EXHIBIT 1

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

In re: KABBAGE, INC., d/b/a KSERVICING, et al., Debtors.	Chapter 11 Case No. 22-10951 (CTG) (Jointly Administered)

DECLARATION OF ALYSSA WHITE IN SUPPORT OF MOTION OF CUSTOMERS BANK FOR ENTRY OF AN ORDER (I) COMPELLING COMPLIANCE WITH COURT APPROVED SETTLEMENT AGREEMENT AND ORDER; (II) REQUIRING ADDITIONAL ADEQUATE PROTECTION IN FAVOR OF CUSTOMERS BANK; AND (III) GRANTING RELATED RELIEF

I, Alyssa White, hereby declare pursuant to 28 U.S.C. §1746, under penalty of perjury to the best of my knowledge and belief, that:

1. I am Senior Vice President, Director of Digital 7A Operations for Customers Bank, a position that I have held since approximately November, 2021. From approximately December, 2020 to November, 2021, I held other roles at Customers Bank.

2. I submit this Declaration in support of the contemporaneously filed *Motion of Customers Bank for Entry of an Order (I) Compelling Compliance With Court Approved Settlement Agreement and Order; (II) Requiring Additional Adequate Protection In Favor of Customers Bank; and (III) Granting Related Relief* ("Motion to Compel").[1]

3. I have personal knowledge of the terms of the Settlement Agreement entered into between Customers Bank and the Debtor, Kabbage, Inc. d/b/a KServicing ("KServicing") and the assertions in the Motion to Compel. I also have personal knowledge of the reconciliation process that took place between Customers Bank and KServicing following the Effective Date of the Settlement Agreement regarding the calculation of, and payment of, the October Payment and the amount of the October Remittances. In addition, I have personal knowledge of Customers Bank's historic business relationship with KServicing.

4. In communicating with representatives of KServicing regarding the support for the Debtor's calculation of the October Payment, I was provided the form of a borrower remittance report for the month of October, 2022 relating to the CB PPP Loans via SFTP. Using the data contained in that voluminous file, I carefully created the table set forth below, containing a true and accurate summary of the information reported by the Debtor:

[1] Capitalized terms not defined herein shall have the meanings ascribed in the Motion to Compel.

Row Labels	Count of SbaLoanID	Sum of TransactionAmount	Sum of Transaction_amount_applied_to_plan	Sum of Amount_applied_to_principal_within_plan	Sum of Amount_applied_to_interest
⊟Customer Payments Remitted to SBA - Oct	41	$ (925,243)	$ 925,243	$ 885,631	$ 39,612
⊞Apr	1	$ (100)	$ 100	$ -	$ 100
⊞Jun	2	$ (4,955)	$ 4,955	$ 4,876	$ 79
⊞Jul	3	$ (2,750)	$ 2,750	$ 1,800	$ 950
⊞Aug	6	$ (205,139)	$ 205,139	$ 199,417	$ 5,723
⊞Sep	23	$ (600,767)	$ 600,767	$ 574,997	$ 25,770
⊞Oct	5	$ (107,271)	$ 107,271	$ 100,377	$ 6,894
⊟Owed 19	770	$ (1,301,569)	$ (1,301,569)	$ (1,220,831)	$ (80,738)
⊞Sep	1	$ (25,000)	$ (25,000)	$ (25,000)	$ -
⊞Oct	769	$ (1,276,569)	$ (1,276,569)	$ (1,195,831)	$ (80,738)
Grand Total	811	$ (2,226,812)	$ (376,326.59)	$ (335,200)	$ (41,126)

5. Based on my analysis of the remittance report provided by the Debtor for the month of October, 2022, the amount of borrower payments on CB PPP Loans totaled approximately $1,301,569.

6. In relation to the Servicing Plan provisions of the Settlement Agreement, representatives of KServicing provided me a copy of the October Bank Statement in a large zip file containing bank statements for other relevant time periods, with the October Bank Statement attached hereto as **Exhibit A**. Based on my analysis of the October Bank Statement, for the month of October, 2022, starting as of October 3, 2022, the amount of deposits on CB PPP Loans deposited in the Trust Account totaled approximately $1,551,245.91.

7. The payment received by the Debtor from the Trust Account, however, was only in the amount of $376,326.59.

8. On November 28, 2022, I communicated, on behalf of Customers Bank, with representatives of KServicing regarding my concerns with the short payment of the October Payment, referencing the summary of data described in Paragraph 4 above, as well as the discrepancies between information set forth in the remittance reports versus the October Bank Statement. *See* **Exhibit B**.

9. Attached as **Exhibit C** is a true and accurate copy of email correspondence that I received from Donna Robinson Evans, Senior Operations Director for the Debtor, on November 4, 2022, describing the amount of payments due to the SBA from the Prepetition Remittances previously withheld from Customers Bank by the Debtor, that were accounted for in calculating the Settlement Payment.

10. The Settlement Payment was calculated by Customers Bank using the Debtor's calculation of amounts due to the SBA set forth in Exhibit C, as described in Exhibit A to the Debtor's Reply Letter, which contains a line item for "Fees Owed to SBA (Borrower Payments)." That summary calculation and reconciliation, prepared by Customers Bank, is attached here for reference as **Exhibit D**.

Dated: December 7, 2022

*/s/ Alyssa White*________________
Alyssa White

#181849293_v2

Exhibit A

Filed Under Seal

EXHIBIT B

From: White, Alyssa A <awhite@customersbank.com>
Sent: Monday, November 28, 2022 11:22 AM
To: Tamica Williams; Donna Evans; dwalker@kservicecorp.com
Cc: Vervlied, Michele L; Merkin, Albert R; Chioma Ajagba; Anderson, Gregg; Couvreur, Dori
Subject: October Remittance Report

Good morning,

We received the October remittance report and wire for $376,326.59. Noted below are a few discrepancies we identified.

Please let me know if you are you available to review Wednesday, 11/30 between 10 – 12.

The remittance report shows $1,302,569 as the amount owed. It appears SBA payments were netted out; however, those funds were never paid to Customers Bank and therefore should not reduce our payment. As a reminder, SBA payments through September were accounted for in the settlement and listed in Donna's Email sent on 11/14/22 *"(Kservicing Update #5 (this is the last one)"*.

Row Labels	Count of SbaLoanID	Sum of TransactionAmount	Sum of Transaction_amount_applied_to_plan	Sum of Amount_principal
Customer Payments Remitted to SBA - Oct	**41**	**$ (925,243)**	**$ 925,243**	**$**
Apr	1	$ (100)	$ 100	$
Jun	2	$ (4,955)	$ 4,955	$
Jul	3	$ (2,750)	$ 2,750	$
Aug	6	$ (205,139)	$ 205,139	$
Sep	23	$ (600,767)	$ 600,767	$
Oct	5	$ (107,271)	$ 107,271	$
Owed 19	**770**	**$ (1,301,569)**	**$ (1,301,569)**	**$**
Sep	1	$ (25,000)	$ (25,000)	$
Oct	769	$ (1,276,569)	$ (1,276,569)	$
Grand Total	**811**	**$ (2,226,812)**	**$ (376,326.59)**	**$**

The October Synovous bank statement shows $1,551,275.91 in deposits, leaving $249,707 not accounted for.

Row Labels	Count of SbaLoanID	Sum of TransactionAmount
Apr	**1**	**$ (100)**
May	**1**	**$ (4,260)**
Jun	**2**	**$ (4,955)**
Jul	**3**	**$ (2,750)**
Aug	**6**	**$ (205,139)**
Sep	**24**	**$ (625,767)**
Customer Payments Remitted to SBA - Oct	23	$ (600,767)
Owed 19	1	$ (25,000)
Oct	**774**	**$ (1,383,841)**
Customer Payments Remitted to SBA - Oct	5	$ (107,271)
Owed 19	769	$ (1,276,569)
Grand Total	**811**	**$ (2,226,812)**

The content of the report also changed from cumulative to only include current month transactions. In order to process the report on our end, we do need consistency from month to month. Please confirm going forward, you will continue to only send current month transactions.

Alyssa A White
SVP, Director of Digital 7A Operations
40 General Warren Blvd, Suite 200
Malvern, Pennsylvania 19355
(Cell) 484-334-5151

customers bank

Exhibit C

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EXHIBIT D

Reurned/Cancelled Loans	$3,617,304
Reurned/Cancelled Loans in Remittance Report	($426,258)
Additional Loans not Disbursed (per Danny)	$35,899
Adjusted Returned/Canceled Loans	**$3,226,945**
Borrower Principal Repayments and Returns per Remittance File	$25,578,633
Interest Collected	$1,030,328
Reported Remittance Account Variance	$497,900
Total Borrower Remittance Payments (P&I)	**$27,106,862**
Adjusted Returned/Cancelled Loans	$3,226,945
Total Borrower Remittance Payments (P&I)	$27,106,862
Fees Owed to SBA (Borrower Overpayments)	($1,150,513)
Disputed KServicing Remittance Holdbacks	**$29,183,294**
Disputed KServicing Fee Holdbacks	**$8,317,023**
Disputed KServicing Remittance Holdbacks	$29,183,294
Disputed KServicing Fee Holdbacks	$8,317,023
Disputed KServicing Holdbacks	**$37,500,317**
Negotiated Receivable	$58,000,000
Disputed KServicing Holdbacks	($37,500,317)
Settlement Payment	**$20,499,683**