

1 **Lewis Roca Rothgerber Christie LLP**

2 One South Church Avenue, Suite 2000
Tucson, AZ 85701-1611

3 **Robert M. Charles, Jr.** (State Bar No. 07359)
Direct Dial: 520.629.4427
Direct Fax: 520.622.3088
Email: RCharles@lewisroca.com

4 **Ken Coleman** (*pro hac vice*)
2628 Broadway
New York, NY 10025
Tel. (646) 662-0138
Email: ken@kencoleman.us

6 *Attorneys for KSV Restructuring Inc., as Monitor and Foreign Representative*

7
8 **UNITED STATES BANKRUPTCY COURT**
DISTRICT OF ARIZONA

9 In re:

10 Elevation Gold Mining Corporation, *et al.*

11 Debtor in a Foreign Proceeding.

Chapter 15

Case No. 2:24-bk-06359-EPB

(Jointly Administered)

**Joinder in Motion to Expedite Royalty
Determination Motions**

14 KSV Restructuring Inc. is the court-appointed monitor (the “**Monitor**”) of Elevation Gold
15 Mining Corporation and its affiliates (collectively, “**Group**”) in Supreme Court of British
16 Columbia Action No. S-245121, Vancouver Registry (the “**Canadian Proceeding**”) under
17 Canada’s *Companies’ Creditors Arrangement Act*, R.S.C. 1985, c. C-36 (as amended, the
18 “**CCAA**”), pending before the Supreme Court of British Columbia (the “**Canadian Court**”).

19 The Monitor is directly involved in the sale process concerning the assets of the Group
20 in the Canadian Proceeding. The Monitor confirms that the Royalty Determination Motions
21 will have a significant impact on the bids and price of the assets of the Group. Accordingly,
22 the Monitor joins in the request by Elevation Gold Mining Corporation and its subsidiaries for
23 an expedited procedure and hearing on the Royalty Determination Motions.

24 The expedited timing for the completion of the sale process is dictated by the limited
25 liquidity of the Group.

26 The Group has applied for approval of DIP financing to address its liquidity issues,
27 however Patriot, which is objecting to the expedited determination of the royalty claims, is
28

1 also objecting to the approval of the DIP financing by this Court. In light of such objection, it
2 is all the more important for the royalty interest to be determined quickly so that the sale
3 process is not frustrated by liquidity constraints.

4 DATED October 17, 2024.

LEWIS ROCA ROTHGERBER CHRISTIE LLP

5
6
7 By: /s/ Robert M. Charles, Jr.
Robert M. Charles, Jr.

8
9 AND

10 By: /s/ Ken Coleman
11 Ken Coleman (admitted *pro hac vice*)

12 Attorneys for KSV Restructuring Inc. as Monitor
13 and Foreign Representative of Elevation Gold
14 Mining Corporation, Eclipse Gold Mining
15 Corporation, Alcmene Mining Inc., Golden
16 Vertex Corp. Golden Vertex (Idaho) Corp. and
17 Hercules Gold USA LLC

CERTIFICATE OF SERVICE

I certify that on this 17th day of October, 2024, I electronically transmitted the attached document to the Clerk’s office using the CM/ECF System for filing and served through the Notice of Electronic Filing automatically generated by the Court’s facilities.

ANTHONY W. AUSTIN on behalf of Debtor Elevation Gold Mining Corporation
aaustin@fennemorelaw.com, gkbacon@fclaw.com

BRADLEY A COSMAN on behalf of Creditor Maverix Metals Inc.
BCosman@perkinscoie.com,
kmclure@perkinscoie.com,DocketPHX@perkinscoie.com,scarnall@perkinscoie.com

Amir Gamliel on behalf of Creditor Maverix Metals Inc.
agamliel@perkinscoie.com

PAUL A LOUCKS on behalf of Creditor PATRIOT GOLD CORP.
ploucks@dmyl.com

ANTHONY F. PUSATERI on behalf of Creditor PATRIOT GOLD CORP.
Anthony.Pusateri@quarles.com, sybil.aytch@quarles.com,dawn.mccombs@quarles.com

MICHAEL P. ROLLAND on behalf of Creditor Mohave Electric Cooperative,
Incorporated
mpr@eblawyers.com, jlc@eblawyers.com,acm@eblawyers.com

LARRY L. WATSON on behalf of U.S. Trustee U.S. TRUSTEE
larry.watson@usdoj.gov, Christopher.stewart2@usdoj.gov,coleen.craig@usdoj.gov

JEFFREY CHARLES WHITLEY on behalf of Creditor Hartmut Baitis
jeff@whitleylegalgroup.com

JEFFREY CHARLES WHITLEY on behalf of Creditor Larry Lackey
jeff@whitleylegalgroup.com

JEFFREY CHARLES WHITLEY on behalf of Creditor Robert B. Hawkins
jeff@whitleylegalgroup.com

/s/ Yvonne S. Ross
Lewis Roca Rothgerber Christie LLP

126406916.3