

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF DELAWARE**

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In re	:	Chapter 11
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KABBAGE, INC. d/b/a KSERVICING, <i>et al.</i>,	:	Case No. 22-10951 (CTG)
	:	
Debtors.¹	:	(Jointly Administered)
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**CERTIFICATION OF COUNSEL REGARDING ORDER APPROVING
STIPULATION BETWEEN THE DEBTORS AND CROSS RIVER BANK**

The undersigned hereby certifies as follows:

1. On November 29, 2022, the United States Bankruptcy Court for the District of Delaware (the “**Court**”) held a status conference (the “**Status Conference**”) in the above-captioned cases.

2. At the Status Conference, Cross River Bank (“**Cross River**”) made statements regarding the Debtors’ management of, among other things, the Synovus CRB Servicing Account.² Cross River and the above-captioned debtors and debtors in possession (collectively, the “**Debtors**” and collectively with CRB, the “**Parties**”) subsequently engaged in discussions to resolve Cross River’s issues and other related matters, and the Parties have entered

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 meaning ascribed to such term in the Stipulation (as defined herein).

into the *Stipulation Between the Debtors and Cross River Bank* (the “**Stipulation**”) reflecting such resolution.

3. A proposed form of order approving the Stipulation is attached hereto as **Exhibit A** (the “**Proposed Order**”). A copy of the Stipulation is attached as **Exhibit 1** to the Proposed Order. The Proposed Order and Stipulation have been circulated to the Office of the United States Trustee for the District of Delaware (the “**U.S. Trustee**”), and the U.S. Trustee does not object to the Stipulation and entry of the Proposed Order.

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WHEREFORE, on behalf of the Parties, the Debtors respectfully request that the Proposed Order be entered at the earliest convenience of the Court.

Dated: January 12, 2023
Wilmington, Delaware

/s/ Matthew P. Milana

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