

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

In re	X	
	:	Chapter 11
	:	
KABBAGE, INC. d/b/a KSERVICING, <i>et al.</i> ,	:	Case No. 22-10951 (CTG)
	:	
	:	
Debtors. ¹	:	(Jointly Administered)
	X	Re: Docket Nos. 466, 467, 561 & 611

**NOTICE OF REJECTION OF
CERTAIN AGREEMENTS PURSUANT TO THE PLAN**

PLEASE TAKE NOTICE THAT on March 6, 2023, the Debtors filed the *Notice of Filing of Second Supplement to the Amended Joint Chapter 11 Plan of Liquidation of Kabbage, Inc. (d/b/a KServicing) and Its Affiliated Debtors* [Docket No. 611] (the “**Second Plan Supplement**”) with the United States Bankruptcy Court for the District of Delaware (the “**Court**”). Attached to the Second Plan Supplement as **Exhibit F** thereto was a schedule (the “**Rejection Schedule**”) that contained a list of intellectual property contracts, licenses, royalties, or other similar agreements (each, an “**IP Agreement**”) that, in accordance with section 8.1 of the Plan, will be rejected pursuant to the Confirmation Order² on the Effective Date.

YOU ARE RECEIVING THIS NOTICE (THIS “REJECTION NOTICE”) BECAUSE YOU OR ONE OF YOUR AFFILIATES IS A COUNTERPARTY TO AN IP AGREEMENT IDENTIFIED ON THE REJECTION SCHEDULE AND THAT WILL BE REJECTED PURSUANT TO THE CONFIRMATION ORDER ON THE EFFECTIVE DATE.³ YOU ARE ADVISED TO CAREFULLY REVIEW THE INFORMATION CONTAINED IN THIS REJECTION NOTICE AND THE RELATED PROVISIONS OF THE PLAN, INCLUDING THE REJECTION SCHEDULE.

PLEASE TAKE FURTHER NOTICE THAT you will receive a separate notice setting forth the deadline to file a Proof of Claim with respect to Claims arising from the rejection of any IP Agreement identified on the Rejection Schedule and in this Rejection Notice.

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.

² Capitalized terms used but not otherwise defined herein shall have the meanings ascribed to them in the *Amended Joint Chapter 11 Plan of Liquidation of Kabbage, Inc. (d/b/a KServicing) and its Affiliated Debtors* [Docket No. 466] (as may be amended, further supplemented, or modified from time to time, the “**Plan**”).

³ The inclusion of a contract or lease on the Rejection Schedule or in this Rejection Notice is *not* an admission by the Debtors that any contracts or leases are executory or unexpired.

PLEASE TAKE FURTHER NOTICE THAT the Debtors reserve all rights to amend, revise, or supplement the Rejection Schedule at any time as may be provided for by the Plan or by order of the Court.

PLEASE TAKE FURTHER NOTICE THAT if the Court confirms the Plan and enters the Confirmation Order, such order will authorize and approve the rejection of the IP Agreements identified on the Rejection Schedule and in this Rejection Notice effective as of the Effective Date.

PLEASE TAKE FURTHER NOTICE THAT the hearing on confirmation of the Plan (the “**Confirmation Hearing**”) will be held before The Honorable Craig T. Goldblatt, United States Bankruptcy Judge for the District of Delaware, 824 North Market Street, Third Floor, Courtroom 7, Wilmington, Delaware 19801, on **March 13, 2023 at 10:00 a.m. (prevailing Eastern Time)**. Please be advised that the Confirmation Hearing may be continued from time to time without further notice other than an adjournment announced in open court or a notice of agenda filed with the Court.

PLEASE TAKE FURTHER NOTICE THAT all documents filed with the Court in connection with the above-captioned chapter 11 cases, including the Plan, the Plan Supplement and the Second Plan Supplement, may be viewed free of charge by visiting the website maintained by the Debtors’ claims, noticing and solicitation agent, Omni Agent Solutions, Inc. (“**Omni**”), at <http://www.omniagentsolutions.com/kservicing>. Copies of all such documents may also be obtained by contacting Omni (i) in writing at Kabbage, Inc. d/b/a KServicing, *et al.*, c/o Omni Agent Solutions, Solicitation Team, 5955 De Soto Ave., Suite 100, Woodland Hills, CA 91367, (ii) by email at kservicinginquiries@omniagent.com, or (iii) by telephone at 866-956-2138 (U.S. & Canada toll free) or 747-226-5953 (international). You may also obtain copies of any pleadings filed in these chapter 11 cases for a fee via PACER at <http://www.deb.uscourts.gov>.

IF YOU HAVE QUESTIONS WITH RESPECT TO YOUR RIGHTS UNDER THE PLAN OR ABOUT ANYTHING STATED HEREIN OR IF YOU WOULD LIKE TO OBTAIN ADDITIONAL INFORMATION, PLEASE CONTACT OMNI AT THE NUMBER OR ADDRESS SPECIFIED ABOVE. PLEASE NOTE THAT OMNI CANNOT PROVIDE LEGAL ADVICE.
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Dated: March 6, 2023
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, Esq. (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*