

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:

KABBAGE, INC. d/b/a KSERVICING, *et al.*,Debtors.¹

Chapter 11

Case No. 22-10951 (CTG)

(Jointly Administered)

PROOF OF PUBLICATION

Attached hereto as Exhibits A is the Proof of Publication for the Notice of (I) Approval of the Disclosure Statement of the Debtors (II) Establishment of Solicitation, Voting, and Related Procedures, (III) Scheduling Confirmation Hearing, (IV) Establishing Notice and Objection Procedures for Confirmation of Plan, (V) Approval of Special Electronic Noticing Procedures, (VI) Approval of Debtors' Proposed Cure Procedures for Unexpired Leases and Executory Contracts, and (VII) Granting Related Relief [Docket No. 471] from the following:

Publication	Publication Date	Exhibit
USA Today	January 27, 2023	A

/s/ Randy Lowry

Randy Lowry

Omni Agent Solutions

5955 DeSoto Avenue, Suite 100

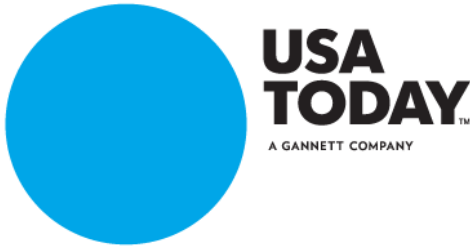
Woodland Hills, California 91367

(818) 906-8300

Claims, Noticing, and Administrative Agent for the Debtor

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.

EXHIBIT A



VERIFICATION OF PUBLICATION

COMMONWEALTH OF VIRGINIA
COUNTY OF FAIRFAX

Being duly sworn, Vanessa Salvo says that she is the principal clerk of USA TODAY, and is duly authorized by USA TODAY to make this affidavit, and is fully acquainted with the facts stated herein: on **Friday, January 27, 2023**, the following legal advertisement – **KABBAGE, INC.** was published in the national edition of USA TODAY.

Vanessa Salvo

Principal Clerk of USA TODAY
January 27, 2023

SPORTS

FOR THE RECORD

All times ET

NBA

EASTERN CONFERENCE

Atlantic Division	W	L	Pct	GB
Boston	35	14	.714	—
Philadelphia	31	16	.660	3
Brooklyn	29	18	.617	5
New York	26	23	.531	9
Toronto	22	27	.449	13

Southeast Division

	W	L	Pct	GB
Miami	27	22	.551	—
Atlanta	25	24	.510	2
Washington	22	26	.458	4½
Orlando	19	29	.396	7½
Charlotte	13	36	.265	14

Central Division

	W	L	Pct	GB
Milwaukee	31	17	.646	—
Cleveland	29	20	.592	2½
Indiana	24	26	.480	8
Chicago	22	25	.468	8½
Detroit	12	37	.245	19½

WESTERN CONFERENCE

Southwest Division

	W	L	Pct	GB
Memphis	31	17	.646	—
New Orleans	26	23	.531	5½
Dallas	25	24	.510	6½
San Antonio	14	34	.292	17
Houston	11	37	.229	20

Northwest Division

	W	L	Pct	GB
Denver	34	15	.694	—
Minnesota	25	25	.500	9½
Utah	25	26	.490	10
Oklahoma City	23	25	.479	10½
Portland	23	25	.479	10½

Pacific Division

	W	L	Pct	GB
Sacramento	27	20	.574	—
L.A. Clippers	26	24	.520	2½
Phoenix	25	24	.510	3
Golden State	24	24	.500	3½
L.A. Lakers	23	26	.469	5

Wednesday's Games

Orlando 126, Indiana 120
Philadelphia 137, Brooklyn 133
Atlanta 137, Oklahoma City 132
Milwaukee 107, Denver 99
Washington 108, Houston 103
Minnesota 111, New Orleans 102
Toronto 113, Sacramento 95
Portland 134, Utah 124
L.A. Lakers 113, San Antonio 104
Golden State 122, Memphis 120
Thursday's Games
Chicago at Charlotte
Detroit at Brooklyn
New York at Houston
Cleveland at Boston
Dallas at Phoenix
San Antonio at L.A. Clippers

Friday's Games

Milwaukee at Indiana, 7 p.m.
Memphis at Minnesota, 7:30 p.m.
Cleveland at Oklahoma City, 8 p.m.
Orlando at Miami, 8 p.m.
Toronto at Golden State, 10 p.m.
Saturday's Games
Denver at Philadelphia, 3 p.m.
New York at Brooklyn, 5:30 p.m.
Chicago at Orlando, 7 p.m.
Houston at Detroit, 7 p.m.
L.A. Clippers at Atlanta, 7:30 p.m.
Phoenix at San Antonio, 8 p.m.
Washington at New Orleans, 8 p.m.
L.A. Lakers at Boston, 8:30 p.m.
Dallas at Utah, 9 p.m.
Toronto at Portland, 10 p.m.
Sunday's Games
Miami at Charlotte, 1 p.m.
Indiana at Memphis, 6 p.m.
L.A. Clippers at Cleveland, 7 p.m.
New Orleans at Milwaukee, 8 p.m.

NFL

Divisional Playoffs

Saturday, Jan. 21
Kansas City 27, Jacksonville 20
Philadelphia 38, N.Y. Giants 7

Sunday, Jan. 22

Cincinnati 27, Buffalo 10
San Francisco 19, Dallas 12
Conference Championships
Sunday's Games
Cincinnati at Kansas City, 6:30 p.m. (CBS)
NFC
San Francisco at Philadelphia, 3 p.m. (FOX)

NHL

EASTERN CONFERENCE

Atlantic Division

	GP	W	L	OT	Pts	GF	GA
Boston	47	38	5	4	80	181	98
Toronto	49	30	11	8	68	166	129
Tampa Bay	46	30	1	1	61	167	133
Buffalo	47	25	19	3	53	180	160
Florida	50	23	21	6	52	171	176
Detroit	46	20	18	8	48	141	155
Ottawa	47	21	23	3	45	135	153
Montreal	48	20	25	3	43	127	175

Metropolitan Division

	GP	W	L	OT	Pts	GF	GA
Carolina	47	30	9	8	68	164	123
New Jersey	47	31	12	4	66	164	123
N.Y. Rangers	48	26	14	8	60	153	128
Pittsburgh	47	24	15	8	56	155	144
Washington	50	25	19	6	56	158	142
N.Y. Islanders	50	23	22	5	51	144	143
Philadelphia	49	20	21	8	48	136	159
Columbus	48	15	30	3	33	125	186

WESTERN CONFERENCE

Central Division

	GP	W	L	OT	Pts	GF	GA
Dallas	50	28	13	9	65	171	130
Winnipeg	49	31	17	1	63	161	128
Colorado	46	26	17	3	55	144	126
Minnesota	46	25	17	4	54	145	134
Nashville	47	23	18	6	52	131	137
St. Louis	48	23	22	3	49	152	172
Arizona	48	15	28	5	35	125	175
Chicago	46	14	28	4	32	110	168

Pacific Division

	GP	W	L	OT	Pts	GF	GA
Seattle	47	28	14	5	61	172	145
Vegas	49	29	17	3	61	158	142
Los Angeles	50	27	17	6	60	163	170
Edmonton	49	27	18	4	58	180	160
Calgary	48	23	16	9	55	154	146
Vancouver	49	26	18	5	41	161	154
San Jose	49	14	25	10	38	147	187
Anaheim	48	14	29	5	33	118	201

NOTE: Two points for a win, one point for overtime loss. Top three teams in each division and two wild cards per conference advance to playoffs.

Wednesday's Games

Toronto 3, N.Y. Rangers 2, OT
Ottawa 2, N.Y. Islanders 1
Carolina 3, Dallas 2, OT
Columbus 3, Edmonton 2, OT
Seattle 6, Vancouver 1

Thursday's Games

Boston at Tampa Bay
Detroit at Montreal
Pittsburgh at Washington
Buffalo at Winnipeg
New Jersey at Nashville
Philadelphia at Minnesota
Anaheim at Colorado
Chicago at Calgary
St. Louis at Arizona

Friday's Games

Detroit at N.Y. Islanders, 7 p.m.
Los Angeles at Florida, 7 p.m.
Ottawa at Toronto, 7 p.m.
San Jose at Carolina, 7 p.m.
Vegas at N.Y. Rangers, 7 p.m.
New Jersey at Dallas, 8:30 p.m.
Calgary at Seattle, 10 p.m.
Columbus at Vancouver, 10 p.m.

Saturday's Games

St. Louis at Colorado, 3 p.m.
Boston at Florida, 6 p.m.
Los Angeles at Tampa Bay, 7 p.m.
Montreal at Ottawa, 7 p.m.
Philadelphia at Winnipeg, 7 p.m.
San Jose at Pittsburgh, 7 p.m.
Vegas at N.Y. Islanders, 7:30 p.m.
Buffalo at Minnesota, 9 p.m.

Chicago at Edmonton, 10 p.m.
Columbus at Seattle, 10 p.m.
Arizona at Anaheim, 10:30 p.m.
Sunday's Games
Boston at Carolina, 5 p.m.
Washington at Toronto, 5 p.m.

SOCCER

English Premier League

	GP	W	D	L	GF	GA	Pts
Arsenal	19	16	2	1	45	16	50
Newcastle	20	14	3	3	53	20	45
Manchester City	19	9	1	3	33	10	39
Man United	20	12	3	5	32	25	39
Tottenham	21	11	3	6	40	31	36
Brighton	19	9	4	7	37	27	31
Fulham	21	9	4	8	32	30	31
Brentford	20	7	9	4	32	28	30
Liverpool	19	8	9	1	34	25	29
Chelsea	20	8	5	7	22	21	29
Aston Villa	20	8	4	8	23	28	28
Crystal Palace	20	6	6	8	18	27	24
Nottingham For.	20	5	6	9	16	35	21
Leicester	20	5	3	12	28	35	18
Leeds	19	4	6	9	26	33	18
West Ham	20	3	11	6	24	35	18
Wolverhampton	20	4	5	11	12	30	17
Bournemouth	20	4	5	11	19	42	17
Everton	20	3	6	11	15	28	15
Southampton	20	4	3	13	17	35	15

Friday, Feb. 3

Chelsea vs. Fulham, 3 p.m.

Saturday, Feb. 4

Everton vs. Arsenal, 12:30 a.m.
Aston Villa vs. Leicester, 10 a.m.
Brentford vs. Southampton, 10 a.m.
Brighton vs. Bournemouth, 10 a.m.
Wolverhampton vs. Liverpool, 10 a.m.
Man United vs. Crystal Palace, 10 a.m.
Newcastle vs. West Ham, 12:30 p.m.

DEALS

BASEBALL

Major League Baseball

American League

BALTIMORE ORIOLES – Agreed to terms with RHP Austin Voth on a one-year contract.
HOUSTON ASTROS – Named Dana Brown general manager.

SEATTLE MARINERS – Named Zach Vinjoe manager, Jake Witt pitching coach, Hecmat Nieves third base/catching coach and Seth Mejias-Brean hitting coach for Modesto (CAL).

FOOTBALL

National Football League

NEW ENGLAND PATRIOTS – Named Bill O'Brien offensive coordinator/quarterback coach.

HOCKEY

National Hockey League

CALGARY FLAMES – Recalled D Dennis Gilbert from Calgary (AHL).
COLORADO AVALANCHE – Activated C Denis Majum from injured reserve.

NASHVILLE PREDATORS – Recalled D Kevin Gravel from Milwaukee (AHL).
OTTAWA SENATORS – Recalled G Kevin Mandolese from Belleville (AHL).

NOTICES

LEGAL NOTICE

UNITED STATES BANKRUPTCY COURT, DISTRICT OF DELAWARE
In re: **KABBAGE, INC. d/b/a "KSERVING"**, Chapter 11
Debtor.¹ Case No. 22-10951 (CTG)

Obj. Deadline: Feb. 21, 2023 at 4:00 p.m. (ET)
Hearing Date: Mar. 13, 2023 at 10:00 a.m. (ET)

NOTICE OF (I) APPROVAL OF THE DISCLOSURE STATEMENT OF THE DEBTORS' (II) ESTABLISHMENT OF SCHEDULING CONFIRMATION HEARING, (III) SCHEDULING CONFIRMATION HEARING, (IV) ESTABLISHING NOTICE AND OBJECTION PROCEDURES FOR CONFIRMATION OF PLAN, (V) APPROVAL OF SPECIAL ELECTRONIC NOTICING PROCEDURES (VI) APPROVAL OF DEBTORS' PROPOSED CURE PROCEDURES FOR UNEXPIRED LEASES AND EXERCISE CONTRACTS, AND (VII) GRANTING RELIEF PLEASE TAKE NOTICE THAT:

1. **Approval of Disclosure Statement.** On January 19, 2023, the United States Bankruptcy Court for the District of Delaware (the "Bankruptcy Court") held a hearing (the "Disclosure Statement Hearing") at which it approved the Amended Disclosure Statement for the Amended Joint Chapter 11 Plan of Liquidation of Kabbage, Inc. d/b/a KSERVING, and its Debtors (collectively, the "Debtors"), and thereafter entered an order (DLJ 470) (the "Order") with respect thereto. The Order, among other things, authorizes the Debtors to solicit votes to accept or reject the Amended Joint Chapter 11 Plan of Liquidation of Kabbage, Inc. d/b/a KSERVING, and its Debtors (collectively, the "Debtors"), and thereafter entered an order (DLJ 466) (as may be amended, modified, or supplemented, the "Plan").

2. **Confirmation Hearing.** A hearing to consider confirmation of the Plan (the "Confirmation Hearing") has been scheduled before the Honorable Craig J. Goldblatt, United States Bankruptcy Judge in the United States Bankruptcy Court for the District of Delaware, 824 North Market Street, Third Floor, Wilmington, Delaware 19801, on **March 13, 2023 at 10:00 a.m. (Prevailing Eastern Time)**. The Confirmation Hearing may be adjourned or continued from time to time by the Bankruptcy Court or the Debtors without further notice other than adjustments announced in open court or as indicated in any notice of agenda of matters scheduled for hearing filed by the Debtors with the Bankruptcy Court.

3. **Voting Record Date.** The following holders of Claims against the Debtors as of **January 19, 2023 (the "Voting Record Date")** in the Classes listed in the table below are entitled to vote on the Plan:

Class	Description
Class 3	Reserve Bank Claims
Class 4	General Unsecured Claims

4. **Voting Deadline.** All votes to accept or reject the Plan must be **actually received** by the Debtors' voting agent, Omni Agent Solutions ("Omni"), by no later than **February 21, 2023 at 5:00 p.m. (Prevailing Eastern Time)** (the "Voting Deadline"). Any failure to follow the voting instructions included with your Ballot may disqualify your Ballot and your vote.

5. **Parties in Interest Not Entitled to Vote.** Class 1 (Priority Non-Tax Claims), Class 2 (Other Secured Claims), and Class 6 (Intercompany Interests) (if so treated) are holders of unimpaired claims or interests and are deemed to accept the Plan. Class 5 (Intercompany Claims), Class 6 (Intercompany Interests) (if so treated), Class 7 (Subordinated Secured Claims), and Class 8 (KSERVING Equity Interests) are holders of impaired claims or interests and are deemed to reject the Plan. Holders in such claims and interests are not entitled to vote on the Plan, and will not receive a Ballot. In accordance with section 1123(a)(1) of the Bankruptcy Code, Administrative Expense Claims, Fee Claims, and Priority Tax Claims, have not been classified and, therefore, holders of such Claims are not entitled to vote and will not receive a Ballot.

6. **Temporary Allowance of Claim for Voting.** If you disagree with the amount set forth by the Debtors for your Claim in the Schedules, or if you have filed a proof of claim and disagree with either (i) the Debtors' objection to your Claim and believe that you should be entitled to vote on the Plan, or (ii) the Debtors' classification or request for estimation of your Claim and believe that you should be entitled to vote on the Plan in a different amount or Class, you must, by email, on the Objection Notice Parties Identified in paragraph 8 below and file with the Bankruptcy Court a motion (a "Rule 3018(a) Motion") for an order pursuant to Rule 3018(a) of the Federal Rules of Bankruptcy Procedure (the "Bankruptcy Rules") requesting temporary allowance of your Claim in a different amount or in a different Class for purposes of voting to accept or reject the Plan. All Rule 3018(a) Motions must be filed on or before February 21, 2023 at 4:00 p.m. (Prevailing Eastern Time). Rule 3018(a) Motions that are not timely filed and served in the manner set forth above shall not be considered. Holders of Claims or Interests may request Omni by (i) visiting Omni's website for these Chapter 11 Cases at www.omniagentsolutions.com/KSERVING (i) writing to Kabbage, Inc. d/b/a KSERVING, Attn: c/o Omni Agent Solutions, Solicitation Team, 5955 De Soto Ave., Suite 100, Woodland Hills, CA 91367, (ii) by email at kservinginquiries@omniagent.com, or (iv) by telephone at 866-956-2138 (U.S. & Canada toll free) or 747-226-5953 (international) to receive an appropriate Ballot for any Claim for which a proof of claim has been timely filed and a Rule 3018(a) Motion has been granted. Any objection to a Rule 3018(a) Motion must be filed by **February 28, 2023**. Any Rule 3018(a) Motion and related objections should be considered by the Bankruptcy Court at the Confirmation Hearing.

7. **Objections to Confirmation.** The deadline to object or respond to confirmation of the Plan is **February 21, 2023 at 4:00 p.m. (Prevailing Eastern Time)** (the "Plan Objection Deadline"). Objections and responses, if any, to confirmation of the Plan, must: (i) be in writing; (ii) conform to the Bankruptcy Rules and the Local Rules; (iii) set forth the name of the objecting party and the nature and amount of Claims or Interests held or asserted by the objecting party against the Debtors' estates or property; (iv) provide the basis for the objection and the specific grounds therefor; and (v) be filed with the Bankruptcy Court.

8. In addition, any objections or responses must also be served by email so that they are **actually received** by the following Objection Notice Parties no later than the Plan Objection Deadline: (a) the Debtors, Kabbage, Inc. d/b/a KSERVING, 5955 Peachtree Street NE, Suite 383, Atlanta, GA 30309, Attn: Holly Loiseau, General Counsel (holoiseau@kserving.com); (b) Counsel to Debtors, (i) Weil, Gotshal & Manges LLP, Attn: Ray C. Schrock (ray.schrock@weil.com), Candace M. Arthur (candace.arthur@weil.com), Natasha Hwang (natasha.hwang@weil.com), and Chase Bentley (chase.bentley@weil.com) and (ii) Richards, Layton & Finger, P.A. Attn: Daniel J. DeFranceschi (ddefranceschi@rlf.com), Amanda R. Steele (asteel@rlf.com), and Zachary I. Shapiro (zshapiro@rlf.com); (c) the Office of the United States Trustee for the District of Delaware, 844 King Street, Suite 2207, Wilmington, DE 19801, Attn: Richard Scheepacher (richard.scheepacher@usdoj.gov) and Rosa Sierra-Fox (rosa.sierra-fox@usdoj.gov); and (d) counsel to any official committee appointed in these Chapter 11 Cases.

9. IF ANY OBJECTION TO CONFIRMATION OF THE PLAN IS NOT FILED AND SERVED STRICTLY AS PRESCRIBED HEREIN, THE OBJECTING

PARTY MAY BE BARRED FROM OBJECTING TO CONFIRMATION OF THE PLAN AND MAY NOT BE HEARD AT THE CONFIRMATION HEARING.

10. **Additional Information.** Any party in interest wishing to obtain a copy of the Disclosure Statement and the Plan should contact Omni Agent Solutions, the Debtors' solicitation agent, (i) in writing at Kabbage, Inc. d/b/a KSERVING, Attn: c/o Omni Agent Solutions, Solicitation Team, 5955 De Soto Ave., Suite 100, Woodland Hills, CA 91367, (ii) by email at kservinginquiries@omniagent.com, or (iii) by telephone at 866-956-2138 (U.S. & Canada toll free) or 747-226-5953 (international). Interested parties may also review the Disclosure Statement and the Plan free of charge at www.omniagentsolutions.com/KSERVING. In addition, the Disclosure Statement and Plan are on file with the Bankruptcy Court and may be reviewed for a fee by accessing the Bankruptcy Court's website: www.debucourt.us. gov. Note that a PACER password and login are needed to access documents on the Bankruptcy Court's website. A PACER password can be obtained at www.pacer.psc.uscourts.gov.

Notice Regarding Certain Release, Exculpation, and Indemnification Provisions in Plan

11. Please be advised that Article X of the Plan contains certain release, exculpation, and injunction provisions, including those set forth below. **YOU ARE ADVISED TO CAREFULLY REVIEW AND CONSIDER THE PLAN, INCLUDING THE INJUNCTION, RELEASE, AND EXCULPATION PROVISIONS, AS YOUR RIGHTS MAY BE AFFECTED.**

(a) Upon entry of the Confirmation Order, all holders of Claims and Interests and other parties in interest, along with their respective present or former employees, agents, officers, directors, principals, and affiliates, shall be enjoined from taking any actions to interfere with the implementation or consummation of the Plan in relation to any Claim extinguished, discharged, or otherwise resolved under the Plan.

(b) As expressly provided in the Plan, the Definitive Documents, the Confirmation Order, or a separate order of the Bankruptcy Court or as agreed to by the Debtors and a holder of a Claim against or Interest in the Debtors, all Entities who have held, hold, or may hold Claims against or Interests in the Debtors (whether proof of such Claims or Interests has been filed or not) and whether or not such Entities vote in favor of, against, or abstain from voting on the Plan or are presumed to have accepted or deemed to have rejected the Plan and other parties in interest, along with their respective present or former employees, agents, officers, directors, principals, and affiliates are permanently enjoined, on and after the Effective Date, solely with respect to any Claims, Interests, and Causes of Action that will be treated by the Plan (including, but not limited to, any Claims, Interests, and Causes of Action that are asserted or may be asserted by the Debtors, the Wind Down Estates, or the Wind Down Officer, as applicable; (ii) enforcing, levying, attaching (including, without limitation, any pre-judgment attachment), collecting, or otherwise recovering by any manner or means, whether directly or indirectly, any judgment, award, decree, or order against the Debtors, the Wind Down Estates, or the Wind Down Officer, as applicable; (iii) creating, perfecting, or otherwise enforcing in any