

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

	X	
	:	
In re	:	Chapter 11
	:	
KABBAGE, INC. d/b/a KSERVICING, <i>et al.</i>,	:	Case No. 22-10951 (CTG)
	:	
Debtors.¹	:	(Jointly Administered)
	:	
	:	
	:	Re: Docket Nos. 232, 287 & 289

**NOTICE OF FILING NOVEMBER 18, 2022 LETTER
FROM THE DEBTORS TO CUSTOMERS BANK**

PLEASE TAKE NOTICE that, on November 9, 2022, the United States Bankruptcy Court for the District of Delaware (the “**Court**”) entered an order [Docket No. 232] (the “**Settlement Order**”) authorizing and approving a settlement agreement (the “**Settlement Agreement**”) between Kabbage, Inc. d/b/a KServicing and Customers Bank (“**CB**”).

PLEASE TAKE FURTHER NOTICE that, on November 25, 2022, the above-captioned debtors and debtors in possession (collectively, the “**Debtors**”) filed a letter [Docket No. 287] (the “**Debtors’ Letter**”) with respect to a dispute arising under the Settlement Order and the Settlement Agreement.

PLEASE TAKE FURTHER NOTICE that, on November 28, 2022, CB filed a letter [Docket No. 289] (the “**CB Letter**”) in response to the Debtors’ Letter. The CB Letter referenced and attached as Exhibit E a November 17, 2022 letter sent by CB to the Debtors (the “**November**

¹ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor’s federal tax identification number, as applicable are: Kabbage, Inc. d/b/a KServicing (3937); Kabbage Canada Holdings, LLC (N/A); Kabbage Asset Securitization LLC (N/A); Kabbage Asset Funding 2017-A LLC (4803); Kabbage Asset Funding 2019-A LLC (8973); and Kabbage Diameter, LLC (N/A). Kabbage is a trademark of American Express used under license; Kabbage, Inc. d/b/a KServicing is not affiliated with American Express. The Debtors’ mailing and service address is 925B Peachtree Street NE, Suite 383, Atlanta, GA 30309.

17th Letter”). The Debtors responded to the November 17th Letter on November 18, 2022 (the **“November 18th Letter”**). CB did not attach the November 18th Letter to the CB Letter because such letter was marked by the Debtors as “confidential.”

PLEASE TAKE FURTHER NOTICE that, to provide the Court with a complete record, that the Debtors hereby file the November 18th Letter, a copy of which is hereto as **Exhibit**
1.

[Remainder of page intentionally left blank]

Dated: November 29, 2022
Wilmington, Delaware

/s/ Matthew P. Milana

RICHARDS, LAYTON & FINGER, P.A.

Daniel J. DeFranceschi, Esq. (No. 2732)

Amanda R. Steele, Esq. (No. 5530)

Zachary I. Shapiro, Esq. (No. 5103)

Matthew P. Milana, Esq. (No. 6681)

One Rodney Square

920 North King Street

Wilmington, Delaware 19801

Telephone: (302) 651-7700

E-mail: defranceschi@rlf.com

steele@rlf.com

shapiro@rlf.com

milana@rlf.com

-and-

WEIL, GOTSHAL & MANGES LLP

Ray C. Schrock, P.C. (admitted *pro hac vice*)

Candace M. Arthur, Esq. (admitted *pro hac vice*)

Natasha S. Hwangpo, Esq. (admitted *pro hac vice*)

Chase A. Bentley, Esq. (admitted *pro hac vice*)

767 Fifth Avenue

New York, New York 10153

Telephone: (212) 310-8000

E-mail: ray.schrock@weil.com

candace.arthur@weil.com

natasha.hwangpo@weil.com

chase.bentley@weil.com

Attorneys for Debtors and Debtors in Possession