

**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.**

**THIRD SUPPLEMENTARY RESPONDING MOTION RECORD  
OF RICHARD GOLDGLASS AND OTHER TERMINATED EMPLOYEES**

(Motion for WEPP Relief, returnable June 10, 2026)

June 2, 2026

**KOSKIE MINSKY LLP**  
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terminated employees of Synaptive Medical Inc.

**TO: THE SERVICE LIST**

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Court File No.: CV-25-00739279-00CL

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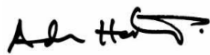
**AND IN THE MATTER OF A PLAN OF COMPROMISE OR ARRANGEMENT OF  
1001270243 ONTARIO INC.**

**AFFIDAVIT OF ABIR SHAMIM  
(sworn June 2, 2026)**

I, Abir Shamim, of the City of Mississauga, in the Province of Ontario, **MAKE OATH AND SAY:**

1. I am an associate with the law firm, Koskie Minsky LLP, lawyers for Richard Goldglass and other terminated employees of Synaptive Medical Inc.
2. Attached hereto and marked as **Exhibit "A"** is a copy of the Government of Canada's webpage for Wage Earner Protection Program Eligibility.<sup>1</sup>

**SWORN REMOTELY** by Abir Shamim of the City of Mississauga, in the Province of Ontario, before me in the City of Toronto, in the Province of Ontario, on June 2, 2026, in accordance with O. Reg. 431/20, Administering Oath or Declaration Remotely.



\_\_\_\_\_  
A Commissioner for Taking Affidavits, etc.

Andrew J. Hatnay  
LSO# 31885W

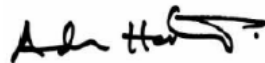


\_\_\_\_\_  
**ABIR SHAMIM**

<sup>1</sup> Employment and Social Development Canada, "Wage Earner Protection Program for an employee: Eligibility" (modified 13 August 2025), online: <https://www.canada.ca/en/employment-social-development/services/wage-earner-protection/employee/eligibility.html>

This is **Exhibit "A"**

referred to in the Affidavit of Abir Shamim  
sworn before me this 2nd day of June, 2026.



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A COMMISSIONER FOR TAKING AFFIDAVITS, ETC.

Andrew J. Hatnay  
LSO# 31885W



[Canada.ca](#) › [Employment and Social Development Canada](#)

› [About the Wage Earner Protection Program \(WEPP\)](#)

# Wage Earner Protection Program for an employee: Eligibility

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[3. How much you could receive](#)

[4. What you need before you apply](#)

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## 2. Eligibility

You may be eligible if you meet all of the following:

- your employment has ended
- your former employer has filed for bankruptcy, is subject to a receivership, or other WEPP qualifying insolvency proceedings. Other WEPP qualifying insolvency proceedings, as of November 20th, 2021, are as follows:
  - proposals under the *Bankruptcy & Insolvency Act* (BIA) (Division 1 Part III). Note: this also includes a Notice of Intention (NOI) to file a proposal under the BIA (Division 1 Part III)
  - certain *Companies' Creditors Arrangement Act* (CCAA) proceedings
  - certain foreign proceedings
    - for these other proceedings, the former employer must have terminated all of its employees, in Canada, other than any retained to wind down its business operations. The trustee/receiver appointed may be required to provide Court documents in order to validate these proceedings
- you are owed wages, vacation pay, termination pay or severance pay from the former employer
- amounts owed were earned during the eligibility period or, in the case of termination pay or severance pay, your employment was terminated either during the eligibility period or prior to the discharge of the trustee/receiver

You are **not eligible** if, during the period for which you are owed eligible wages, you:

- were an officer or a director of the former employer
- had a controlling interest in the business of the former employer
- were a manager whose responsibilities included:

- making binding financial decisions impacting the business of your former employer, and/or
- making binding decisions on the payment or non-payment of wages by your former employer
- were not dealing at arm's length with any of these persons

**Note:** if your employer has not filed for bankruptcy, or is not subject to a receivership, or other WEPP qualifying insolvency proceeding, you are **not eligible** for the WEPP. However, if your employer later becomes bankrupt, subject to receivership, or another WEPP qualifying insolvency proceeding under the *Bankruptcy and Insolvency Act*, **you may be eligible** for the WEPP.

## Types of eligible wages

The following amounts are considered eligible wages under the WEPP:

- wages (salaries, commissions, compensation for services rendered, gratuities accounted for by the former employer, production bonuses and shift premiums) that were earned during the eligibility period
- disbursements of a travelling salesperson properly incurred in and about the business of the former employer earned during the eligibility period
- vacation pay earned during the eligibility period
- amounts owed were earned during the eligibility period or, in the case of termination pay or severance pay, your employment was terminated either during the eligibility period or prior to the discharge of the trustee/receiver

## Eligibility period

The wages, other than termination pay and severance pay, owed to you must have been earned during the eligibility period. The WEPP eligibility period is the 6-month period before the bankruptcy or receivership, or other qualifying insolvency proceedings.

## WEPP qualifying restructuring proceedings

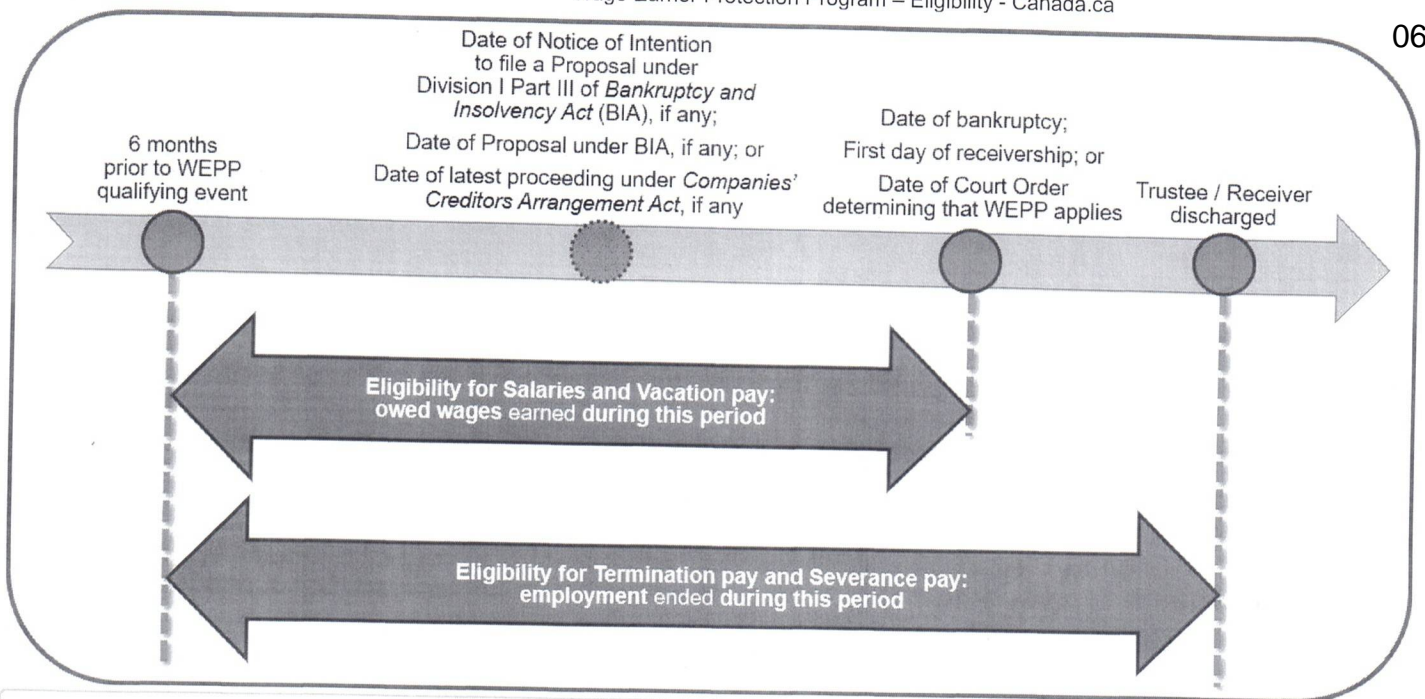
WEPP qualifying restructuring events are:

- Notice of Intention (NOI) to make a proposal under Division I Part III of the BIA, and/or
- a proposal under Division I of Part III of the BIA, and/or
- proceedings under the CCAA

If your former employer has attempted a business restructuring as defined in the *WEPP Act*, the eligibility period would be:

- the period starting 6 months before the first restructuring proceeding, and
- ending on the date of the bankruptcy, receivership, or date the court determined that all former employees in Canada had been terminated, other than any retained to wind down its business operations

## Timeline of the WEPP eligibility



► Text description

## Continued to work for the trustee/receiver after the date of the bankruptcy, receivership, or date the court determined that all former employees in Canada had been terminated, other than any retained to wind down its business operations

Employees sometimes continue to work after the date of bankruptcy or receivership, or the date the court determined that all former employees in Canada had been terminated, other than any retained to wind down its business operations. These individuals only become eligible for WEPP once their employment ends.

# Qualifying for the WEPP if you are related to your employer

You may still qualify for a WEPP payment if you are related to your employer. Your application will be assessed to determine whether or not, despite your relationship to your employer, you were treated the same as other employees.

For WEPP enquiries, call the WEPP information line at 1-866-683-6516 (TTY: 1-800-926-9105) or visit a [Service Canada Centre](#).

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**From:**

- **[Employment and Social Development Canada](#)**

Date modified: 2025-08-13

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