

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF DELAWARE**

	X	
	:	Chapter 11
In re	:	
	:	Case No. 22-10951 (CTG)
KABBAGE, INC. d/b/a KSERVICING, et al.,	:	
	:	(Jointly Administered)
Debtors.¹	:	
	:	
	:	Re: Docket No. 176, 398 & 452

**CERTIFICATION OF COUNSEL REGARDING FURTHER REVISED ORDER
(I) APPROVING THE DISCLOSURE STATEMENT OF THE DEBTORS,
(II) ESTABLISHING SOLICITATION, VOTING, AND RELATED PROCEDURES,
(III) SCHEDULING CONFIRMATION HEARING, (IV) ESTABLISHING NOTICE AND
OBJECTION PROCEDURES FOR CONFIRMATION OF PLAN, (V) APPROVING
SPECIAL ELECTRONIC NOTICING PROCEDURES, (VI) APPROVING DEBTORS’
PROPOSED CURE PROCEDURES FOR UNEXPIRED LEASES AND
EXECUTORY CONTRACTS, AND (VII) GRANTING RELATED RELIEF**

PLEASE TAKE NOTICE THAT on October 31, 2022, 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 *Motion of Debtors for Entry of Order (I) Approving the Disclosure Statement of the Debtors, (II) Establishing Solicitation, Voting, and Related Procedures, (III) Scheduling Confirmation Hearing, (IV) Establishing Notice and Objection Procedures for Confirmation of Plan, (V) Approving Special Electronic Noticing Procedures, (VI) Approving Debtors’ Proposed Cure Procedures for Unexpired Leases and Executory Contracts, and (VII) Granting Related Relief* [Docket No. 176] (the “**Motion**”) with the

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.

United States Bankruptcy Court for the District of Delaware (the “**Court**”). A proposed form of order granting the relief requested in the Motion was attached to the Motion as Exhibit A (the “**Proposed Order**”).

PLEASE TAKE FURTHER NOTICE THAT on December 30, 2022, the Debtors filed a revised version of the Proposed Order under notice at Docket No. 398.

PLEASE TAKE FURTHER NOTICE THAT on January 17, 2023, the Debtors filed a further revised version of the Proposed Order (the “**Second Revised Order**”) under notice at Docket No. 452.

PLEASE TAKE FURTHER NOTICE THAT on January 19, 2023, the Court held a hearing (the “**Hearing**”) to consider, among other things, entry of the Second Revised Order. Consistent with the Court’s ruling at the Hearing, the Debtors have prepared a revised form of Proposed Order (the “**Further Revised Order**”), attached hereto as Exhibit 1. The Further Revised Order has been circulated to the Office of the United States Trustee for the District of Delaware and the Federal Reserve Bank of San Francisco, and the aforementioned parties do not object to the entry of the Further Revised Order. For the convenience of the Court and all parties in interest, a redline comparison of the Further Revised Order marked against the Second Revised Order is attached hereto as Exhibit 2.

[Remainder of page intentionally left blank]

WHEREFORE the Debtors respectfully request that the Further Revised Order be entered at the earliest convenience of the Court.

Dated: January 19, 2023
Wilmington, Delaware

/s/ Matthew P. Milana

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