

This is the 1st Affidavit
of Jordan Beaulieu in this case
and was made on February 26, 2025

NO. S - 245121
VANCOUVER REGISTRY

IN THE SUPREME COURT OF BRITISH COLUMBIA

IN THE MATTER OF THE *COMPANIES' CREDITORS*
ARRANGEMENT ACT, R.S.C. 1985, c. C-36

AND

IN THE MATTER OF THE *BUSINESS CORPORATIONS ACT*, S.B.C. 2002, c. 57

AND

IN THE MATTER OF ELEVATION GOLD MINING CORPORATION,
ECLIPSE GOLD MINING CORPORATION and GOLDEN VERTEX (IDAHO) CORP.

PETITIONERS

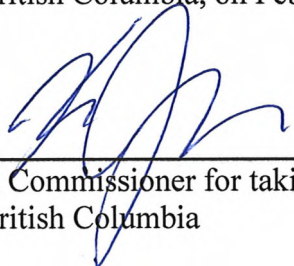
AFFIDAVIT

I, Jordan Beaulieu, of 2900 – 550 Burrard Street, Vancouver, B.C., SWEAR, THAT:


1. I am a legal assistant in the law firm of Fasken Martineau DuMoulin LLP (“**Fasken**”), solicitors for KSV Restructuring Inc., in its capacity as monitor of the Petitions (in such capacity, the “**Monitor**”) herein, and as such have personal knowledge of the facts hereinafter deposed to except where stated to be on information and belief, in which case I verily believe them to be true. I am authorized to make this Affidavit on behalf of the Monitor.

2. Attached hereto as **Exhibit "A"** is a copy of an email exchange among myself and Kibben Jackson, of Fasken, and Vicki Tickle and Timothy Pinos, counsel to Nomad Royalty Company Ltd., between January 28 and February 4, 2025.

SWORN BEFORE ME at Vancouver,)
British Columbia, on February 26, 2025.)



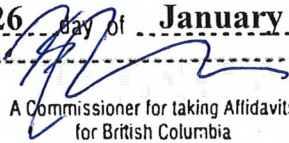
A Commissioner for taking Affidavits for)
British Columbia)



JORDAN BEAULIEU

KIBBEN JACKSON
Barrister & Solicitor
Fasken Martineau DuMoulin LLP
2900 - 550 Burrard Street
Vancouver, BC V6C 0A3
604 631 4786

This is Exhibit " **A** " referred to in the af-
fidavit of **Jordan Beaulieu**
sworn before me at **Vancouver**
this **26** day of **January** 20**25**


A Commissioner for taking Affidavits
for British Columbia

From: [Pinos, Timothy](#)
To: [Kibben Jackson](#); [Tickle, Vicki](#)
Cc: [Bobby Kofman](#); [Jason Knight](#); [Mishaal Gill](#)
Subject: RE: [EXT] In the Matter of the Companies' Creditors Arrangement Act, and in the Matter of Elevation Gold Mining Corporation, et al. – Supreme Court of British Columbia Vancouver Registry No. S-245121 [IWOV-LEGAL.FID6529200]
Date: February-04-25 5:21:29 AM
Attachments: [image001.png](#)

{CAUTION: This email originated from outside of Fasken. Exercise care before clicking links or opening attachments.}

Kibben:

I can confirm that Nomad does not claim a superior right to the sale proceeds, however, it does claim a superior right to the GVC Residual Assets.

Cheers.



TIMOTHY PINOS

Partner
 t: +1 416 869 5784
 e: tpinos@cassels.com

Cassels Brock & Blackwell LLP | cassels.com
 Suite 3200, Bay Adelaide Centre – North Tower
 40 Temperance St.
 Toronto, ON M5H 0B4 Canada

From: Kibben Jackson <kjackson@fasken.com>
Sent: Monday, February 03, 2025 5:15 PM
To: Pinos, Timothy <tpinos@cassels.com>; Tickle, Vicki <vtickle@cassels.com>
Cc: Bobby Kofman <bkofman@ksvadvisory.com>; Jason Knight <jknight@ksvadvisory.com>; Mishaal Gill <mgill@fasken.com>
Subject: RE: [EXT] In the Matter of the Companies' Creditors Arrangement Act, and in the Matter of Elevation Gold Mining Corporation, et al. – Supreme Court of British Columbia Vancouver Registry No. S-245121 [IWOV-LEGAL.FID6529200]

CAUTION: External Email

Much appreciated.

Kibben Jackson*

Partner

T +1 604 631 4786 | kjackson@fasken.com

Fasken Martineau DuMoulin LLP

*Law Corporation

From: Pinos, Timothy <tpinos@cassels.com>
Sent: February-03-25 2:10 PM
To: Kibben Jackson <kjackson@fasken.com>; Tickle, Vicki <vtickle@cassels.com>
Cc: Bobby Kofman <bkofman@ksvadvisory.com>; Jason Knight <jknight@ksvadvisory.com>; Mishaal Gill <mgill@fasken.com>
Subject: RE: [EXT] In the Matter of the Companies' Creditors Arrangement Act, and in the Matter of Elevation Gold Mining Corporation, et al. – Supreme Court of British Columbia Vancouver Registry No. S-245121 [IWOV-LEGAL.FID6529200]

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Kibben: We will get instructions as quickly as we can and get back to you.

Cheers.



TIMOTHY PINOS

Partner
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 e: tpinos@cassels.com

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 Suite 3200, Bay Adelaide Centre – North Tower
 40 Temperance St.
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From: Kibben Jackson <kjackson@fasken.com>
Sent: Monday, February 03, 2025 4:55 PM
To: Tickle, Vicki <vtickle@cassels.com>; Pinos, Timothy <tpinos@cassels.com>
Cc: Bobby Kofman <bkofman@ksvadvisory.com>; Jason Knight <jknight@ksvadvisory.com>; Mishaal Gill <mgill@fasken.com>
Subject: RE: [EXT] FW: In the Matter of the Companies' Creditors Arrangement Act, and in the Matter of Elevation Gold Mining Corporation, et al. – Supreme Court of British Columbia Vancouver Registry No. S-245121 [IWOV-LEGAL.FID6529200]

CAUTION: External Email

Vicki/Tim:

I wonder if you guys have come to ground on whether your client is claiming an interest in the proceeds of sale of Elevation's shares in GVC, or just in the GVC Residual Assets.

Are you able to clarify please?

A timely reply would be beneficial as I think the issue is pretty straight-forward (i.e. how would your client claim an interest in the shares or the proceeds of sale of the shares), so if we can't simply resolve this I think we can add this declaratory relief to the hearing next Friday.

I look forward to hearing back from you.

Thanks,

Kibben Jackson*

Partner

T [+1 604 631 4786](tel:+16046314786) | kjackson@fasken.com

Fasken Martineau DuMoulin LLP

*Law Corporation

From: Tickle, Vicki <vtickle@cassels.com>

Sent: January-29-25 1:26 PM

To: Kibben Jackson <kjackson@fasken.com>; Mishaal Gill <mgill@fasken.com>

Cc: Pinos, Timothy <tpinos@cassels.com>; Lance Williams - McCarthy Tétrault LLP
(lwilliams@mccarthy.ca) <lwilliams@mccarthy.ca>; bsuzuki@swlaw.com

Subject: [EXT] FW: In the Matter of the Companies' Creditors Arrangement Act, and in the Matter of Elevation Gold Mining Corporation, et al. – Supreme Court of British Columbia Vancouver Registry No. S-245121 [IWOV-LEGAL.FID6529200]

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Kibben,

It's our client's position that there is information regarding the relief sought by the Monitor (including with respect to the declaration regarding the priority of the admin charge) that is not included in the application materials circulated yesterday, and that needs to be in front of the Canadian court. We're instructed by Nomad that the same information also goes to the question that you raised yesterday on our call as to the funds in respect of which our client claims a trust/ownership interest.

In the circumstances, we believe an adjournment of the application (save in relation to the stay extension) is appropriate, given the limited notice that has been provided.

Regards,



VICKI TICKLE *she/her/hers*

Partner

t: +1 778 309 7954

e: vtickle@cassels.com

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Suite 2200, RBC Place, 885 West Georgia St.

Vancouver, British Columbia V6C 3E8 Canada

From: Jordan Beaulieu <jbeaulieu@fasken.com>

Sent: Tuesday, January 28, 2025 2:33 PM

To: wroberts@lawsonlundell.com; ateasdale@lawsonlundell.com; Angad Bedi <abedi@lawsonlundell.com>; tim@elvtgold.com; william@elvtgold.com; mhay@maxislaw.com; dmeidinger@fennemorelaw.com; SHood@fennemorelaw.com; AAustin@fennemorelaw.com; 'zrosenberg@fennemorelaw.com' <zrosenberg@fennemorelaw.com>; 'rcharles@lewisroca.com' <rcharles@lewisroca.com>; Bobby Kofman <bkofman@ksvadvisory.com>; 'jknight@ksvadvisory.com' <jknight@ksvadvisory.com>; Kibben Jackson <kjackson@fasken.com>; Jordan Beaulieu <jbeaulieu@fasken.com>; Suzanne Volkow <svolkow@fasken.com>; 'ken@kencoleman.us' <ken@kencoleman.us>; ndastoor@inforfg.com; pliebovitz@inforfg.com; wbeil@tripleflagpm.com; dbish@torys.com; 'jimmie.pursell@quarles.com' <jimmie.pursell@quarles.com>; lwilliams@mccarthy.ca; lwilliams@mccarthy.ca; abowron@mccarthy.ca; jkrclark@mccarthy.ca; CCS-Program-Coordination@jpmchase.com; 'TWeldon@mohaveelectric.com' <TWeldon@mohaveelectric.com>; brooke.yoder@cat.com; carmen.rodriguez@asahirefining.com; paul.healey@asahirefining.com; wskelly@mltaikins.com; 'jreid@mltaikins.com' <jreid@mltaikins.com>; 'jeff@whitleylegalgroup.com' <jeff@whitleylegalgroup.com>; 'seth.hobby@wescoexplosives.com' <seth.hobby@wescoexplosives.com>; 'm.abell@utexas.edu' <m.abell@utexas.edu>; 'Benjamin.giese@gmail.com' <Benjamin.giese@gmail.com>; 'monroe.giese@gmail.com' <monroe.giese@gmail.com>; ncarlson@cwilson.com; robb.yarger@maptek.com; Tickle, Vicki <vtickle@cassels.com>; 'bsuzuki@swlaw.com' <bsuzuki@swlaw.com>; 'jflorentine@swlaw.com' <jflorentine@swlaw.com>; richhzmz@gmail.com; jmaclellan@blg.com; rtorrance@blg.com; Steve.livingstone@mross.com; Kara.gustafson@mross.com; cosepaje@gmail.com; kfellowes@stikeman.com; jdutrizac@kellysantini.com; BankruptcyNotifications@ehi.com; Robb.yarger@maptek.com; David.Ryan@RebelOil.com; Marlys@RebelOil.Com; jeff@whitleylegalgroup.com; mhaworth@greenstoneresources.com; rschwill@dwpv.com; sdanielisz@mccarthy.ca

Cc: Mishaal Gill <mgill@fasken.com>

Subject: In the Matter of the Companies' Creditors Arrangement Act, and in the Matter of Elevation Gold Mining Corporation, et al. – Supreme Court of British Columbia Vancouver Registry No. S-245121

CAUTION: External Email

Dear Service List:

Please find attached for service the following documents filed January 28, 2025:

- Notice of Application returnable January 31, 2025; and
- Fifth Report of the Monitor.

Sincerely,

Jordan Beaulieu

Legal Assistant

T +1 604 631 4930

jbeaulieu@fasken.com | www.fasken.com



Fasken Martineau DuMoulin LLP

550 Burrard Street, Suite 2900, Vancouver, British Columbia V6C 0A3

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