

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

JASON CARR, VICKI LEMASTER,
EDWARD FORD SERVICES LLC,
CARLTON MORGAN, 365 SUN LLC,
and CANDICE WORTHY, *individually
and on behalf of others similarly
situated,*

Plaintiffs,

v.

KABBAGE, INC., d/b/a KSERVICING,

Defendant.

CIVIL ACTION
NO. 1:22-cv-01249-VMC

**UNOPPOSED MOTION TO EXTEND THE PAGE LIMIT FOR
DEFENDANT KABBAGE, INC. d/b/a KSERVICING'S
MEMORANDUM OF LAW IN SUPPORT OF ITS MOTION TO DISMISS**

Defendant Kabbage, Inc., d/b/a KServicing (“KServicing” or “Defendant”) hereby files this Consent Motion, pursuant to Local Rule 7.1(D) of the Local Rules of this Court and Section III.l of the Court’s Standing Order on Civil Litigation, seeking to extend the page limit for KServicing’s Memorandum of Law in Support of its Motion to Dismiss Plaintiffs’ Amended Complaint. KServicing respectfully requests the Court’s permission to file a brief that is up to thirty-five (35) pages in length. In support thereof, KServicing states the following:

1. Plaintiffs commenced this action on March 30, 2022, by filing a 302-paragraph, 117-page Class Action Complaint and exhibits, alleging a variety of purported failures relating to KServicing's processing of their Small Business Administration ("SBA") Paycheck Protection Program ("PPP") loan forgiveness applications. Plaintiffs' Complaint seeks to allege a nationwide class, as well as several state subclasses (Florida, Georgia, North Carolina, Michigan, and California). (Compl. ¶¶ 214-220.)
2. Plaintiffs plead eight causes of action based on alleged violations of duties and obligations under the Coronavirus Aid, Relief, and Economic Security Act, Pub. L. 116-136 ("CARES Act") and Small Business Administration regulations, and seek to bring claims under common law and under various state business and professional codes, including: Cal. Bus. & Prof. Code §§1720; Ga. Code. Ann. §§10-1-370; N.C.G.S. §§75; Mich. Comp. Laws Ann. §§445.901; and Fla. Stat. §§501.201. (*Id.* ¶¶ 243-305.)
3. KServicing's response to Plaintiffs' Complaint is currently due on May 31, 2022.
4. In light of the numerous allegations raised in the Complaint, KServicing requests an extension of the page limit from twenty-five (25) pages to thirty-five (35) pages in length because the Motion to Dismiss has the potential to

resolve, in its entirety, all of the issues raised in the Complaint, thereby warranting full exposition in KServicing's Memorandum of Law.

5. Based on the foregoing, KServicing respectfully submits that it needs the additional pages requested for the purpose of providing completeness and to properly address the issues raised in this action.
6. Counsel for KServicing has contacted counsel for Plaintiffs regarding the need for an extension of the page limit. Plaintiffs' counsel has agreed to the requested extension.

For the foregoing reasons, KServicing requests this Motion be granted.

Dated: May 25, 2022.

Respectfully submitted,

DENTONS US LLP

/s/ Uchenna Ekuma-Nkama

Uchenna Ekuma-Nkama
Georgia Bar No. 957861
Alizé D. Mitchell
Georgia Bar No. 349963
303 Peachtree Street, N.E.
Suite 5300
Atlanta, GA 30308
Telephone: (404) 527-4000
Facsimile: (404) 527-4198
uchenna.ekuma-nkama@dentons.com
alize.mitchell@dentons.com

Drew W. Marrocco
(pro hac vice forthcoming)
Virginia Bar No. 38955/D.C. Bar No. 53205
1900 K Street NW
Washington, DC 20006
Telephone: (202) 496-7500
Facsimile: (202) 496 7756
drew.marrocco@dentons.com

Tomasita L. Sherer
(pro hac vice forthcoming)
New York Bar No. 3033859
1221 Avenue of the Americas
New York, NY 10020
Telephone: (212) 768-6700
Facsimile: (212) 768 6800

*Counsel for Defendant Kabbage, Inc.
d/b/a KServicing*

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

JASON CARR, VICKI LEMASTER,
EDWARD FORD SERVICES LLC,
CARLTON MORGAN, 365 SUN LLC,
and CANDICE WORTHY, *individually
and on behalf of others similarly
situated,*

Plaintiffs,

v.

KABBAGE, INC., d/b/a KSERVICING,

Defendant.

CIVIL ACTION
NO. 1:22-cv-01249-VMC

CERTIFICATE OF SERVICE AND COMPLIANCE

I certify that on May 25, 2022, I filed have caused the foregoing UNOPPOSED MOTION TO EXTEND THE PAGE LIMIT FOR DEFENDANT KABBAGE, INC. d/b/a KSERVICING'S MEMORANDUM OF LAW IN SUPPORT OF ITS MOTION TO DISMISS to be filed with the Clerk of Court using the CM/ECF system, which will automatically send e-mail notification of such filing to all counsel of record. I also certify that the foregoing was prepared in accordance with N.D. Ga. L.R. 5.1, using Times New Roman font, 14 point.

/s/ Uchenna Ekuma-Nkama
Uchenna Ekuma-Nkama