

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

In Re:	Chapter 11
KABBAGE, INC., d/b/a KSERVICING, et al.,	Case No. 22-10951 (CTG) (Jointly Administered)
Debtors.	Hearing Date: January 6, 2023 at 10:00 a.m.

CUSTOMERS BANK’S EXHIBIT LIST FOR JANUARY 6, 2023 HEARING

In connection with both of the motions filed in this case on December 7, 2022,¹ and set to be heard by the Court on January 6, 2023 (the “Hearing”), Customers Bank respectfully submits the *Exhibit List* below to be considered at the Hearing. Customers Bank reserves the right to introduce at the Hearing documents that are part of the record of the above-captioned chapter 11 cases, including pleadings and other documents filed on the docket, as well as to introduce any document, or to rebut the testimony of witnesses or evidence presented by any other part, or for impeachment.

Exhibit List

1. Synovus Account Statement in name of Kabbage, Inc. PPP Payments CUBI for month of October 2022;
2. Emails involving Alyssa White of Customers Bank and Donna Evans and others from KServicing dated November 28, 2022 entitled *October Remittance Report*;
3. November 4, 2022 email from Donna Evans of KServicing to Alyssa White and others entitled *KServicing Update #5* (and attachment);

¹ Those motions are: (1) *Motion of Customers Bank for an Order Compelling Compliance With Court Approved Settlement Agreement and Order and Requiring Additional Adequate Protection in Favor Of Customers Bank and Related Relief* [Dkt No. 355]; and (2) *Motion of Debtors for Entry of an Order Enforcing the Settlement Order and the Settlement Agreement Between KServicing and Customers Bank* [Dkt No. 340].

4. *Settlement Reconciliation Summary* detailing Settlement Payment of \$20,499,683 provided by Customers Bank to KServicing on or about November 15, 2022;
5. November 4, 2022 emails involving Donna Evans of KServicing and Michele Vervlied and others at Customers Bank entitled *KServicing Update #1*;
6. November 4, 2022 email from Donna Evans of KServicing to Alyssa White and others at Customers Bank entitled *KServicing Update #3* (and attachments, Synovus account statements from November 2020 through October 2022);
7. K Servicing Synovus borrower repayment account analysis 10/3/2022;
8. November 4, 2022 email from Donna Evans of KServicing to Alyssa White and others at Customers Bank entitled *KServicing Update #2*;
9. August 28, 2021 email from Daniel Eidson of KServicing to Michele Vervlied of Customers Bank entitled *ACH cancelled*;
10. November 3, 2022 email from Jeremy Sternberg to Candace Arthur entitled *CUBI/KS Reconciliation Efforts*;
11. November 9, 2022 emails between Candace Arthur and Jeremy Sternberg;
12. November 14, 2022 email (and attachment) from Donna Evans of KServicing to Alyssa White and others at Customers Bank entitled *KServicing Follow up: Updated cancelled loan analysis*;
13. Chain of emails between KServicing personnel and Customers Bank personnel regarding MV -- XXXXXXXX302 -- Kabbage -- SBA Inquiry between October 12, 2022 and December 14, 2022;
14. ACH Return Codes Glossary;
15. CUBI Remittance Wire Summary 12/14/2022;

16. December 16, 2022 emails between Alyssa White of Customers Bank and Donna Evans of KServicing entitled *November Remittance Report*; and

17. Synovus Account Statement in name of Kabbage, Inc. PPP Payments CUBI for month of November 2022.

Date: January 5, 2023
Wilmington, Delaware

SULLIVAN • HAZELTINE • ALLINSON LLC

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