
From: Conway, Madam Justice Barbara (SCJ) [REDACTED]
Sent: Thursday, August 13, 2020 12:31 PM
To: D.J. Miller; Maria Konyukhova; Nicholas Avis; Latham, Joe; maya@chaitons.com; 'Brian.M.Denega@ca.ey.com'; Matt Kaplan; Andrew Hanrahan
Cc: JUS-G-MAG-CSD-Toronto-SCJ Commercial List
Subject: RE: Peraso Technologies Inc. CV-20-00642010-00CL (Draft Endorsement)
Attachments: Endorsement August 13 2020.pdf; Peraso - Counsel Slip (August 13, 2020).doc
Importance: High

My signed endorsement is attached. I have used the form of endorsement provided by counsel for the Monitor, which was acceptable to me. I have added some additional wording to the sealing provision in bold, given the COVID-19 situation.

The Applicant wishes to return to court on Monday August 17th to update the court on the progress of this matter over the next few days and how that might affect future dates and scheduling. I have set aside **15 minutes at 10 a.m. on August 17, 2020 before me for that update.** If it turns out that date is not required, counsel shall email me directly (with a copy to the CL office) to so advise.

A handwritten signature in blue ink, appearing to read "Conway J.", with a stylized flourish at the end.

Superior Court of Justice (Toronto)

ENDORSEMENT

COURT FILE NO.: CV-20-00642010-00CL

DATE: August 13, 2020

**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
PERASO TECHNOLOGIES INC.**

A motion was brought by the Applicants and returnable before me by Zoom videoconference call on August 13, 2020. Counsel in attendance as per the attached Counsel Slip.

1. I am satisfied that notice of the relief sought by the Applicant in its Notice of Motion has been given to all affected parties. The Order will issue in the form of the amended Order requested by the Applicant.
2. The Applicant requests an extension of the stay period referred to in the Amended and Restated Initial Order until and including August 28, 2020. The Applicant's request is unopposed and is supported by the Monitor. I am satisfied that the requested extension is reasonable and appropriate and the Applicant's request is granted.
3. The Applicant is seeking to seal certain portions of the Affidavit of Ron Glibbery affirmed August 10, 2020 (the "**August 10 Glibbery Affidavit**") and the exhibits attached thereto, and certain portions of the Third Report of the Monitor dated August 11, 2020 (collectively, the "**Confidential Documents**") on the basis that they contain commercially sensitive information. The Applicant's request is unopposed and supported by the Monitor. Having heard the submissions of all parties, I am satisfied that, given the Applicant's ongoing efforts to secure additional financing and the litigation between Peraso and Ubiquiti, the test set out in *Sierra Club* has been met.
4. The Confidential Documents contain commercially sensitive information and are to be sealed, kept confidential and not form part of the public record. They are to be placed separate and apart from all other contents of the court file, in a sealed envelope attached to a notice that sets out the title of these proceedings and a statement that the contents are subject to a sealing order and shall only be opened upon further order of this Court. **On the resumption of regular court operations, it will be the responsibility of counsel for the Monitor to ensure that the subject materials are properly identified and protected under seal in the court file.**
5. Ubiquiti did not oppose the relief sought by the Applicant but reserves all of its rights in connection with any future motions brought by the Applicant, in respect of its litigation with the Applicant and this CCAA proceeding, including the right to cross-examine Ronald

Glibbery on his affidavits filed in this proceeding. Peraso reserves its right to cross-examine Todd Cramer on his Affidavit of June 30, 2020.

6. The Court remains available to address any issues that arise in accordance with the notice provisions of the Initial Order, as amended.

A handwritten signature in blue ink, appearing to read "Conway, J.", is positioned above a horizontal line.

Conway, J.

**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
PERASO TECHNOLOGIES INC.**

Applicants

**COUNSEL SLIP
Thursday, August 13, 2020**

Appearing	
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Observing	
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