

B 10 (Custom Form 10) (04/09)

UNITED STATES BANKRUPTCY COURT DISTRICT OF DELAWARE	PROOF OF CLAIM
Indicate the Debtor against which you assert a claim by checking the appropriate box below. <b>(Check only one Debtor per claim form.)</b> <input checked="" type="checkbox"/> Cynergy Data, LLC – (Case No. 09-13038) <input type="checkbox"/> Cynergy Data Holdings, Inc. – (Case No. 09-13039) <input type="checkbox"/> Cynergy Prosperity Plus, LLC – (Case No. 09-13040)	
Name of Creditor (the person or other entity to whom the debtor owes money or property): AMERICAN BANKCARD SERV Name and address where notices should be sent: Name ID: 8535905      Pack No. 132 AMERICAN BANKCARD SERVICES 819 W WHITTIER BLVD MONTEBELLO, CA 90640 Telephone No.	<input type="checkbox"/> Check this box to indicate that this claim amends a previously filed claim. <b>Court Claim Number:</b> _____ (if known) Filed on: _____
Name and address where payment should be sent (if different from above): (same) Telephone No.	<input type="checkbox"/> Check box if you are aware that anyone else has filed a proof of claim relating to your claim. Attach copy of statement giving particulars. <input checked="" type="checkbox"/> Check this box if you are the debtor or trustee in this case.
<b>1. Amount of Claim as of Date Case Filed:</b> \$ <u>25,829.91</u> <i>see attached cynergycdata report</i> If all or part of your claim is secured, complete item 4 below; however, if all of your claim is unsecured, do not complete item 4. If all or part of your claim is entitled to priority, complete item 5. <input type="checkbox"/> Check this box if claim includes interest or other charges in addition to the principal amount of the claim. Attach itemized statement of all interest or charges	<b>5. Amount of claim Entitled to Priority under 11 U.S.C. § 507(a).</b> If any portion of your claim falls in one of the following categories, check the box and state the amount. Specify the priority of the claim.
<b>2. Basis for Claim:</b> _____ (See instruction #3a on reverse side.) <b>3. Last four digits of any number by which creditor identifies debtor:</b> <u>9926 ISO # or 7480 SSN</u> <b>3a. Debtor may have scheduled account as:</b> _____ (See instruction #3a on reverse side.) <b>3b. Creditor Tax ID #</b> <u>20-2150618</u>	<input type="checkbox"/> Domestic support obligations under 11 U.S.C. § 507(a)(1)(A) or (a)(1)(B). <input checked="" type="checkbox"/> Wages, salaries, or commission (up to \$10,950*) earned within 180 days before filing of the bankruptcy petition or cessation of the debtor's business, which ever is earlier -- 11 U.S.C. § 507(a)(4). <i>Billings Reserve</i>
<b>4. Secured Claim</b> (See instruction #4 on reverse side.) <u>N/A</u> Check the appropriate box if your claim is secured by a lien on property or a right of setoff and provide the requested information. <b>Nature of property or right of setoff:</b> <input type="checkbox"/> Real Estate <input type="checkbox"/> Motor Vehicle <input checked="" type="checkbox"/> Other <b>Describe:</b> _____ <b>Value of Property:</b> \$ _____ <b>Annual Interest Rate:</b> _____ % <b>Amount of arrearage and other charges as of time case filed included in secured claim,</b> <b>if any:</b> \$ _____ <b>Basis for Perfection:</b> _____ <b>Amount of Secured Claim:</b> \$ _____ <b>Amount Unsecured:</b> \$ _____	<input type="checkbox"/> Contributions to an employee benefit plan -- 11 U.S.C. § 507(a)(5). <input type="checkbox"/> Up to \$2,425* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use -- 11 U.S.C. § 507(a)(7). <input type="checkbox"/> Taxes or penalties owed to governmental units -- 11 U.S.C. § 507(a)(8). <input type="checkbox"/> Other -- Specify applicable paragraph of 11 U.S.C. § 507(a)(____).
<b>6. Section 503(b)(9) Claim Amount:</b> _____ <input type="checkbox"/> Check this box if your claim is for the value of goods received by the debtor within 20 days before the date of commencement of the case (11 U.S.C. §503(b)(9)). Include the amount of such claim in the space for "Section 503(b)(9) Claim Amount" above.	<b>Amount entitled to priority:</b> <u>\$ 25,829.91</u> * Amounts are subject to adjustment on 4/1/10 and every 3 years thereafter with response to cases commenced on or after the date of adjustment.
<b>7. Credits:</b> The amount of all payments on this claim has been credited for the purpose of making this proof of claim. <b>8. Documents:</b> Attach redacted copies of any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, judgments, mortgages and security agreements. You may also attach a summary. Attach redacted copies of documents providing evidence of perfection of a security interest. You may also attach a summary. (See instruction 7 and definition of "redacted" on reverse side.) DO NOT SEND ORIGINAL DOCUMENTS. ATTACHED DOCUMENT MAY BE DESTROYED AFTER SCANNING. If the documents are not available, please explain:	
<b>Date:</b> <u>1/21/10</u> <b>Signature:</b> <i>[Signature]</i> The person filing this claim must sign it. Sign and print name and title, if any, of the creditor or other person authorized to file this claim and state address and telephone number if different from the notice address above. Attach copy of power of attorney, if any.	<b>RECEIVED</b> FOR COURT USE ONLY <b>FEB 01 2010</b> <b>KURTZMAN CARSON CONSULTANTS</b>

Penalty for presenting fraudulent claim: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. §§ 152 and 3571.



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**Residual Reports**

**Report Results**

**PROFIT SHARING RESIDUAL  
9/1/2009**

**9926 AMERICAN BANKCARD  
SERVICES**

Total merchants: 284  
Merchants added in 9-2009: 0

Volume: \$1,229,771.54  
Items: 15,878  
75% Split Income: \$16,048.96  
75% Merchant Refunds: (\$0.00)  
75% ACH Returns: (\$4,589.29)  
75% ACH Returns Collected: \$3,885.66

	Units	Cost	Subtotal
After Hours Calls	0	0.000	(\$0.00)
Retrievals:	0	5.000	(\$0.00)
ACH Rejects:	34	2.500	(\$85.00)
Bin Rental:	1,229,771.54	0.000%	(\$0.00)
Rolling Reserve:	1,229,771.54	0.050%	(\$614.89)
Client Services per TID:	284	0.000	(\$0.00)
Client Services per TKT:	37	\$0.000	(\$0.00)
EVS Report:	0	\$0.000	(\$0.00)
Vinas Tracking Fee:	1	\$0.000	(\$0.00)
Inprinter Plates:	0	1.500	(\$0.00)
Fraud Monitoring:	1,229,771.54	0.000	(\$0.00)

TOTAL DEDUCTIONS: (\$699.89)

75% SPLIT DEDUCTIONS: (\$524.91)

75% SPLIT INCOME: \$16,048.96

Unprofitable Accounts: \$0.00

**SPLIT 75%**

**\$14,820.42**

**Rolling Reserve**

**\$25,829.91**

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30-30 47TH AVENUE 9TH FLOOR, LIC. NY 11101

*CURRENT as of Dec '09*



**Residual Reports**

**Report Results**

**PROFIT SHARING RESIDUAL  
12/1/2009**

**9926 AMERICAN BANKCARD  
SERVICES**

Total merchants: 259  
 Merchants added in 12-2009: 0

Volume: \$1,055,961.78  
 Items: 15,061  
 75% Split Income \$ 17,183.85  
 75% Merchant Refunds (\$0.00)  
 75% ACH Returns: (\$3,038.76)  
 75% ACH Returns Collected: \$2,085.55

	Units	Cost	Subtotal
<b>After Hours Calls</b>	3	0.000	(\$0.00)
Retrievals:	11	5.000	(\$55.00)
ACH Rejects:	29	2.500	(\$72.50)
Bin Rental:	1,055,961.78	0.000%	(\$0.00)
Rolling Reserve:	1,055,961.78	0.050%	(\$527.98)
Client Services per TID:	259	0.000	(\$0.00)
Client Services per TKT:	45	\$0.000	(\$0.00)
EVS Report:	0	\$0.000	(\$0.00)
Veritas Tracking Fee:	1	\$0.000	(\$0.00)
Inprinter Plates:	0	1.500	(\$0.00)
Fraud Monitoring:	1,055,961.78	0.000	(\$0.00)

TOTAL DEDUCTIONS: (\$655.48)  
 75% SPLIT DEDUCTIONS: (\$491.61)  
 75% SPLIT INCOME: \$17,183.85  
 Unprofitable Accounts: \$ 0.00

**SPLIT 75%**

**\$15,739.03**

**Rolling Reserve**

**27,058.71**

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30-30 47th Avenue 9th Floor, Long Island City, NY 11101