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)**
Debtors.[1]	:	**(Jointly Administered)**
	:	**RE: D.I. 576, 577**

CERTIFICATION OF COUNSEL REGARDING ORDER GRANTING MOTION OF DEBTORS PURSUANT TO FEDERAL RULE OF BANKRUPTCY PROCEDURE 2004 FOR PRODUCTION OF DOCUMENTS FROM FINANCIAL TECHNOLOGY PARTNERS LP AND FTP SECURITIES LLC

The undersigned hereby certifies as follows:

1. On February 24, 2023, the above-captioned debtors (collectively, the "**Debtors**") filed the *Motion of Debtors Pursuant to Federal Rule of Bankruptcy Procedure 2004 for Production of Documents from Financial Technology Partners LP and FTP Securities LLC* [Docket No. 576] (the "**2004 Motion**")[2] with the United States Bankruptcy Court for the District of Delaware (the "**Court**"). Attached to the 2004 Motion as **Exhibit A** was a proposed form of order granting the relief requested in the 2004 Motion (the "**Proposed Order**").

2. Pursuant to the 2004 Motion objections were to be filed by no later than March 3, 2023 at 4:00 p.m. (prevailing Eastern Time) (the "**Objection Deadline**").

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[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 2004 Motion.

3. Prior to the Objection Deadline, the Debtors received informal comments (the "**Comments**") from FT Partners regarding the Proposed Order. Other than the Comments, the Debtors received no other informal responses to the 2004 Motion, and no objection or responsive pleading to the 2004 Motion has appeared on the Court's docket in these chapter 11 cases.

4. The Debtors have resolved the Comments by revising the Proposed Form of Order consistent with FT Partners' Comments. The Debtors have prepared a modified form of Proposed Order (the "**Revised Order**") to reflect those revisions. A copy of the Revised Order is attached hereto as **Exhibit 1**. For the convenience of the Court and all parties in interest, a blackline comparison of the Revised Order against the Proposed Order is attached hereto as **Exhibit 2**.

5. The Revised Order has been circulated to counsel to FT Partners, and FT Partners does not object to entry of the Revised Order.

WHEREFORE, the Debtors respectfully request that the Court enter the Revised Order at its earliest convenience.

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Dated: March 10, 2023
Wilmington, Delaware

/s/ Robert C. Maddox
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