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7
8 IN THE UNITED STATES BANKRUPTCY COURT
9 FOR THE DISTRICT OF ARIZONA

10 In re: 11 ELEVATION GOLD MINING CORPORATION, 12 Debtor in a Foreign Proceeding.	Chapter: 15 Jointly Administered Case No. 2:24-bk-06359-EPB
13 In re: 14 Golden Vertex Corp., 15 Debtor in a Foreign Proceeding.	Case No. 2:24-bk-06364-DPC
16 In re: 17 Golden Vertex (Idaho) Corp., 18 Debtor in a Foreign Proceeding.	Case No. 2:24-bk-06367-BKM
19 In re: 20 Eclipse Gold Mining Corporation, Debtor in a Foreign Proceeding.	Case No. 2:24-bk-06368-MCW
21 In re: 22 Alcmene Mining Inc., Debtor in a Foreign Proceeding.	Case No. 2:24-bk-06370-EPB
23 In re: 24 Hercules Gold USA LLC, 25 Debtor in a Foreign Proceeding.	Case No. 2:24-bk-06371-DPC

1 **STIPULATED MOTION TO EXPEDITE**
2 **THE HEARING ON THE GROUP'S MOTION**
3 **TO DETERMINE THE NATURE OF THE FINDER'S FEE AGREEMENT**

4 The undersigned parties, stipulate to and respectfully request that the Court enter an
5 order pursuant to Local Rule 9013-1(i) expediting the hearing on the Group's Motion to
6 Determine the Nature of the Finder's Fee Agreement [DE 54] ("Motion to Determine") to
the week of November 18, 2024.

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

8 As the Court knows, Elevation Gold Mining Corporation ("Elevation") and its direct
9 and indirect subsidiaries which include Eclipse Gold Mining Corporation ("Eclipse"), and
10 Golden Vertex Corp. ("GVC") (collectively, the "Group") obtained protection from its
11 creditors in proceedings No. S245121 (the "Canadian Proceeding") commenced under
12 Canada's Companies' Creditors Arrangement Act, R.S.C. 1985, c. C-36 (as amended, the
13 "CCAA"), pending before the Supreme Court of British Columbia (the "Canadian Court").
14 GVC is party to the Finder's Fee Agreement (as successor to Northern Vertex Capital Inc.),
15 along with a group of individuals named Harmut W. Baitis, Robert B. Hawkins, and Larry
16 L. Lackey (collectively, "BHL").

17 A hearing is set before Justice Fitzpatrick in the Canadian Court for consideration
18 of a motion to approve a sale of the Group's assets, including the assets comprising the
19 Moss Mine, which is scheduled to be heard on November 22, 2024 at 2:00 p.m. The current
20 Purchase Sale Agreement requires that sale to close on or before December 31, 2024. As
21 part of that closing, the proposed purchaser requires a ruling by this Court as to the nature
22 of the Finder's Fee Agreement in the Group's assets. If a determination is not made by
23 such time, under the current agreement, the purchaser will not close the transaction and
24 may even terminate the acquisition. Such a termination would have a devastating effect on
25 the Group's prospect going forward and may require all operations at the mine to cease
26 which would seriously impair the value of Group's assets.

27 Accordingly, the undersigned parties have agreed that the hearing on the Motion to
28 Determine be expedited to the week of November 18, 2024.

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

2 Service on the following counsel will be made immediately upon the filing this
3 request and the Expedited Motion through the Court's ECF system and courtesy copies
4 will be delivered promptly via email after filing.

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

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Dated this 14th day of November, 2024.

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1 The foregoing was electronically filed this 14th day
2 of November, 2024 via the Court's CM/ECF filing system
3 for filing and transmittal of a Notice of Electronic Filing,
4 receipt of which constitutes service under L.R. Bankr. P.
5 9076-1(a), to the CM/ECF registrants.

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