

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF DELAWARE**

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In re	:	Chapter 11
	:	
KABBAGE, INC. d/b/a KSERVICING, et al.,	:	Case No. 22-10951 (CTG)
	:	
Debtors.¹	:	(Jointly Administered)
	:	
	:	Re: Docket No. 11, 88 & 89
	X	

**CERTIFICATION OF COUNSEL REGARDING FINAL ORDER
AUTHORIZING DEBTORS TO (I) CONTINUE SERVICING AND
SUBSERVICING ACTIVITIES AND (II) PERFORM RELATED OBLIGATIONS**

The undersigned hereby certifies as follows:

1. On October 3, 2022, Kabbage, Inc. d/b/a KServicing and its debtor affiliates, as debtors and debtors in possession in the above-captioned chapter 11 cases (collectively, the “**Debtors**”), filed the *Motion of Debtors for Interim and Final Orders Authorizing Debtors to (I) Continue Servicing and Subservicing Activities and (II) Perform Related Obligations* [Docket No. 11] (the “**Motion**”) with the United States Bankruptcy Court for the District of Delaware (the “**Court**”). A proposed form of order granting the relief requested in the Motion on a final basis was attached to the Motion as **Exhibit B** (the “**Proposed Final Order**”).

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. On October 6, 2022, the Court entered the *Interim Order Authorizing Debtors to (I) Continue Servicing and Subservicing Activities and (II) Perform Related Obligations* [Docket No. 88] (the “**Interim Order**”).

3. Pursuant to the Interim Order and the *Notice of (A) Entry of Interim Order Authorizing Debtors to (I) Continue Servicing and Subservicing Activities and (II) Perform Related Obligations; and (B) Final Hearing Thereon* [Docket No. 89], objections or responses to the final relief requested in the Motion, if any, must be made in writing and filed with the Court on or before October 19, 2022 at 4:00 p.m. (prevailing Eastern Time) (the “**Objection Deadline**”).

4. The Debtors received certain informal comments (the “**Comments**”) to the Proposed Final Order and the relief requested in the Motion from the Federal Reserve Bank of San Francisco (the “**Federal Reserve**”). Other than the comments, the Debtors received no other informal responses to the Motion, and no objection or responsive pleading to the Motion has appeared on the Court’s docket in these chapter 11 cases.

5. The Debtors have revised the Proposed Final Order (the “**Revised Order**”) to resolve the Comments and to incorporate revisions consistent with those made to the Interim Order following the hearing held on October 6, 2022. A copy of the Revised Order is attached hereto as **Exhibit 1**. The Revised Order has been circulated to the Office of the United States Trustee for the District of Delaware and the Federal Reserve, and the aforementioned parties do not object to the entry of the Revised Order. For the convenience of the Court and all parties in interest, a redline comparison of the Revised Order marked against the Proposed Final Order is attached hereto as **Exhibit 2**.

WHEREFORE the Debtors respectfully request that the Revised Order be entered at the earliest convenience of the Court.

Dated: October 21, 2022
Wilmington, Delaware

/s/ Amanda R. Steele

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