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IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF ARIZONA

In re: ELEVATION GOLD MINING CORPORATION, Debtor in a Foreign Proceeding.	Chapter: 15 Jointly Administered Case No. 2:24-bk-06359-EPB
In re: Golden Vertex Corp., Debtor in a Foreign Proceeding.	Case No. 2:24-bk-06364-DPC
In re: Golden Vertex (Idaho) Corp., Debtor in a Foreign Proceeding.	Case No. 2:24-bk-06367-BKM
In re: Eclipse Gold Mining Corporation, Debtor in a Foreign Proceeding.	Case No. 2:24-bk-06368-MCW
In re: Alcmene Mining Inc., Debtor in a Foreign Proceeding.	Case No. 2:24-bk-06370-EPB
In re: Hercules Gold USA LLC, Debtor in a Foreign Proceeding.	Case No. 2:24-bk-06371-DPC

1 **MOTION TO EXPEDITE ROYALTY DETERMINATION MOTIONS**

2 Elevation Gold Mining Corporation (“Elevation”) and its direct and indirect
3 subsidiaries which include Eclipse Gold Mining Corporation (“Eclipse”), and Golden
4 Vertex Corp. (“GVC”) (collectively, the “Group”), respectfully request that the Court enter
5 an order pursuant to Local Rule 9013-1(i) expediting the hearing, briefing schedule and
6 determination on the Motion to Determine the Nature of Creditor Patriot Gold Corp’s
7 Royalty Interest [DE 52], Motion to Determine the Nature of Nomad’s Interest [DE 53],
8 and the Motion to Determine the Nature of the Finder’s Fee Agreement [DE 54]
9 (collectively “Royalty Determination Motions”), filed contemporaneously with this motion
10 to expedite.

11 **A. Basis for expedited hearing, briefing schedule and determination.**

12 As the Court knows, the Group obtained protection from its creditors in proceedings
13 No. S245121 (the “Canadian Proceeding”) commenced under Canada’s Companies’
14 Creditors Arrangement Act, R.S.C. 1985, c. C-36 (as amended, the “CCAA”), pending
15 before the Supreme Court of British Columbia (the “Canadian Court”).

16 A hearing is set before Justice Fitzpatrick in the Canadian Court for consideration
17 of a motion to approve a sale of the Group’s assets, including the assets comprising the
18 Moss Mine, which is scheduled to be heard on November 22, 2024 at 2:00 p.m. This
19 Application has been set prospectively. The hearing will be confirmed subject to the receipt
20 and selection of an offer for the sale of or investment in the Group’s assets or business
21 pursuant to the Sale and Investment Solicitation Process authorized by the Canadian Court
22 on August 12, 2024.

23 The Group requests that this Court set a hearing and briefing schedule on the
24 Royalty Determination Motions as soon as practicable before the November 22, 2024
25 hearing. The Royalty Determination Motions will have significant impact on the bids and
26 price in a potential sale authorized by the Canadian Court. If this Court determines that the
27 relevant parties’ interest are royalty interest in real property, the price point for the sale will
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1 likely be impacted. A ruling on the Royalty Determination Motions will allow all parties
2 to know the sales price and maximize the return for creditors.

3 Accordingly, the Group therefore respectfully requests an expedited hearing and
4 briefing schedule on the Royalty Determination Motions as soon as practicable before
5 November 22, 2024.

6 **B. Service and associated contact information**

7 Service on the following counsel will be made immediately upon the filing this
8 request and the Emergency Motion through the Court's ECF system and courtesy copies
9 will be delivered promptly via email after filing.

10 The contact information for all parties in interest or their counsel is below:

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C. Conclusion

Accordingly, for the reasons stated herein the Group requests that this Court set an expedited hearing and briefing schedule on the Royalty Determination Motions so that a determination on the relevant parties' interest related to the real property can be decided prior to the hearing on the Application for Sale Approval in the Canadian Court on November 22, 2024 .

DATED this 14th day of October, 2024

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The foregoing was electronically filed this 14th day of October, 2024 via the Court's CM/ECF filing system for filing and transmittal of a Notice of Electronic Filing, receipt of which constitutes service under L.R. Bankr. P. 9076-1(a), to the CM/ECF registrants.

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