UNITED STATES BANKRUPTCY COURT
DISTRICT OF DELAWARE

In re: **KABBAGE, INC. d/b/a KSERVICING**, *et al.*,[1] Debtors.	Chapter 11 Case No. 22-10951 (CTG) (Jointly Administered)

CERTIFICATION OF COUNSEL SUBMITTING PROPOSED ORDER APPROVING STIPULATION TO EXTEND PAUL PIETSCHNER'S DEADLINE TO FILE A COMPLAINT TO DETERMINE DISCHARGEABILITY OF DEBT

Undersigned counsel for Paul Pietschner ("**Pietschner**"), hereby certifies as follows:

1. Pietschner is the relator in a proceeding commenced under the False Claims Act, 31 U.S.C. Sec. 3729 et seq, which remains under seal.

2. On October 3, 2022 (the "**Petition Date**"), the debtors and debtors-in-possession, in the above-captioned, jointly administered bankruptcy cases, (collectively, the "**Debtors**"), filed their voluntary petitions for relief under chapter 11 of the title 11 of the United States Code.

3. On November 10, 2022, the meeting of creditors pursuant to 11 U.S.C. § 341 was scheduled and conducted (the "**341 Meeting**").

4. Pursuant to Federal Rule of Bankruptcy Procedure 4007(c), a party in interest may file a complaint under 11 U.S.C. § 523(c) within sixty days after the first date set for the 341 meeting.

[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) (the "Company"); 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.

5. Accordingly, the deadline by which to file a complaint under 11 U.S.C. § 523(c) is January 9, 2023, (the **"Nondischargeability Deadline"**).

6. The Debtors and Pietschner have entered into a Stipulation to Extend Paul Pietschner's Deadline to File a Complaint to Determine Dischargeability of Debt (the **"Stipulation"**),[2] a copy of which is attached as Exhibit 1 to the proposed order attached hereto as Exhibit A (the **"Proposed Order"**).

7. Pursuant to the Stipulation, the Debtors and Pietschner have agreed that the Nondischargeability Deadline for Pietschner to file a complaint to determine the dischargeability of debt under 11 U.S.C. § 523(c) shall be extended through and including the date which is twenty-one days following the entry of an order confirming any plan.

WHEREFORE, Paul Pietschner respectfully request that the Court enter the Proposed Order at its earliest convenience without further notice or a hearing.

[2] Capitalized terms used herein but not otherwise defined herein shall have the meanings ascribed to them in the Stipulation.

Dated: January 9, 2023

/s/ Robert J. Dehney
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