## ksv restructuring inc.



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ksvadvisory.com

August 7, 2024

**TO: ALL KNOWN CREDITORS** 

RE: Elevation Gold Mining Corporation, Golden Vertex Corp., Golden Vertex (Idaho) Corp., Eclipse Gold Mining Corporation, Alcmene Mining Inc., and Hercules Gold USA, LLC (collectively, the "Companies")

You are receiving this notice because the Companies' books and records list you as a creditor.

Take notice that on August 1, 2024, the Supreme Court of British Columbia (the "**BC Court**") made an order (the "**Initial Order**") granting each of the Companies protection pursuant to the *Companies' Creditors Arrangement Act* (the "**CCAA**"). Pursuant to the Initial Order, KSV Restructuring Inc. was appointed as monitor (the "**Monitor**").

Pursuant to the Initial Order, there is a stay of proceedings until August 12, 2024. An application is scheduled to be heard on August 12, 2024 (the "Comeback Hearing") to, among other matters, extend the stay of proceedings. The stay of proceedings may be extended, as necessary thereafter, pursuant to further orders of the BC Court.

Please also take notice that pursuant to the Initial Order, the Monitor has been appointed the foreign representative and, in that capacity, has commenced proceedings to recognize the CCAA proceeding in the United States Bankruptcy Court for the District of Arizona (the "Arizona Court") under Chapter 15 of the *United States Code*, 11 U.S.C.§§ 101-1532. The hearing is scheduled for August 13, 2024.

Information regarding these proceedings, including a copy of the Initial Order, is available on the Monitor's case website at: <a href="www.ksvadvisory.com/experience/case/elevation-gold-mining-corporation-inc">www.ksvadvisory.com/experience/case/elevation-gold-mining-corporation-inc</a>. The Monitor will also post on its website any orders issued at the Comeback Hearing, as well as other materials filed with, and orders issued by, the BC Court or the Arizona Court in the CCAA and Chapter 15 proceedings, respectively.

Commencement by the Companies of these proceedings will allow them to continue operations on a scaled-down basis and to continue an ongoing sale and investment solicitation process (the "SISP"). The SISP is focused on completing a going-concern transaction. An application is scheduled to be heard by the BC Court on August 12, 2024 for the approval of the BC Court.

Please note that during these proceedings, among other relief provided for in the Initial Order:

- the Companies are continuing to carry on business in the normal course;
- all persons having oral or written agreements with the Companies, or statutory or regulatory obligations for the supply of goods and/or services, are restrained until further order of the Court from discontinuing, altering, interfering with or terminating the supply of such goods or services as may be required by the Companies, provided that the normal prices or charges for all such goods or services received after the date of the Initial Order are paid by the Companies in accordance with normal payment practices of the Companies or such other practices as may be agreed upon by the supplier or service provider, the Companies and the Monitor, or as may be ordered by the Court; and

• all parties are prohibited from commencing or continuing legal action against the Companies and their directors and officers, and all rights and remedies of any party against or in respect of the Companies or their assets are stayed and suspended except with the written consent of the Monitor and the Companies, or with leave of the Court.

To date, no claims procedure has been approved by the BC Court or the Arizona Court and creditors are not required to file a proof of claim at this time.

Yours very truly,

KSV Restructuring Inc.

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IN ITS CAPACITY AS COURT-APPOINTED CCAA MONITOR OF THE COMPANIES, AND NOT IN ITS PERSONAL CAPACITY