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Counsel to the Foreign Representative

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

In re:)
) Chapter 15
SANDVINE CORPORATION, *et al.*,¹)
) Case No. 24-33617 (SGJ)
)
Debtors in a Foreign Proceeding.) (Joint Administration Requested)
)

DEBTORS' EMERGENCY MOTION PURSUANT TO FEDERAL RULES OF BANKRUPTCY PROCEDURE 2002 AND 9007 REQUESTING ENTRY OF AN ORDER (I) SCHEDULING A RECOGNITION HEARING, (II) SPECIFYING FORM AND MANNER OF SERVICE OF NOTICE, AND (III) GRANTING RELATED RELIEF

EMERGENCY RELIEF HAS BEEN REQUESTED. RELIEF IS REQUESTED NOT LATER THAN 4:30 P.M. (PREVAILING CENTRAL TIME) ON NOVEMBER 7, 2024.

IF YOU OBJECT TO THE RELIEF REQUESTED OR YOU BELIEVE THAT EMERGENCY CONSIDERATION IS NOT WARRANTED, YOU MUST APPEAR AT THE HEARING IF ONE IS SET, OR FILE A WRITTEN RESPONSE PRIOR TO THE DATE THAT RELIEF IS REQUESTED IN THE PRECEDING PARAGRAPH. OTHERWISE, THE COURT MAY TREAT THE PLEADING AS UNOPPOSED AND GRANT THE RELIEF REQUESTED.

A HEARING WILL BE CONDUCTED ON THIS MATTER ON NOVEMBER 7, 2024, AT 4:30 P.M. (PREVAILING CENTRAL TIME) IN EARLE CABELL FEDERAL BUILDING, 1100 COMMERCE STREET, 14TH FLOOR, COURTROOM 1, DALLAS, TEXAS, 75242.

¹ The Debtors in these chapter 15 cases, along with the Debtors' unique identifiers, are: Sandvine Corporation (Business No.: 885025916), New Procera GP Company (Company Registration No.: WC-7044), Sandvine Holdings UK Limited (Company No.: 10533653), Sandvine OP (UK) Ltd. (Company No.: 10791762), Procera Networks, Inc. (EIN: 33-0974674), and Procera Holding, Inc. (EIN: 47-4070338). The location of the Debtors' service address for purposes of these chapter 15 cases is: 410 Albert St Suite 201, Waterloo, ON N2L 3V3, Canada. Copies of materials filed with the applicable court in the CCAA proceedings and these chapter 15 cases are available on the website of the CCAA monitor: <https://www.ksvadvisory.com/experience/case/sandvine>.

PARTICIPATION AT THE HEARING WILL ONLY BE PERMITTED BY AN AUDIO AND VIDEO CONNECTION.

AUDIO COMMUNICATION WILL BE BY USE OF THE COURT'S DIAL-IN FACILITY. YOU MAY ACCESS THE FACILITY AT 1.650.479.3207. VIDEO COMMUNICATION WILL BE BY USE OF THE CISCO WEBEX PLATFORM. CONNECT VIA THE CISCO WEBEX APPLICATION OR CLICK THE LINK ON JUDGE JERNIGAN'S HOME PAGE. THE MEETING CODE IS 2304 154 2638. CLICK THE SETTINGS ICON IN THE UPPER RIGHT CORNER AND ENTER YOUR NAME UNDER THE PERSONAL INFORMATION SETTING.

HEARING APPEARANCES MUST BE MADE ELECTRONICALLY IN ADVANCE OF ELECTRONIC HEARINGS. TO MAKE YOUR APPEARANCE, CLICK THE "ELECTRONIC APPEARANCE" LINK ON JUDGE JERNIGAN'S HOME PAGE. SELECT THE CASE NAME, COMPLETE THE REQUIRED FIELDS, AND CLICK "SUBMIT" TO COMPLETE YOUR APPEARANCE.

Sandvine Corporation (the "Foreign Representative"), in its capacity as the duly authorized foreign representative of the above-captioned debtors (collectively, the "Debtors"), subject to proceedings (the "CCAA Proceedings") commenced under the Companies' Creditors Arrangement Act, R.S.C. 1985, c. C-36 (as amended, the "CCAA") currently pending before the Ontario Superior Court of Justice (Commercial List) (the "CCAA Court"), respectfully states the following in support of this motion (the "Motion"):

Relief Requested

1. The Foreign Representative respectfully requests entry of an order, substantially in the form attached hereto as **Exhibit A** (the "Order"): (a) setting December 4, 2024, at 9:30 a.m. (prevailing Central Time) or as soon thereafter as the Court's calendar permits, as the date (the "Recognition Hearing Date") for a hearing (the "Recognition Hearing") on the relief sought in the *Verified Petition for Entry of an Order (I) Recognizing Foreign Main Proceedings, or in the Alternative, Foreign Nonmain Proceedings, (II) Recognizing the Foreign Representative, and (III) Granting Related Relief* (the "Verified Petition"); (b) setting 4:00 p.m. (prevailing Central Time) on November 27, 2024, or a date no less than seven (7) days prior to the Recognition Hearing, as the deadline by which any responses, answers, or objections to the Verified Petition must be

received (the “Objection Deadline”); (c) setting 4:00 p.m. (prevailing Central Time) on November 29, 2024, or a date no less than three (3) days prior to the Recognition Hearing, as the deadline by which the Foreign Representative and any other parties in interest may file replies to such responses or objections to the relief sought in the Verified Petition objections, if any (the “Reply Deadline”); (d) approving the form and manner of notice of the Verified Petition and the Recognition Hearing (the “Notice of Recognition Hearing”), substantially in the form attached hereto as Exhibit 1 to the Order; (e) approving the manner of service described herein; (f) approving the manner of service consistent with rule 2002(q) of the Federal Rules of Bankruptcy Procedure (as amended, the “Bankruptcy Rules”) of any further pleadings that the Foreign Representative files in these chapter 15 cases; and (g) granting related relief.

Background

1. On November 7, 2024, the Debtors commenced the CCAA Proceedings under the CCAA to commence a restructuring and sale process under the supervision of the CCAA Court. On November 7, 2024, the CCAA Court entered an initial order authorizing Sandvine Corporation to act as Foreign Representative of the Debtors and appointing KSV Restructuring Inc. as the monitor in the CCAA Proceedings (the “Monitor”).

2. On the date hereof, the Foreign Representative, on behalf of each Debtor, filed voluntary petitions (the “Voluntary Petition Forms,” together with the Verified Petition, the “Petition”) under chapter 15 of title 11 of the United States Code (the “Bankruptcy Code”), thereby commencing the Debtors’ chapter 15 cases (collectively, the “Chapter 15 Cases”). The Voluntary Petition Forms seek, among other things, recognition by this court (the “Court”) of Sandvine Corporation’s status as the duly authorized Foreign Representative of the Debtors and recognition of the CCAA Proceedings as “foreign main proceedings,” or in the alternative “foreign nonmain proceedings” under section 1517 of the Bankruptcy Code.

3. A comprehensive description of the Debtors' business and operations, capital structure, the CCAA Proceedings, and the factual background leading to the commencement of these Chapter 15 Cases is set forth in detail in the Verified Petition and the *Declaration of Jeffrey A. Kupp in Support of (A) Verified Petition for Entry of an Order (I) Recognizing Foreign Main Proceedings, or in the Alternative, Foreign Nonmain Proceedings, (II) Recognizing the Foreign Representative, and (III) Granting Related Relief, and (B) Debtors' Emergency Motion for Provisional Relief Under Section 1519 of the Bankruptcy Code* (the "Kupp Declaration"), both of which were filed contemporaneously herewith and are incorporated herein by reference.

Jurisdiction and Venue

4. The United States Bankruptcy Court for the Northern District of Texas has jurisdiction over this matter pursuant to 28 U.S.C. §1334, and this is a core matter pursuant to 28 U.S.C. § 157(b)(2)(P).

5. Venue is proper pursuant to 28 U.S.C. §§ 1410(1) and (3).

6. These Chapter 15 Cases have been properly commenced pursuant to section 1504 of the Bankruptcy Code, by the filing of the Petition for recognition of the CCAA Proceedings under section 1515 of the Bankruptcy Code.

7. The statutory bases for the relief requested herein are sections 107(c), 1514(c) and 1515 of the Bankruptcy Code, Bankruptcy Rules 1007(a)(4), 1012(b), 2002(m), 2002(p), 2002(q), 9006(c)(1), and 9007, rules 9013-1 and 9037-1 of the Local Bankruptcy Rules for the United States Bankruptcy Court for the Northern District of Texas (the "Local Rules"), and Sections J.34 and J.35 of the Procedures for Complex Cases in the Northern District of Texas.

Basis for Relief

A. The Recognition Hearing Date Should Be Set for December 4, 2024

8. “A petition for recognition of a foreign proceeding shall be decided upon at the earliest possible time.” 11 U.S.C. § 1517(c). Certain parties in interest must be given at least 21 days’ notice of the hearing on the petition for recognition of a foreign proceeding. Fed. R. Bankr. P. 2002(q)(1). In addition, objections and other responses to recognition must be presented no later than seven days before the recognition hearing, unless the Court orders otherwise. Fed. R. Bankr. P. 1012(b).

9. Consistent with the Bankruptcy Rules, the Foreign Representative respectfully requests the following dates be set in connection with the Verified Petition:

Objection Deadline	November 27, 2024, at 4:00 p.m. (prevailing Central Time)
Reply Deadline	November 29, 2024, at 4:00 p.m. (prevailing Central Time)
Recognition Hearing Date	December 4, 2024, at 9:30 a.m. (prevailing Central Time)

10. The Foreign Representative requests that any response or objection to the Verified Petition be made pursuant to the Bankruptcy Code, the Bankruptcy Rules, and the Local Rules, and that any such response, answer, or objection be in writing and set forth the bases therefor. Such response, answer, or objection should be filed with the Court and served upon counsel for the Foreign Representative so as to be actually received by the Objection Deadline. Notices to counsel to the Foreign Representative should be addressed to (a) Paul, Weiss, Rifkind, Wharton & Garrison LLP, Attn: Robert A. Britton, Claudia R. Tobler, and Xu Pang, 1285 Avenue of the Americas, New York, NY 10019; and (b) Gray Reed, Attn: Jason S. Brookner, Lydia R. Webb, and Sean R. Burns, 1601 Elm Street, Suite 4600, Dallas, TX 75201.

B. The Form and Manner of Service of the Notice Documents Should Be Approved

11. Notice of a recognition hearing must be provided to: (a) the debtor; (b) all persons authorized to administer the debtor's foreign proceedings; (c) entities against whom provisional relief under section 1519 of the Bankruptcy Code is sought; (d) parties to litigation pending in the United States to which the debtor is a party; and (e) such other entities as the Court may direct. Fed. R. Bankr. P. 2002(q)(1). Bankruptcy Rule 2002(q) does not direct the form and manner of such notice. Bankruptcy Rules 2002(m) and 9007 provide that when notice is to be given under the Bankruptcy Rules, the presiding court may designate the form and manner in which such notice shall be given. *See* Fed. R. Bankr. P. 2002(m), 9007.

12. To satisfy the requirements of Bankruptcy Rule 2002(q), the Foreign Representative proposes that it serve the Verified Petition, the Notice of Recognition Hearing, and other relevant chapter 15 pleadings and notices (collectively, the "Notice Documents") upon the following entities or their counsel, if known (collectively, the "Chapter 15 Notice Parties"): (a) all persons or bodies authorized to administer the CCAA Proceedings; (b) the Office of the United States Trustee for the Northern District of Texas; (c) the Office of the United States Attorney; (d) the Internal Revenue Service; (e) the Office of the United States Attorney General for the State of Texas; (f) all other applicable government agencies to the extent required by the Bankruptcy Rules or Local Rules; (g) the administrative agents to the prepetition secured credit agreements and counsel thereto; (h) the parties to the Debtors' Restructuring Support Agreement; (i) the creditors who have the 20 largest unsecured claims against the Debtors on a consolidated basis; (j) all other parties who the Foreign Representative believes to be affected substantively by the relief requested; (k) any party that has requested notice pursuant to Bankruptcy Rule 2002; and (l) any

other entities as the Court may direct. The Foreign Representative respectfully requests that the Bankruptcy Court declare such service sufficient and no further notice be required.

13. The Foreign Representative proposes to effect service of the Notice Documents and other relevant pleadings and notices on the Chapter 15 Notice Parties by electronic mail to the extent email addresses are available, or otherwise by United States mail, first-class postage prepaid within five business days of entry of the Order. The Foreign Representative will also provide the Chapter 15 Notice Parties with notice of all other pleadings filed in these Chapter 15 Cases in accordance with the Bankruptcy Code and Bankruptcy Rules. The Foreign Representative also proposes to post the Notice Documents on the Monitor's public website: <https://www.ksvadvisory.com/experience/case/sandvine>.

14. If any party files a notice of appearance in the Chapter 15 Cases, the Foreign Representative proposes to serve a copy of the Notice Documents on such party within ten (10) business days of the filing of such notice of appearance.

15. The form and manner of service of the Notice Documents described herein is adequate and sufficient notice of (a) these Chapter 15 Cases, (b) the relief sought in the Verified Petition, (c) the time fixed for filing objections to the relief sought in the Verified Petition, and (d) the time, date, and place of the Recognition Hearing. Accordingly, the Foreign Representative respectfully requests that this Court approve the foregoing manner of notice and service of the Notice Documents on the Chapter 15 Notice Parties pursuant to Bankruptcy Rules 2002 (m) and (q) and 9007.

C. The Requirements of Section 1514(c) of the Bankruptcy Code Are Inapplicable and Should Be Waived

16. Out of an abundance of caution, the Foreign Representative also seeks to clarify that section 1514(c)'s notice requirements are not applicable to these Chapter 15 Cases.

Section 1514(c) of the Bankruptcy Code deals with certain notice requirements in cases with “international aspects” commenced “under chapters other than” chapter 15. *See* 8 Collier on Bankruptcy ¶ 1514.01 (16th ed. 2021).

17. However, to the extent applicable, the Foreign Representative requests that the Court waive the section 1514(c)’s requirements because the claims process will be handled through the CCAA Proceedings. Waiving these requirements and allowing foreign claims to be heard in the CCAA Proceedings is consistent with principles of comity and cooperation among courts, as well as the ancillary nature of the Chapter 15 Cases.

18. Moreover, courts in the Fifth Circuit regularly grant waivers of section 1514(c) in this context. *See, e.g., In re Just Energy Group Inc., et al.*, Case No. 21-30823 (MI) (Bankr. S.D. Tex. Mar. 9, 2021); *In re Technicolor S.A.*, Case No. 20-33113 (DRJ) (Bankr. S.D. Tex. June 23, 2024); *In re Calfrac Well Services Corp., et al.*, Case No. 20-33529 (DRJ) (Bankr. S.D. Tex. July 14, 2020).

D. Redaction of Certain Confidential Information of Individuals Is Warranted

19. Section 107(c) (1) of the Bankruptcy Code provides, in relevant part, that the court:

[F]or cause, may protect an individual, with respect to the following types of information to the extent the court finds that disclosure of such information would create undue risk of identity theft or other unlawful injury to the individual or the individual’s property:

(A) Any means of identification . . . contained in a paper filed, or to be filed, in a case under [the Bankruptcy Code].

(B) Other information contained in a paper described in subparagraph (A).

11 U.S.C. § 107(c)(1).

20. Section 107(c)(1)(B) of the Bankruptcy Code allows a bankruptcy court to shield “[o]ther information” apart from “means of identification,” and the definition of “means of

identification” is itself a non-exhaustive list of personally identifiable information. Although an individual’s home address is not explicitly enumerated as a “means of identification,” it is nevertheless within the broad scope of section 107(c)(1)(B). *See In re Endo Int’l PLC*, No. 22-22549, 2022 WL 16640880, at *10 (Bankr. S.D.N.Y. Nov. 2, 2022) (“Home addresses fall within that category of information [protected under 107(c)], as it is taken as a ‘given’ that they constitute personally identifiable information that is vital information to perpetrators of identity theft, stalking, and intimate partner violence alike, and that publishing such information facilitates an identity thief’s search for data and a stalker’s or abuser’s ability to find his or her target.”).

21. In addition, privacy and data protection regulations have been enacted in jurisdictions in which the Debtors do business. For example, the Texas Data Privacy and Security Act (the “TDSPA”) provides Texas residents certain control rights concerning their personal data, including the right to delete personal data provided by or obtained by the controller of the data. *See* Tex. Bus. & Com. Code Ann. § 541. Similarly, the European Union General Data Protection Regulation (the “GDPR”), which applies to all European Union member countries’ citizens, (and which may apply to the Debtors because certain of the Debtors’ employees, independent contractors and contract counterparties may be European Union Citizens) imposes constraints on the disclosure of “personally identifiable information,” which includes an individual’s home address. *See* General Data Protection Regulation (EU) 2016/679. Violators of the TDSPA and the GDPR risk penalties, and the TDSPA further provides that damages may be awarded where the violations are determined to have been willful or knowing.

22. Courts in this district have granted similar relief to the relief requested herein. *See, e.g., In re BUCA Texas Restaurants, L.P., et al.*, No. 24-80058 (SGJ) (Bankr. N.D. Tex. August 7, 2024) (authorizing debtors to redact home addresses of individuals listed on the creditor matrix or

affidavits of service of the court); *In re Cottonwood Financial Ltd., et al.*, No. 24-80035 (SWE) (Bankr. N.D. Tex. Feb. 29, 2024); *In re Eye Care Leaders Portfolio Holdings, LLC, et al.*, No. 24-80001 (MVL) (Bankr. N.D. Tex. Jan. 22, 2024) (same); *In re Sunland Medical Found., et al.*, No. 23-80000 (MVL) (Bankr. N.D. Tex. Aug. 31, 2023) (same); *In re Studio Movie Grill Holdings, LLC, et al.*, No. 20-32633 (SGJ) (Bankr. N.D. Tex. Oct. 29, 2020) (same).

23. The Foreign Representative proposes to provide unredacted versions of any filings to the Court, the Office of the United States Trustee, and, upon a reasonable request to the Foreign Representative or to the Court, any party in interest.

24. For these reasons, cause exists to authorize the Foreign Representative to redact the names and addresses of individuals listed on any document filed with the Court. Absent such relief (a) such information may be used to perpetrate identity theft or locate survivors of domestic violence, harassment, or stalking, and (b) the Foreign Representative risks violating the TDSIPA and GDPR, and as a result could expose the Debtors to severe penalties and civil liability.

Notice

25. The Foreign Representative will provide notice of this Motion to the following parties or their counsel: (a) all persons or bodies authorized to administer the CCAA Proceeding; (b) the Office of the United States Trustee for the Northern District of Texas; (c) the Office of the United States Attorney; (d) the Internal Revenue Service; (e) the Office of the United States Attorney General for the State of Texas; (f) all other applicable government agencies to the extent required by the Bankruptcy Rules or Local Rules; (g) the administrative agents to the prepetition secured credit agreements and counsel thereto; (h) the parties to the Debtors' Restructuring Support Agreement; (i) the creditors who have the 20 largest unsecured claims against the Debtors on a consolidated basis; (j) all other parties who the Foreign Representative believes to be affected

substantively by the relief requested; and (k) any party that has requested notice pursuant to Bankruptcy Rule 2002. In light of the nature of the relief requested, the Foreign Representative submits that no further notice is required.

[Remainder of page intentionally left blank]

WHEREFORE, the Foreign Representative respectfully requests that the Court enter the Order, substantially in the form attached hereto as **Exhibit A**, granting the relief requested herein and such other relief as the Court deems appropriate under the circumstances.

Respectfully submitted this 7th day of November, 2024.

GRAY REED

By: /s/ Jason S. Brookner
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Lydia R. Webb (TX Bar No. 24083758)
Sean R. Burns (TX Bar No. 24139177)
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-and-

**PAUL, WEISS, RIFKIND, WHARTON &
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xpang@paulweiss.com

Counsel to the Foreign Representative

Certificate of Service

I certify that on November 7, 2024, I caused a copy of the foregoing document to be served by the Electronic Case Filing System for the United States Bankruptcy Court for the Northern District of Texas.

/s/ Jason S. Brookner

Jason S. Brookner

Exhibit A

Proposed Order

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

In re:)	
)	Chapter 15
SANDVINE CORPORATION, <i>et al.</i> , ¹)	Case No. 24-33617 (SGJ)
)	
Debtors in a Foreign Proceeding.)	(Joint Administration Requested)
)	

ORDER (I) SCHEDULING A RECOGNITION HEARING, (II) SPECIFYING FORM AND MANNER OF SERVICE OF NOTICE, AND (III) GRANTING RELATED RELIEF

Upon the motion (the “Motion”)² of the Foreign Representative of the above-captioned debtors (collectively, the “Debtors”) for entry of an order (this “Order”) (a) scheduling a Recognition Hearing, (b) specifying the form and manner of service of notice of the hearing on

¹ The Debtors in these chapter 15 cases, along with the Debtors’ unique identifiers, are: Sandvine Corporation (Business No.: 885025916), New Procera GP Company (Company Registration No.: WC-7044), Sandvine Holdings UK Limited (Company No.: 10533653), Sandvine OP (UK) Ltd. (Company No.: 10791762), Procera Networks, Inc. (EIN: 33-0974674), and Procera Holding, Inc. (EIN: 47-4070338). The location of the Debtors’ service address for purposes of these chapter 15 cases is: 410 Albert St Suite 201, Waterloo, ON N2L 3V3, Canada. Copies of materials filed with the applicable court in the CCAA proceedings and these chapter 15 cases are available on the website of the CCAA monitor: <https://www.ksvadvisory.com/experience/case/sandvine>.

² Capitalized terms used but not defined herein have the meanings ascribed to them in the Motion.

the relief sought in the Verified Petition, and (c) granting related relief, all as more fully set forth in the Motion; and upon consideration of the Kupp Declaration; and this Court having jurisdiction over this matter pursuant to 28 U.S.C. § 1334, and 11 U.S.C. §§ 109 and 1501; and this Court having found that this is a core proceeding within the meaning of 28 U.S.C. § 157(b)(2); and this Court having found that it may enter a final order consistent with Article III of the United States Constitution; and this Court having found that venue of this proceeding and the Motion in this district is proper pursuant to 28 U.S.C. §§ 1410(1) and (3); and this Court having found that the Foreign Representative’s notice of the Motion and opportunity for a hearing on the Motion were appropriate under the circumstances and no other notice need be provided; and this Court having reviewed the Motion and having heard the statements in support of the relief requested therein at a hearing, if any, before this Court; and this Court having determined that the legal and factual bases set forth in the Motion establish just cause for the relief granted herein; and upon all of the proceedings had before this Court; and after due deliberation and sufficient cause appearing therefor, it is HEREBY ORDERED THAT:

1. The Recognition Hearing shall be held on December 4, 2024, at 9:30 a.m. (prevailing Central Time).

2. Responses, answers, or objections, if any, to the Verified Petition (each, a “Response”) shall: (a) be filed with the Court so as to be received on or before November 27, 2024, at 4:00 p.m. (prevailing Central Time); (b) be in writing; (c) state the name and address of the responding party and nature of the claim or interest of such party; (d) state with particularity the legal and factual bases of any Response; (e) conform to the Bankruptcy Rules and the Local Rules; and (f) be served on the Foreign Representative’s counsel at (i) Paul, Weiss, Rifkind, Wharton & Garrison LLP, 1285 Avenue of the Americas, New York, New York 10019, Attn:

Robert A. Britton, Claudia R. Tobler, and Xu Pang, and (ii) Gray Reed, 1601 Elm Street, Suite 4600, Dallas Texas 75201, Attn: Jason S. Brookner, Lydia R. Webb, and Sean R. Burns.

3. The Foreign Representative and any other parties in interest may file replies to Responses, if any, in the same manner as described above on or before November 29, 2024, at 4:00 p.m. (prevailing Central Time).

4. If no Response is timely filed and served as provided above, or if any Response is overruled by this Court at the Recognition Hearing, the Court may grant the relief requested by the Foreign Representative without further notice or hearing.

5. The form of the Notice of Recognition Hearing annexed hereto as **Exhibit 1** is hereby approved.

6. The Foreign Representative shall serve copies of the Notice Documents by electronic mail to the extent email addresses are available or otherwise by United States mail, first-class postage prepaid, upon the Chapter 15 Notice Parties within five business days after the entry of this Order. Such service shall constitute good and sufficient service and adequate notice of the Recognition Hearing.

7. The Foreign Representative shall serve the Notice Documents upon any party that files a notice of appearance in the Chapter 15 Cases within 10 business days of the filing of such notice of appearance, or as soon thereafter as practicable, if the Notice Documents have not already been served on such party or its counsel.

8. The notice requirements set forth in section 1514(c) of the Bankruptcy Code are inapplicable to the Chapter 15 Cases or, to the extent applicable, are hereby waived.

9. The Foreign Representative is authorized to redact the names and addresses of individuals listed on any document filed with the Bankruptcy Court. The Foreign Representative

shall provide unredacted versions of any filings to the Court, the Office of the United States Trustee, and, upon reasonable request to the Foreign Representative or to the Court, any party in interest, subject to the restrictions of the GDPR and the TDSPA and provided that any receiving party shall not transfer or otherwise provide such unredacted document to any person or entity not party to the request. The Foreign Representative shall inform the Office of the United States Trustee for the Northern District of Texas promptly after denying any request for an unredacted document pursuant to this Order.

10. Service of the Notice Documents in accordance with this Order is hereby approved as adequate and sufficient notice and service for all purposes.

11. The Foreign Representative is authorized and empowered to take all actions necessary to effectuate the relief granted pursuant to this Order.

12. Notwithstanding the applicability of any Bankruptcy Rules, the terms and conditions of this Order shall be immediately effective and enforceable upon its entry.

13. This Court shall retain exclusive jurisdiction to hear and determine all matters arising from or related to the implementation, interpretation, or enforcement of this Order.

END OF ORDER

Submitted by:

Jason S. Brookner (TX Bar No. 24033684)

Lydia R. Webb (TX Bar No. 24083758)

Sean R. Burns (TX Bar No. 24139177)

GRAY REED

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Counsel to the Foreign Representative

Exhibit 1

Notice of Recognition Hearing

Jason S. Brookner (TX Bar No. 24033684)
Lydia R. Webb (TX Bar No. 24083758)
Sean R. Burns (TX Bar No. 24139177)
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Counsel to the Foreign Representative

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

In re:)
) Chapter 15
SANDVINE CORPORATION, *et al.*,¹)
) Case No. 24-33617 (SGJ)
)
Debtors in a Foreign Proceeding.) (Jointly Administered)
)

**NOTICE OF RECOGNITION
HEARING ON FOREIGN PROCEEDINGS**

PLEASE TAKE NOTICE that, on November 7, 2024, Sandvine Corporation as the duly authorized foreign representative (the “Foreign Representative”) of the above-captioned debtors (collectively, the “Debtors”), subject to proceedings commenced under the Companies’ Creditors Arrangement Act, R.S.C. 1985, c. C-36 in the Ontario Superior Court of Justice (Commercial List) (the “CCAA Proceedings”) filed the *Verified Petition for Entry of an Order (I) Recognizing Foreign Main Proceedings, or in the Alternative, Foreign Nonmain Proceedings, (II) Recognizing*

¹ The Debtors in these chapter 15 cases, along with the Debtors’ unique identifiers, are: Sandvine Corporation (Business No.: 885025916), New Procera GP Company (Company Registration No.: WC-7044), Sandvine Holdings UK Limited (Company No.: 10533653), Sandvine OP (UK) Ltd. (Company No.: 10791762), Procera Networks, Inc. (EIN: 33-0974674), and Procera Holding, Inc. (EIN: 47-4070338). The location of the Debtors’ service address for purposes of these chapter 15 cases is: 410 Albert St Suite 201, Waterloo, ON N2L 3V3, Canada. Copies of materials filed with the applicable court in the CCAA proceedings and these chapter 15 cases are available on the website of the CCAA monitor: <https://www.ksvadvisory.com/experience/case/sandvine>.

the Foreign Representative, and (III) Granting Related Relief (the “Verified Petition”) pursuant to 11 U.S.C. §§ 1504, 1515, and 1517, with the United States Bankruptcy Court for the Northern District of Texas (Dallas Division) (the “Court”), commencing cases under chapter 15 of title 11 of the United States Code (the “Bankruptcy Code”).

PLEASE TAKE FURTHER NOTICE that in addition to the Verified Petition, the Foreign Representative filed, among other things, the *Declaration of Jeffrey A. Kupp in Support of (A) Verified Petition for Entry of an Order (I) Recognizing Foreign Main Proceedings, or in the Alternative, Foreign Nonmain Proceedings, (II) Recognizing the Foreign Representative, and (III) Granting Related Relief, and (B) Debtors’ Emergency Motion for Provisional Relief Under Section 1519 of the Bankruptcy Code.*

PLEASE TAKE FURTHER NOTICE that, among other things, the Foreign Representative seeks entry of an order recognizing the CCAA Proceedings as foreign main proceedings, or in the alternative, foreign nonmain proceedings pursuant to section 1517 of the Bankruptcy Code and granting certain additional relief pursuant to sections 105(a), 1504, 1507, 1510, 1515, 1520, 1521, and 1522 of the Bankruptcy Code.

PLEASE TAKE FURTHER NOTICE that the Court has scheduled a hearing with respect to the Verified Petition for 9:30 a.m. (prevailing Central Time) on December 4, 2024 (the “Recognition Hearing”).

PLEASE TAKE FURTHER NOTICE that any party in interest wishing to submit a response, answer, or objection to the Verified Petition must do so by 4:00 p.m. (prevailing Central Time) on November 27, 2024 (the “Objection Deadline”), **so as to be actually received by no later than the Objection Deadline**, and such response, answer, or objection must (a) be in writing, (b) state the name and address of the responding party and nature of the claim or interest

of such party, (c) set forth in detail the factual and legal bases therefor, (d) conform with the Bankruptcy Code, the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”), and the Local Bankruptcy Rules of the United States Bankruptcy Court for the Northern District of Texas (the “Local Rules”), and (e) be served on the Foreign Representative’s counsel Paul, Weiss, Rifkind, Wharton & Garrison LLP, Attn: Robert A. Britton, Claudia R. Tobler, and Xu Pang, 1285 Avenue of the Americas, New York, NY 10019; and Gray Reed, Attn: Jason S. Brookner, Lydia R. Webb, and Sean R. Burns, 1601 Elm Street, Suite 4600, Dallas, TX 75201.

PLEASE TAKE FURTHER NOTICE that any reply to an objection or response to the Verified Petition shall be filed and served on or before 4:00 p.m. (prevailing Central Time), November 29, 2024 (the date that is three business days before the Recognition Hearing).

PLEASE TAKE FURTHER NOTICE that copies of the Verified Petition and all other documents filed in the Court are available (a) for a fee on the Court’s electronic case filing system, which can be accessed from the Court’s website at <http://www.txnb.uscourts.gov/> (a PACER login and password are required to retrieve the documents), (b) free of charge at the website of the monitor appointed in the Debtors’ CCAA proceedings at: <https://www.ksvadvisory.com/experience/case/sandvine>, or (c) upon written request to the Foreign Representative’s counsel addressed to (i) Paul, Weiss, Rifkind, Wharton & Garrison LLP, Attn: Robert A. Britton, Claudia R. Tobler, and Xu Pang, 1285 Avenue of the Americas, New York, NY 10019; and (ii) Gray Reed, Attn: Jason S. Brookner, Lydia R. Webb, and Sean R. Burns, 1601 Elm Street, Suite 4600, Dallas, TX 75201.

PLEASE TAKE FURTHER NOTICE that hearings in this matter, including the Recognition Hearing, shall be held before the Honorable Stacey G.C. Jernigan of the United States Bankruptcy Court for the Northern District of Texas and will be conducted at the Earle Cabell Federal Building, 1100 Commerce St., 14th Floor, Courtroom 1, Dallas, Texas 75242-1496.

PLEASE TAKE FURTHER NOTICE that any parties who wish to participate in the hearings may do so in person or virtually. Video communication will be via WebEx. Parties may connect via WebEx by visiting the WebEx hearing link on the Court’s Hearing Dates and Calendar webpage or by using the following link: <https://us-courts.webex.com/meet/jerniga>. Audio communication will be by use of the Court’s dial-in facility. Parties may access the facility at 1-650-479-3207, using 2304 154 2638 as the access code.

PLEASE TAKE FURTHER NOTICE that the Recognition Hearing may be adjourned from time to time without further notice except for an in-court announcement at the Recognition Hearing or a filing on the docket of this case of the date and time to which the Recognition Hearing has been adjourned.

PLEASE TAKE FURTHER NOTICE that all parties in interest opposed to the relief sought in the Verified Petition or any other relief requested by the Foreign Representative or who wish to have the Court consider their views on any matter requested at the Recognition Hearing, must appear at the Recognition Hearing.

PLEASE TAKE FURTHER NOTICE that if no response is timely filed and served as provided above, the Court may recognize the CCAA Proceedings as foreign main proceedings, or in the alternative, foreign nonmain proceedings and grant the related relief requested in the Verified Petition without further notice or hearing.

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Respectfully submitted this 7th day of November, 2024.

GRAY REED

By: /s/ Jason S. Brookner
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Counsel to the Foreign Representative

Certificate of Service

I certify that on November 7, 2024, I caused a copy of the foregoing document to be served by the Electronic Case Filing System for the United States Bankruptcy Court for the Northern District of Texas.

/s/ Jason S. Brookner
Jason S. Brookner