

**ONTARIO
SUPERIOR COURT OF JUSTICE
(COMMERCIAL LIST)**

**IN THE MATTER OF THE *COMPANIES' CREDITORS ARRANGEMENT ACT*, R.S.C.
1985, c. C-36, AS AMENDED**

**AND IN THE MATTER OF A PLAN OF COMPROMISE OR ARRANGEMENT OF
1001270243 ONTARIO INC.**

**AIDE-MÉMOIRE OF RICHARD GOLDGLASS AND OTHER
TERMINATED EMPLOYEES OF SYNAPTIVE MEDICAL INC.**

(Requesting the scheduling of a hearing date; Case Conference on March 2, 2025)

1. Richard Goldglass and other terminated employees (the "**Terminated Employees**") request the Court to schedule a hearing date in April 2026 for the motion filed by the company on June 18, 2025 for a declaration that the Wage Earner Protection Program ("**WEPP**") applies to this proceeding and related relief (the "**WEPP Motion**"), and not adjourn it for a third time.
2. The parties' motion materials and factums have been filed.
3. The context for the WEPP Motion stems from WEPP not being automatically available in a CCAA proceeding, in contrast to a bankruptcy or receivership. Under sections 5(1)(b)(iv) and 5(5) of the *Wage Earner Protection Program Act*, S.C. 2005, c. 47, s. 1, employees only become eligible for a WEPP payment in a CCAA proceeding after a court orders that WEPP applies. Hence the need for the order sought in the WEPP Motion.
4. The company, Monitor and the Terminated Employees all support the relief requested in the WEPP Motion.

5. At the Case Conference on November 7, 2025, the scheduling of the WEPP Motion was adjourned on consent at the request of the Attorney General to await the decision of the Quebec Court of Appeal in *Re Valeo Pharma Inc.* 2025 QCCA 483 ("**Valeo**"). The *Valeo* appeal hearing was on September 30, 2025, and is under reserve.

6. At the second Case Conference on December 15, 2025, the scheduling of the WEPP Motion was again adjourned to continue to await the decision in *Valeo*.

7. Generally, court decisions are released within a six-month period following a hearing. Accordingly, *Valeo* is expected to be released imminently around the end of March 2026. Given that proximity, the date for the WEPP Motion should be scheduled now.

8. If *Valeo* is released prior to or after the WEPP Motion hearing date, the parties can file a supplementary factum to address the decision.

On-going prejudice to the Terminated Employees without payment of WEPP

9. Synaptive applied for protection from its creditors under the CCAA on March 19, 2025. Richter Inc. was appointed the Monitor. Beginning on March 14, 2025, Synaptive terminated the employment of 48 employees without paying wages for work performed, pay in lieu of notice of termination, vacation pay, and other amounts (collectively, the "**Employee Amounts**").

10. In March 2025, the Monitor notified the Terminated Employees of the WEPP program and of the potential for them to receive a WEPP payment of up to \$8,844.22 towards their unpaid Employee Amounts. Synaptive proceeded to restructure via a reverse vesting order transaction that was approved by the court on June 18, 2025. Synaptive is continuing to operate, albeit with a

substantially reduced workforce. There are no distributions expected to unsecured creditors such as the Terminated Employees.

11. The Terminated Employees have been enduring stress and financial hardships due to the loss of their jobs, compounded by the non-payment of their unpaid claims for Employee Amounts and the non-payment of WEPP.

12. The balance of convenience supports setting a hearing date. There is no prejudice to any other party by setting a date, while there is on-going prejudice to the Terminated Employees by another delay in the resolution of the WEPP Motion.

13. Practicality also suggests that the WEPP Motion should be scheduled for a date in April when a hearing date is likely available. Delaying the scheduling of the WEPP Motion hearing until after the ruling in *Valeo* is released will result in the hearing being delayed further to late May or June 2026. The continued delay for the Terminated Employees is unreasonable in the circumstances.

March 1, 2026

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Proceeding commenced at **TORONTO**

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