments to the FDIC, RTC, Director of the Office of Thrift Supervision, Comptroller of the Currency, or Board of Governors of the Federal Reserve System, or their predecessors or successors, to maintain the capital of an insured depository institution. 11 U.S.C. § 507 (a)(9).

Claims for Death or Personal Injury While Debtor Was Intoxicated

Claims for death or personal injury resulting from the operation of a motor vehicle or vessel while the debtor was intoxicated from using alcohol, a drug, or another substance. 11 U.S.C. § 507 (a)(10).

*Amounts are subject to adjustment on April 1, 2010, and every three years thereafter with respect to cases commenced on or after the date of adjustment.

In re: **Cynergy Data Holdings, Inc.**

Case No. **09-13039 (KG)**

SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS

(Continuation Sheet)

CREDITOR'S NAME, MAILING ADDRESS, INCLUDING ZIP CODE, AND ACCOUNT NUMBER <i>(See Instructions Above.)</i>	C O D E	H W J C	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM	C O N T I N G E N T	U N L I Q U I D A T E D	D I S P U T E D	AMOUNT OF CLAIM	AMOUNT ENTITLED TO PRIORITY	AMOUNT NOT ENTITLED TO PRIORITY, IF ANY
NONE									
Subtotals (Totals on this page):							\$0.00	\$0.00	\$0.00
Total: (Report also on the Summary of Schedules)							\$0.00		
Totals: (Report also on the Statistical Summary of Certain Liabilities Related Data)								\$0.00	\$0.00

In re: **Cynergy Data Holdings, Inc.**

Case No. **09-13039 (KG)**

SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

State the name, mailing address, including zip code, and last four digits of any account number, of all entities holding unsecured claims without priority against the debtor or the property of the debtor, as of the date of filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. If a minor child is a creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See 11 U.S.C. § 112 and Fed. R. Bankr. P. 1007(m). Do not include claims listed in Schedules D and E. If all creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "HWJC."

If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report the total of all claims listed on this schedule in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules and, if the debtor is an individual with primarily consumer debts, report this total also on the Statistical Summary of Certain Liabilities and Related Data.

Check this box if debtor has no creditors holding unsecured nonpriority claims to report on this Schedule F.

CREDITOR'S NAME, MAILING ADDRESS, INCLUDING ZIP CODE, AND ACCOUNT NUMBER <i>(See Instructions Above.)</i>	C O D E B T O R	H W J C	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.	C O N T I N G E N T	U N L I Q U I D A T E D	D I S P U T E D	AMOUNT OF CLAIM
NONE							
Subtotal (Total on this page)							\$0.00
Total (Report also on Summary of Schedules and, if applicable, on the Statistical Summary of Certain Liabilities and Related Data.)							\$0.00

In re: **Cynergy Data Holdings, Inc.**

Case No. **09-13039 (KG)**

SCHEDULE G - EXECUTORY CONTRACTS AND UNEXPIRED LEASES

Describe all executory contracts of any nature and all unexpired leases of real or personal property. Include any timeshare interests. State nature of debtor's interest in contract, i.e., "Purchaser," "Agent," etc. State whether debtor is the lessor or lessee of a lease. Provide the names and complete mailing addresses of all other parties to each lease or contract described. If a minor child is a party to one of the leases or contracts, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m)

Check this box if debtor has no executory contracts or unexpired leases.

<p style="text-align: center;">NAME AND MAILING ADDRESS, INCLUDING ZIP CODE, OF OTHER PARTIES TO LEASE OR CONTRACT</p>	<p style="text-align: center;">DESCRIPTION OF CONTRACT OR LEASE AND NATURE OF DEBTOR'S INTEREST. STATE WHETHER LEASE IS FOR NONRESIDENTIAL REAL PROPERTY. STATE CONTRACT NUMBER OF ANY GOVERNMENT CONTRACT</p>
<p>NONE</p>	

In re: **Cynergy Data Holdings, Inc.**

Case No. **09-13039 (KG)**

SCHEDULE H - CODEBTORS

Provide the information requested concerning any person or entity, other than a spouse in a joint case, that is also liable on any debts listed by debtor in the schedules of creditors. Include all guarantors and co-signers. If the debtor resides or resided in a community property state, commonwealth, or territory (including Alaska, Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, or Wisconsin) within the eight-year period immediately preceding the commencement of the case, identify the name of the debtor's spouse and of any former spouse who resides or resided with the debtor in the community property state, commonwealth, or territory. Include all names used by the nondebtor spouse during the eight years immediately preceding the commencement of this case. If a minor child is a codebtor or a creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. Bankr. P. 1007(m)

Check this box if debtor has no codebtors.

NAME AND ADDRESS OF CODEBTOR	NAME AND ADDRESS OF CREDITOR
NONE	

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF DELAWARE**

In re: Cynergy Data Holdings, Inc.

Case No. 09-13039 (KG)

DECLARATION CONCERNING DEBTOR'S SCHEDULES

I, Lorraine Ossolinski, Interim Chief Financial Officer of the corporation named as debtor in this case, declare under penalty of perjury that I have read the foregoing summary and schedules, consisting of 22 sheets, and that they are true and correct to the best of my knowledge, information, and belief.

Date 10/30/2009

Signature: /s/ Lorraine Ossolinski

Lorraine Ossolinski

Interim Chief Financial Officer