



ONTARIO SUPERIOR COURT OF JUSTICE
(COMMERCIAL LIST)

COUNSEL/ENDORSEMENT SLIP

COURT FILE NO.: CV-25-00739279-00CL

DATE: MAY 5, 2026

NO. ON LIST: 1

TITLE OF PROCEEDING: 1001270243 ONTARIO INC. v. BDC CAPITAL INC. et al.

BEFORE: JUSTICE J. DIETRICH

PARTICIPANT INFORMATION

For Plaintiff, Applicant, Moving Party:

Name of Person Appearing	Name of Party	Contact Info
Michael Noel	Synaptive Medical Inc (former applicant)	mnoel@torys.com
Adam Slavens		aslavens@torys.com

For Defendant, Respondent, Responding Party:

Name of Person Appearing	Name of Party	Contact Info
Emily Atkinson	Attorney General of Canada	emily.Atkinson@justice.gc.ca
Walter Kravchuk		walter.kravchuk@justice.gc.ca
Andrew Hatnay	Richard Goldglass and Terminated Employees Of Synaptive Medical Inc.	ahatnay@kmlaw.ca
Abir Shamim		ashamim@kmlaw.ca
Robert Drake		rdrake@kmlaw.ca

For Other, Self-Represented:

Name of Person Appearing	Name of Party	Contact Info
Stephen Brown-Okruhlik	Monitor	stephen.brown-okruhlik@mcmillan.ca

ENDORSEMENT OF JUSTICE J. DIETRICH:

- [1] A motion in respect of entitlement under the Wage Earner Protection Program Act was scheduled to be heard today (the "**WEPP Motion**"). The history of that motion involved a reverse vesting order made in these proceedings involving Synaptive Medical Inc. ("**Synaptive**"). Synaptive had previously emerged from these CCAA Proceedings as part of the transaction approved by that order.
- [2] However, on April 28, 2026, I granted an order appointing Richter Inc. as receiver of the assets of Synaptive. During the hearing for that receivership order, counsel to certain of Synaptive's former employees (the "**Former Employees**"), indicated their position was that the receivership order created new legal issues and/or materially affects the existing legal issues in the WEPP Motion. The Attorney General of Canada, counsel to Employment and Social Development Canada, indicated its intention to respond to any such new and/or affected legal issues.
- [3] The parties have now agreed on the following schedule:
- (a) Supplemental Record and factum of Synaptive and or the Former Employees, if any to be delivered on or before May 15, 2026;
 - (b) Responding Supplemental Record and factum of Attorney General, if any, to be delivered on or before May 27, 2026;
 - (c) Reply factum of Synaptive and or the Fromer Employees, if any, to be delivered on or before June 2, 2026;
 - (d) Settlement Conference (to take place outside of Court) by no later than June 8, 2026; and
 - (e) **Hearing, one full day June 10, 2026.**
- [4] All material is to be uploaded to case center no later than end of day June 8, 2026, including an aide memoire with an update on the status of settlement discussions.

Date: May 05, 2026



Justice J. Dietrich