

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE 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.<sup>1</sup> : (Jointly Administered)  
: Rule 3018 Motion Deadline:  
: February 21, 2023 at 4:00 p.m. (ET)  
: Rule 3018 Obj. Deadline: February 28, 2023  
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**NOTICE OF OBJECTION AND HEARING**

**THIS OBJECTION IS BEING FILED PURSUANT TO THE COURT’S DISCLOSURE STATEMENT ORDER AND OBJECTS TO CERTAIN CLAIMS ON SCHEDULE 1 ATTACHED TO THIS OBJECTION SOLELY FOR VOTING PURPOSES. IF YOU BELIEVE YOU HAVE AN OBJECTION TO THE RELIEF REQUESTED HEREIN, YOU MUST FILE A RULE 3018(a) MOTION IN ACCORDANCE WITH THE DISCLOSURE STATEMENT ORDER AND PARAGRAPH 19 OF THIS OBJECTION.**

**THE RELIEF SOUGHT IN THIS OBJECTION IS WITHOUT PREJUDICE TO THE DEBTORS’ RIGHTS TO PURSUE FURTHER OBJECTIONS TO THE CLAIMS LISTED ON SCHEDULE 1 ON ANY SUBSTANTIVE AND/OR NON-SUBSTANTIVE GROUNDS.**

PLEASE TAKE NOTICE that, on February 14, 2023, 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 *Debtors’ Objection for Temporary Disallowance of Claims Filed by Cole Ratias Solely for Voting Purposes* (the “**Objection**”) with the United States Bankruptcy Court for the District of Delaware (the “**Court**”).

<sup>1</sup> 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.

PLEASE TAKE FURTHER NOTICE that if a holder of a claim subject to the Objection seeks to challenge the temporary disallowance of such claim or claims for voting purposes, such party must file and serve a motion, pursuant to Rule 3018(a) of the Federal Rules of Bankruptcy Procedure, for an order temporarily allowing such claim or claims for purposes of voting to accept or reject the Plan (a “**Rule 3018(a) Motion**”) by **February 21, 2023 at 4:00 p.m. (Prevailing Eastern Time)**.

PLEASE TAKE FURTHER NOTICE that any response to a Rule 3018(a) Motion must be filed by February 28, 2023, and any Rule 3018(a) Motions and related responses will be considered at the Confirmation Hearing before The Honorable Craig T. Goldblatt at the Court, 824 North Market Street, 3<sup>rd</sup> Floor, Courtroom 7, Wilmington, Delaware 19801 on **March 13, 2023 at 10:00 a.m. (Prevailing Eastern Time)**.

**PLEASE TAKE FURTHER NOTICE THAT, IF NO 3018(a) MOTIONS IN RESPONSE TO THE OBJECTION ARE TIMELY FILED, SERVED AND RECEIVED IN ACCORDANCE WITH THIS NOTICE, THE COURT MAY GRANT THE RELIEF REQUESTED IN THE OBJECTION WITHOUT FURTHER NOTICE OR HEARING.**

Dated: February 14, 2023  
Wilmington, Delaware

*/s/ Matthew P. Milana*

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