

**UNITED STATES  
SECURITIES AND EXCHANGE COMMISSION**  
Washington, DC 20549

**FORM 8-K**

**CURRENT REPORT**  
**Pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934**

Date of Report (Date of earliest event reported): **June 9, 2022**

**ACCURAY INCORPORATED**

(Exact name of registrant as specified in its charter)

**Delaware**

(State or other jurisdiction of incorporation)

**001-33301**

(Commission File Number)

**20-8370041**

(IRS Employer Identification No.)

**1310 Chesapeake Terrace  
Sunnyvale, California 94089**

(Address of principal executive offices, including Zip Code)

Registrant's telephone number, including area code: **(408) 716-4600**

Check the appropriate box below if the Form 8-K filing is intended to simultaneously satisfy the filing obligation of the registrant under any of the following provisions:

Written communications pursuant to Rule 425 under the Securities Act (17 CFR 230.425)

Soliciting material pursuant to Rule 14a-12 under the Exchange Act (17 CFR 240.14a-12)

Pre-commencement communications pursuant to Rule 14d-2(b) under the Exchange Act (17 CFR 240.14d-2(b))

Pre-commencement communications pursuant to Rule 13e-4(c) under the Exchange Act (17 CFR 240.13e-4(c))

Securities registered pursuant to Section 12(b) of the Act:

Title of each class	Trading Symbol(s)	Name of each exchange on which registered
<b>Common Stock, par value \$0.001 per share</b>	<b>ARAY</b>	<b>The Nasdaq Stock Market LLC</b>

Indicate by check mark whether the registrant is an emerging growth company as defined in Rule 405 of the Securities Act of 1933 (§230.405 of this chapter) or Rule 12b-2 of the Securities Exchange Act of 1934 (§240.12b-2 of this chapter).

Emerging growth company

If an emerging growth company, indicate by check mark if the registrant has elected not to use the extended transition period for complying with any new or revised financial accounting standards provided pursuant to Section 13(a) of the Exchange Act.

**Item 5.02 Departure of Directors or Certain Officers; Election of Directors; Appointment of Certain Officers; Compensatory Arrangements of Certain Officers.**

*Appointment of Chief Accounting Officer*

On June 9, 2022, the Board of Directors of Accuray Incorporated (the “Company”) approved the appointment of Franco Palomba to Chief Accounting Officer and principal accounting officer of the Company, effective as of June 9, 2022. Mr. Palomba assumes responsibility as principal accounting officer from Ali Pervaiz, who will continue his role as the Company’s Chief Financial Officer and principal financial officer.

Mr. Palomba, 60, joined the Company in June 2022 as Vice President, Chief Accounting Officer and Controller. Previously, he served as Vice President Finance – Controller at Ashvattha Therapeutics Inc., a clinical-stage biopharmaceutical company, from November 2021 through May 2022. Prior to that, he served as Vice President of Finance and Controller at Genomic Health Inc., a provider of genomic-based diagnostic tests that was acquired by Exact Sciences Corporation in 2019, from January 2019 to June 2020. Over his 30 year career, Mr. Palomba served in several senior finance positions at Varian Medical Systems, Inc., a radiation oncology treatments and software maker, prior to joining Genomic Health, Inc., most recently as Senior Vice President – Finance and Corporate Treasurer from January 2012 through April 2018. Mr. Palomba began his career in finance and accounting as a Financial Audit Associate at PricewaterhouseCoopers LLP. Mr. Palomba received an M.B.A. from Notre Dame de Namur University and a B.S. in Accounting from Cal State East Bay.

In connection with his appointment, Mr. Palomba entered into the Company's standard indemnification agreement. Mr. Palomba did not receive any additional compensation in connection with his appointment. Mr. Palomba has no family relationships or related party transactions with the Company that would require disclosure under Items 401(d) and 404(a) of Regulation S-K in connection with his appointment.

**Item 7.01. Regulation FD.**

On June 15, 2022, the Company issued a press release announcing Mr. Palomba’s appointment. The press release is furnished as Exhibit 99.1 to this Current Report on Form 8-K.

The information contained in this Item 7.01 disclosure, including Exhibit 99.1, is furnished pursuant to Item 7.01 and shall not be deemed to be “filed” for the purposes of Section 18 of the Exchange Act or otherwise subject to the liabilities of that Section, nor shall it be incorporated by reference into a filing under the Securities Act or the Exchange Act, except as shall be expressly set forth by specific reference in such a filing.

**Item 9.01. Financial Statements and Exhibits.**

**(d) Exhibits**

**Exhibit No. Description**

99.1 [Press Release dated June 15, 2022, titled “Accuray Appoints Franco N. Palomba as VP, Chief Accounting Officer & Controller”](#)  
104 Cover Page Interactive Data File (embedded within the Inline XBRL document)

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**SIGNATURES**

Pursuant to the requirements of the Securities Exchange Act of 1934, the registrant has duly caused this report to be signed on its behalf by the undersigned hereunto duly authorized.

**ACCURAY INCORPORATED**

Dated: June 15, 2022

By: \_\_\_\_\_ /s/ Jesse Chew  
Jesse Chew  
*Senior Vice President & General Counsel*

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## Accuray Appoints Franco N. Palomba as VP, Chief Accounting Officer & Controller

SUNNYVALE, Calif., June 15, 2022 – Accuray Incorporated (NASDAQ: ARAY) announced today that Franco N. Palomba has joined the company as vice president, chief accounting officer & controller. Mr. Palomba will be responsible for the controllership function, including the global accounting organization and associated budgetary and administrative operations, as well as financial and regulatory compliance. He will report to Accuray senior vice president & chief financial officer Ali Pervaiz.

Mr. Palomba is a skilled executive with more than 30 years of accounting and finance expertise, primarily in the radiation therapy industry at Varian Medical Systems, now a part of Siemens Healthineers. Most recently, he served as vice president of finance and controller at Ashvattha Therapeutics where he was responsible for all internal and external resources supporting the successful completion of the company's first multiyear audit, establishment of an internal finance team and closing of a major company funding initiative. Prior to Ashvattha Therapeutics, Mr. Palomba held various leadership positions at Genomic Health, Inc., acquired by Exact Sciences, Varian, and PricewaterhouseCoopers.

“Franco is a well-rounded executive with the deep strategic and tactical expertise necessary to help advance our global finance organization and drive the growth of our business. Under his guidance his teams have delivered significant value including streamlining processes, reducing debt and increasing income. We look forward to his leadership at this important time in our organization's evolution,” said Ali Pervaiz, senior vice president & chief financial officer at Accuray.

“The opportunity with Accuray will enable me to re-engage in the radiation therapy industry, an area of particular interest and importance to me. I've always been impressed by the innovation behind the organization's technology and the team's dedication to improving the lives of patients who would benefit from radiation treatments,” said Franco Palomba, vice president, chief accounting officer & controller at Accuray. “I'm looking forward to partnering with the global team to help accelerate the company's growth and build shareholder value.”

### About Accuray

Accuray is committed to expanding the powerful potential of radiation therapy to improve as many lives as possible. We invent unique, market-changing solutions that are designed to deliver radiation treatments for even the most complex cases—while making commonly treatable cases even easier—to meet the full spectrum of patient needs. We are dedicated to continuous innovation in radiation therapy for oncology, neuro-radiosurgery, and beyond, as we partner with clinicians and administrators, empowering them to help patients get back to their lives, faster. Accuray is headquartered in Sunnyvale, California, with facilities worldwide. To learn more, visit [www.accuray.com](http://www.accuray.com) or follow us on Facebook, LinkedIn, Twitter, and YouTube.

### Safe Harbor Statement

Statements made in this press release that are not statements of historical fact are forward-looking statements and are subject to the "safe harbor" provisions of the Private Securities Litigation Reform Act of 1995. Forward-looking statements in this press release relate, but are not limited, expectations related to the company's growth and building shareholder value. If any of these risks or uncertainties materialize, or if any of the company's assumptions prove incorrect,

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actual results could differ materially from the results expressed or implied by these forward-looking statements. These risks and uncertainties include, but are not limited to, the effect of the COVID-19 pandemic on the operations of the company and those of its customers and suppliers; disruptions to our supply chain, including increased logistics costs; the company's ability to achieve widespread market acceptance of its products, including new product and software offerings; the company's ability to develop new products or enhance existing products to meet customers' needs and compete favorably in the market, the company's ability to realize the expected benefits of the China joint venture and other partnerships; risks inherent in international operations; the company's ability to effectively manage its growth; the company's ability to maintain or increase its gross margins on product sales and services; delays in regulatory approvals or the development or release of new offerings; the company's ability to meet the covenants under its credit facilities; the company's ability to convert backlog to revenue; and such other risks identified under the heading "Risk Factors" in the company's Quarterly Report on Form 10-Q, filed with the Securities and Exchange Commission (the "SEC") on April 29, 2022 and as updated periodically with the company's other filings with the SEC.

Forward-looking statements speak only as of the date the statements are made and are based on information available to the company at the time those statements are made and/or management's good faith belief as of that time with respect to future events. The company assumes no obligation to update forward-looking statements to reflect actual performance or results, changes in assumptions or changes in other factors affecting forward-looking information, except to the extent required by applicable securities laws. Accordingly, investors should not put undue reliance on any forward-looking statements.

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