

Exhibit 2

From: Tsekerides, Theodore <theodore.tsekerides@weil.com>
Sent: Friday, January 13, 2023 4:37 PM
To: Mehta, Suniti N.; Arthur, Candace M.
Cc: Bromley, James L.; Davidoff, Amanda Flug; Hwangpo, Natasha; Bentley, Chase; Ollestad, Jordan; Trinity Litigation
Subject: [EXTERNAL] RE: KServicing/Amex
Attachments: Letter to Amex Re Loan Servicing.pdf; KServicing 2004 Request Schedule.pdf

Please see the attached letter and schedule listing the requests. Let's discuss next week.

Thanks very much.



Theodore E. Tsekerides

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From: Mehta, Suniti N.
Sent: Wednesday, January 11, 2023 2:41 PM
To: Tsekerides, Theodore ; Arthur, Candace M.
Cc: Bromley, James L. ; Davidoff, Amanda Flug ; Hwangpo, Natasha ; Bentley, Chase ; Ollestad, Jordan
Subject: RE: KServicing/Amex

Ted, Candace,

American Express consents to sharing the Merger Agreement, TSA, and Transfer, Assignment and Assumption Agreement with Cross River Bank.

We will come back to you on the draft protective order as soon as possible. As discussed on Friday, it would be helpful to see the list of requests that we discussed, including details about the data transfer that KServicing is interested in pursuing.

Thanks,
Suni

Suniti N. Mehta
T: (212) 558-4083 | F: (212) 558-3588
mehtas@sullcrom.com

From: Tsekerides, Theodore <theodore.tsekerides@weil.com>
Sent: Wednesday, January 11, 2023 8:27 AM
To: Arthur, Candace M. <Candace.Arthur@weil.com>
Cc: Bromley, James L. <bromleyj@sullcrom.com>; Mehta, Suniti N. <mehtas@sullcrom.com>; Davidoff, Amanda Flug <davidoffa@sullcrom.com>; Hwangpo, Natasha <Natasha.Hwangpo@weil.com>; Bentley, Chase <Chase.Bentley@weil.com>; Ollestad, Jordan <Jordan.Ollestad@weil.com>
Subject: [EXTERNAL] Re: KServicing/Amex

Actually, upon further review, the only agreement of these 3 that requires Amex's consent is the TSA.

Jim, please let us know about the TSA and also let us know if there were any comments on the proposed protective order we sent around a while back.

Thanks very much.

Theodore E. Tsekerides
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On Jan 10, 2023, at 7:47 PM, Arthur, Candace M. <Candace.Arthur@weil.com> wrote:

Jim, Suniti, and Amanda

We wanted to see if you had a chance to speak to your client regarding our request for consent to share the following documents with Cross River Bank:

1. The Transition Services Agreement;
2. Agreement and Plan of Merger among American Express Travel Related Services Company, Inc., Green Acquisition Merger Sub, Inc., Kabbage, Inc., Alpha Kabbage, Inc., and Fortis Advisors, LLC, dated August 16, 2020, including all exhibits and schedules thereto, as may be amended from time to time;
3. The Transfer, Assignment and Assumption Agreement between Kabbage, LLC and Alpha Kabbage;

Please advise. Subject to obtaining the requested consent we would like to provide Cross River with the documents before their 4pm deadline to object to the Disclosure Statement.

Best
Candace

Candace M. Arthur
Partner

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From: Bromley, James L. <bromleyj@sullcrom.com>
Sent: Friday, January 6, 2023 1:03 PM
To: Arthur, Candace M. <Candace.Arthur@weil.com>
Cc: Tsekerides, Theodore <theodore.tsekerides@weil.com>; Mehta, Suniti N. <mehtas@sullcrom.com>; Davidoff, Amanda Flug <davidoffa@sullcrom.com>; Hwangpo, Natasha <Natasha.Hwangpo@weil.com>; Bentley, Chase <Chase.Bentley@weil.com>
Subject: RE: [EXTERNAL] Re: KServicing/Amex

I can speak between 2:30 and 4

James L. Bromley
T: (212) 558-4923 | F: (212) 291-3588 | C: (973) 901-6898
bromleyj@sullcrom.com

From: Arthur, Candace M. <Candace.Arthur@weil.com>
Sent: Friday, January 6, 2023 12:24 PM
To: Bromley, James L. <bromleyj@sullcrom.com>
Cc: Tsekerides, Theodore <theodore.tsekerides@weil.com>; Mehta, Suniti N. <mehtas@sullcrom.com>; Davidoff, Amanda Flug <davidoffa@sullcrom.com>; Hwangpo, Natasha <Natasha.Hwangpo@weil.com>; Bentley, Chase <Chase.Bentley@weil.com>
Subject: RE: [EXTERNAL] Re: KServicing/Amex

Jim

Thank you for the flexibility. Would this afternoon work for you? Perhaps between 2-4?

Candace M. Arthur
Partner

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From: Bromley, James L. <bromleyj@sullcrom.com>
Sent: Thursday, January 5, 2023 6:06 PM
To: Arthur, Candace M. <Candace.Arthur@weil.com>
Cc: Tsekerides, Theodore <theodore.tsekerides@weil.com>; Mehta, Suniti N. <mehtas@sullcrom.com>; Davidoff, Amanda Flug <davidoffa@sullcrom.com>; Hwangpo, Natasha <Natasha.Hwangpo@weil.com>

Bentley, Chase <Chase.Bentley@weil.com>

Subject: RE: [EXTERNAL] Re: KServicing/Amex

Sure

From: Arthur, Candace M. <Candace.Arthur@weil.com>

Date: Thursday, Jan 05, 2023 at 5:31 PM

To: Bromley, James L. <bromleyj@sullcrom.com>

Cc: Tsekerides, Theodore <theodore.tsekerides@weil.com>, Mehta, Suniti N. <mehtas@sullcrom.com>, Davidoff, Amanda Flug <davidoffa@sullcrom.com>, Hwangpo, Natasha <Natasha.Hwangpo@weil.com>, Bentley, Chase <Chase.Bentley@weil.com>

Subject: Re: [EXTERNAL] Re: KServicing/Amex

Jim

We are in striking distance of resolving a contested matter that is scheduled for hearing tomorrow. Is it possible to reschedule our call for tomorrow?

Candace M. Arthur

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On Jan 4, 2023, at 9:38 PM, Bromley, James L. <bromleyj@sullcrom.com> wrote:

Ok

From: Arthur, Candace M. <Candace.Arthur@weil.com>

Date: Wednesday, Jan 04, 2023 at 9:32 PM

To: Bromley, James L. <bromleyj@sullcrom.com>

Cc: Tsekerides, Theodore <theodore.tsekerides@weil.com>, Mehta, Suniti N. <mehtas@sullcrom.com>, Davidoff, Amanda Flug <davidoffa@sullcrom.com>, Hwangpo, Natasha <Natasha.Hwangpo@weil.com>, Bentley, Chase <Chase.Bentley@weil.com>

Subject: Re: [EXTERNAL] Re: KServicing/Amex

Jim

Let's shoot for 6:30. We will circulate a dial-in.

Candace M. Arthur

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On Jan 4, 2023, at 11:36 AM, Bromley, James L.
<bromleyj@sullcrom.com> wrote:

Ted,
Thanks for getting back to me so quickly. I am in depositions tomorrow until 5:30. I can talk after that if it works for you.
Jim

From: Tsekerides, Theodore <theodore.tsekerides@weil.com>
Date: Wednesday, Jan 04, 2023 at 11:09 AM
To: Bromley, James L. <bromleyj@sullcrom.com>
Cc: Mehta, Suniti N. <mehtas@sullcrom.com>, Davidoff, Amanda Flug <davidoffa@sullcrom.com>, Arthur, Candace M. <Candace.Arthur@weil.com>, Hwangpo, Natasha <Natasha.Hwangpo@weil.com>, Bentley, Chase <Chase.Bentley@weil.com>
Subject: [EXTERNAL] Re: KServicing/Amex

Thanks Jim. We agree it would make a lot of sense to discuss. Would you happen to have any availability tomorrow?

Much appreciated.

Theodore E. Tsekerides
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On Jan 4, 2023, at 10:33 AM, Bromley, James L.
<bromleyj@sullcrom.com> wrote:

Ted,

Hope you enjoyed the holidays. We understand that KServicing has approached American Express about options for ongoing loan servicing following bankruptcy. It would be helpful to find a time to discuss the current status of your investigation with respect to the

bankruptcy and American Express, in order to facilitate a conversation about options for loan servicing and American Express's role. Please let us know if you have availability this week or early next week to discuss.

Best regards,

Jim

James L. Bromley

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****This is an external message from: theodore.tsekerides@weil.com**

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