1279993

Zurich0000028

9120116587 PIF

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8
1595 Wynkoop Street
DENVER, CO 80202-1129
Phone 800-227-8917
http://www.epa.gov/region08

Ref: 8ENF-L

NOV 19 2010

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Zurich Insurance
1400 American Lane
Schaumburg, Illinois 60196

Re: Request for Information Pursuant to Section 104 of CERCLA
Gilt Edge Mine Site, Lawrence County, South Dakota
Nelson Tunnel/Commodore Waste Rock Pile, Creede, Colorado

Dear Sir or Madam:

This letter seeks your cooperation in providing information and documents relating to Congdon and Carey, Congdon and Carey Ltd 3, Congdon and Carey Ltd 5, Minerals Engineering Company, and CoCa Mines Inc., former owners and/or operators of the Gilt Edge Mine Superfund Site located in Lawrence County, South Dakota and/or the Nelson Tunnel/Commodore Waste Rock Pile Superfund Site. The United States Environmental Protection Agency (EPA) is writing this letter to you because we have information that indicates that your company or its predecessor, Maryland Casualty Company, issued liability insurance to at least one of these entities that may cover claims relating to releases of hazardous substances at the referenced sites. EPA is currently investigating the nature and extent of contamination and past operations at these Superfund sites.

Pursuant to the authority of Section 104 of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), 42 U.S.C. § 9604, as amended, you are hereby requested to respond to the Information Request set forth in Enclosure 1, attached hereto. EPA seeks your voluntary cooperation in this investigation. Your compliance with the Information Request is appreciated and is required by law. Please provide a complete and truthful response to this Information Request within **thirty (30) days** of your receipt of this letter. Section 104 of CERCLA, 43 U.S.C. Section 9604, authorizes EPA to pursue penalties for failure to meet that deadline or failure to respond adequately. In addition, providing false, fictitious or fraudulent statements or representations may subject you to criminal penalties under 18 U.S.C. Section 1001.

This Information Request is not subject to the approval requirements of the Paperwork Reduction Act of 1980, 44 U.S.C. §§ 3501, et seq.

Your response to this request must be accompanied by a notarized certificate that is signed and dated by the person who is authorized by you to respond to this request. The notarized certificate must state that the response submitted to EPA is complete and contains all documents and information responsive to this request that are known to you following a complete and thorough review of all information and sources available to you. A suggested format for the notarized certificate is included with this request as Enclosure 2.

Your response to this Information Request should be mailed to:

Sharon Abendschan, Enforcement Specialist
U.S. EPA Region 8
Technical Enforcement Program, 8ENF-RC
1595 Wynkoop Street
Denver, Colorado 80202

If you have any questions relating to this Information Request, please contact Andrea Madigan, EPA Enforcement Attorney, at (303) 312-6904. Thank you for your cooperation in this matter.

Sincerely,

Kelcey Land, Director
Technical Enforcement Program,
Office of Enforcement, Compliance,
And Environmental Justice

Matthew Cohn, Supervisory Attorney
Legal Enforcement Program,
Office of Enforcement, Compliance,
And Environmental Justice

Enclosure

ENCLOSURE 1

INFORMATION REQUEST
Instructions

1. Please provide a separate narrative response to each and every Question and subpart of a Question set forth in this Information Request.

2. Precede each answer with the number of the Question to which it corresponds.

3. If information or documents not known or not available to you as of the date of submission of a response to this Information Request should later become known or available to you, you must supplement your response to EPA. Moreover, should you find, at any time after the submission of your response, that any portion of the submitted information is false or misrepresents the truth, you must notify EPA of this fact as soon as possible and provide EPA with a corrected response.

4. For each document produced in response to this Information Request, indicate on the document, or in some other reasonable manner, the number of the Question to which it corresponds.

5. The information requested herein must be provided even though the Respondent may contend that it includes possibly confidential information or trade secrets. You may, if you desire, assert a confidentiality claim covering part or all of the information requested, pursuant to Sections 104(e)(7)(E) and (F) of CERCLA, as amended, 42 U.S.C. § 9604(e)(7)(E) and F, Section 3007(b) of RCRA, 42 U.S.C. § 6927(b), and 40 C.F.R. 2.203(b), by attaching to such information at the time it is submitted, a cover sheet, stamped or typed legend, or other suitable form of notice employing language such as "trade secret," or "proprietary" or "company confidential." Information covered by such a claim will be disclosed by EPA only to the extent, and only by means of the procedures set forth in 40 C.F.R. Part 2, 41 Fed. Reg. 36,902 (1976) (amended at 43 Fed. Reg. 40,000 (1978), and 50 Fed. Reg 51,661 (1985)). If no such claim accompanies the information when it is received by EPA, it may be made available to the public by EPA without further notice to you. You should read the above cited regulations carefully before asserting a business confidentiality claim, since certain categories of information are not properly the subject of such a claim.

6. All terms not defined herein shall have their ordinary meaning, unless such terms are defined in CERCLA, 42 U.S.C. Section 9601 et seq., RCRA, 42 U.S.C. Section 6901 et seq., or Volume 40 of the Code of Federal Regulations (CFR), in which case such statutory or regulatory definitions shall apply.

7. Identify the person(s) answering these Questions on behalf of Respondent.

8. For each and every Question contained herein, identify all persons consulted in the preparation of the answer.

9. For each and every Question contained herein, identify documents consulted, examined, or referred to in the preparation of the answer or that contain information responsive to the Question and provide accurate copies of all such documents.

10. If you have reason to believe that there may be persons able to provide a more detailed or complete response to any Question contained herein or who may be able to provide additional responsive documents, identify such persons and the additional information or documents they may have.

11. For each and every Question contained herein, if information or documents responsive to this Information Request are not in your possession or control, then identify the persons from whom such information or documents may be obtained.

Definitions

The following definitions shall apply to the following words as they appear in this Enclosure 1:

1. The term "you" or "Respondent" shall mean the addressee of this Request, the addressee's officers, managers, employees, predecessors, successors, assigns, and agents.

2. The term "identify" means, with respect to a natural person, to set forth the person's name, present or last known business address and business telephone number, present or last known home address and home telephone number, and present or last known job title, position or business.

3. The term "identify" means, with respect to a corporation, partnership, business trust or other association or business entity (including a sole proprietorship) to set forth its full name, address, legal form (e.g., corporation, partnership, etc.), organization, if any, and a brief description of its business.

QUESTIONS

1. Please provide copies of all casualty, liability and/or pollution insurance policies brokered by Respondent (or Respondent's predecessors) and issued to Congdon and Carey, Congdon and Carey Ltd 3, Congdon and Carey Ltd 5, Minerals Engineering Company, and/or CoCa Mines Inc., from 1960 to present, including but not limited to comprehensive general liability, primary, umbrella and excess policies, as well as any environmental impairment liability or pollution legal liability insurance.

2. If there are any casualty, liability and/or pollution insurance policies brokered by Respondent (or Respondent's predecessors) and issued to Congdon and Carey, Congdon and Carey Ltd 3, Congdon and Carey Ltd 5, Minerals Engineering Company, and/or CoCa Mines Inc., from 1960 to present of which you have any evidence, or are aware, but have no copies, identify each such policy to the best of your ability by identifying:

a. The name and address of each insurer and of the insured;
b. The type of policy and policy numbers;
c. The per occurrence or per accident policy limits of each policy; and
d. The commencement and expiration dates of such policy.

3. To the extent not identified in Questions 1 or 2 above, provide all other evidence of casualty, liability and/or pollution insurance issued to Congdon and Carey, Congdon and Carey Ltd 3, Congdon and Carey Ltd 5, Minerals Engineering Company, and/or CoCa Mines Inc., from 1960 to present.

4. For each policy of insurance identified in Questions 1, 2 or 3 above, provide copies of all underwriting files, claim files, loss control files, and premium audits, as well as any accounting records including retrospective rating adjustments, for each such policy.

5. Please provide all documents and files that constitute, evidence, refer, or relate to claims made by Congdon and Carey, Congdon and Carey Ltd 3, Congdon and Carey Ltd 5, Minerals Engineering Company, and/or CoCa Mines Inc., under any of the policies identified in Questions 1, 2 or 3.

6. Identify all previous settlements involving Congdon and Carey, Congdon and Carey Ltd 3, Congdon and Carey Ltd 5, Minerals Engineering Company, and/or CoCa Mines Inc., which relate in any way to environmental liabilities and/or to casualty, liability and/or pollution insurance coverage, including :

a. The date of the settlement;
b. The scope of release provided under such settlement;
c. The amount of money paid pursuant to such settlement.

7. Provide copies of all settlement agreements identified in response to Question 6.

8. Identify any other insurance agencies or brokerage firms that placed any casualty, liability and/or pollution insurance policies issued to Congdon and Carey, Congdon and Carey Ltd 3, Congdon and Carey Ltd 5, Minerals Engineering Company, and/or CoCa Mines Inc., from 1960 to present. Include the name, address, telephone number and time period when the agency placed such insurance.

ENCLOSURE 2

NOTARIZED CERTIFICATE

I,_____, having been duly sworn and being of legal age, hereby state: .

1. I am the person authorized by _____ to respond to the Environmental Protection Agency's (EPA's) request for information concerning the Gilt Edge Mine Site in Lawrence County, South Dakota and the Nelson Tunnel/Commodore Site in Creede, Colorado .

2. I have made a complete and thorough review of all documents, information, and sources relevant to the request.

3. I hereby certify that the attached response to EPA's request is complete and contains all information and documents responsive to the request.

_____
(Signature) (Name, Title)
(SEAL) Subscribed and sworn to me
this __ day of_____, 2010.

_____
Notary Public
My Commission Expires:
My address is:

Printed on Recycled Paper

Zurich0000035

United States
Environmental Protection Agency
REGION 8
1595 Wynkoop Street
Denver, CO 80202-1129 8ENF-L-AM

BUSINESS - PENALTY FOR PRIVATE USE - $300

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT OF THE RETURN ADDRESS. FOLD AT DOTTED LINE

CERTIFIED MAIL

7009 3410 0000 2593 8801

049J82050849
$06.15
11/22/2010
Mailed From 80202
US POSTAGE

DDC

Zurich Insurance
1400 American Lane
Schaumburg, Illinois 60196

CERTIFIED MAIL

RETURN RECEIPT REQUESTED

(Page 1 of 7)

David Donohue/ZI/USA/Zurich
01/25/2011 11:24 AM

To Cherie Lee/Contractor/ZI/USA/Zurich@Zurich
cc
bcc
Subject Re: Files 912-106095 & 985-27506

Zurich Point

Yes, let's get file number 98527505 from Iron Mountain.

Thanks again,

Dave

David Donohue
MCU Specialist
Zurich North America
Environmental Claims
1400 American Lane
Tower 2, Floor 7
Schaumburg, IL 60196-1056
Direct Number: (847) 605-8612
david.donohue@zurichna.com

Cherie Lee/Contractor/ZI/USA/Zurich

Cherie Lee/Contractor/ZI/USA/Zurich
01/25/2011 11:10 AM

To David Donohue/ZI/USA/Zurich@Zurich
cc
Subject Re: Files 912-106095 & 985-27506

I checked with Brenda, she looked up the information for 985-27506 Coco Mines and the file is not there-it might be a Trail File. There is a 985-27505 Coco Mines. Do you want that instead? It is at Iron Mountain.

On File 912-106095 Coco Mines, Jeanne Myers has been searching for the file since April 2007 and it has not been located.

Cherie Lee
Zurich
Environmental Claims
1400 American Lane
Tower 2, Floor 7
Schaumburg, IL 60196-1056
847-605-6772 Direct Dial

David Donohue/ZI/USA/Zurich

David Donohue/ZI/USA/Zurich
01/25/2011 10:21 AM

To Cherie Lee/Contractor/ZI/USA/Zurich@Zurich
cc
Subject Re: Files 912-106095 & 985-27506

Can we check with Iron Mountain (and any other offsite storage location we typically use) just to make sure the files never ended up there?

Thanks,

Dave

David Donohue
MCU Specialist
Zurich North America
Environmental Claims
1400 American Lane
Tower 2, Floor 7
Schaumburg, IL 60196-1056
Direct Number: (847) 605-8612
david.donohue@zurichna.com

Cherie Lee/Contractor/ZI/USA/Zurich

Cherie Lee/Contractor/ZI/USA/Zurich
01/25/2011 10:19 AM

To David Donohue/ZI/USA/Zurich@Zurich
cc
Subject Re: Files 912-106095 & 985-27506

Hello David

Regarding the following information on the two files:

On File 912-106095 Coco Mines, from Shannon Steves' notes in EZAccess: "Our file has never been located and we have been informed that case has settled. We are closing our file. Waiving closing macro.".

On File 985-27506 Coco Mines, it was closed from Baltimore in 2001 and the location of the File has not been determined because Baltimore closed it.

Cherie Lee
Zurich
Environmental Claims
1400 American Lane
Tower 2, Floor 7

Schaumburg, IL 60196-1056
847-605-6772 Direct Dial

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ZURICH

January 24, 2011

Mr. Michael Clary
CoCa Mines, Inc.
6500 N. Mineral Dr., Ste. 200
Coeur d'Alene, ID 83815-9408

RE:	Our Insured:	CoCa Mines, Inc.
	Our Policy No.:	SMP 31501167
	Claimant/Site:	The United States Department of Justice/The Gilt Edge Mine Site, Lawrence County, South Dakota
	Our Claim No.:	9120116423

Dear Mr. Clary:

This will serve to acknowledge our receipt of CoCa Mines, Inc.'s ("CoCa's") first notice of loss concerning the above-captioned matter. Please direct all future correspondence and phone calls to my attention, being sure to reference the proper claim number.

Zurich

Enviromental Claims
1400 American Lane
Schaumburg, IL 60196-4032
P.O. Box 4032
Schaumburg, IL 60618-4032

Phone (847) 605-6155

Due to the limited information received to date, Northern Insurance Co. of New York ("Northern") must generally reserve its rights under any insurance policies it may have issued to CoCa, including the policy referenced above. Additionally, we are currently investigating the coverage that may be applicable to this matter. In this regard, please provide us with the following information:

1) Copies of the legal agreements executed between a) Congdon & Carey and CoCa, and b) Hecla Mining and Coca by which the liabilities associated with the Gilt Edge Mine Site ("the GEM site") were transferred.

2) Information concerning the ownership history of the GEM site, including what operations were performed there by each entity involved (to the extent you have this information). At a minimum, please provide us with detailed information concerning the activities conducted by both Congdon & Carey and CoCa during their tenure at the GEM site.

3) All information provided to CoCa by the United States Department of

Justice ("USDOJ") to date.

4) All information that CoCa has otherwise gathered and/or received (from any party) with regard to its alleged liability for the contamination at the GEM site.

5) Further information concerning the two other carriers and/or policies that have been identified for CoCa. In this regard, please provide us with copies of the policies at issue, as well as a copy of your notice letter to each carrier.

6) Information concerning your search for any applicable insurance that may have been purchased by Congdon & Carey.

7) Information concerning any potentially applicable insurance that Hecla Mining may have for this loss. To wit, any insurance issued to Hecla Mining that may provide coverage for the predecessor liability of CoCa and/or Congdon & Carey.

Once we have received the aforementioned information and otherwise completed our coverage analysis, we will contact you. In the meantime, please call me directly at (847) 605-8612 should you have any immediate questions.

Sincerely,

Northern Insurance Co. of New York

David Donohue
MCU Specialist
david.donohue@zurichna.com

ZURICH

David Donohue/ZI/USA/Zurich
01/24/2011 03:44 PM

To USZ_Env_Claims_Policysearch_Requests@Zurich
cc
bcc
Subject File # 9120116587, "CoCa Mines, Inc."

Zurich Point

Please conduct a search for policy # SMP 31501167, allegedly issued to "Coca Mines, Inc." and effective from 12/24/80-12/24/83. (Please note the policy was originally written by Northern Insurance Co. of NY.)

Thanks,

Dave

David Donohue
MCU Specialist
Zurich North America
Environmental Claims
1400 American Lane
Tower 2, Floor 7
Schaumburg, IL 60196-1056
Direct Number: (847) 605-8612
david.donohue@zurichna.com

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ZURICH

David Donohue/ZI/USA/Zurich
01/24/2011 03:42 PM

To USZ_Env_Claims_Claimfilerequests@Zurich
cc
bcc
Subject Please retrieve file #s 9120106095 & 9850027506 from storage

Zurich Point

David Donohue
MCU Specialist
Zurich North America
Environmental Claims
1400 American Lane
Tower 2, Floor 7
Schaumburg, IL 60196-1056
Direct Number: (847) 605-8612
david.donohue@zurichna.com

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This E-Mail/telefax message and any documents accompanying this transmission may contain privileged and/or confidential information and is intended solely for the addressee(s) named above. If you are not the intended addressee/recipient, you are hereby notified that any use of, disclosure, copying, distribution, or reliance on the contents of this E-Mail/telefax information is strictly prohibited and may result in legal action against you. Please reply to the sender advising of the error in transmission and immediately delete/destroy the message and any accompanying documents. Thank you.

Shannon

CLAIM SETUP INSTRUCTIONS

Date/time given to Adjuster:___ Date/time given by Adjuster to Support Staff:_

Adjuster Assigned to: Dave

CURRENT CLAIM #: 9/20/16587 CANCEL?: YES ____ NO X

INSURED: ColaMines CLAIMANT: USDOJ

POLICY NUMBER: SMP 3/501167 MODULE: _____

*Note - Policy not in CIID/CESAR, but a copy is attached!

DATE OF LOSS: 12/25/80 SETUP TYPE: R X L___ C___

4 SERIES TYPE: AUTO: 55 and 56 (USE AOL OF 781) VAL-ID NCPBI for BI ____ NCPPD for PD ___

5 SERIES TYPE: PROPERTY: Refer to CESAR LOB as directed by Policy and quick reference guide.

9 SERIES TYPE: GENERAL LIABILITY: See all choices for VAL-ID and Accident Description Code below

VAL-ID PLLBI: _____ (ACCIDENT DESCRIPTION CODES BELOW)

252 OPERATIONS CHEMICALS/SMOKE/FUME/PAINT
258 OPERATIONS COMPLETED OPERATIONS ALL OTHER
261 PRODUCTS CAUSE NOT LISTED
268 MISC UNCLASSIFIED LIABILITY

600-603 See WTC set up instructions

VAL-ID PLLPD: 268 (ACCIDENT DESCRIPTION CODES BELOW)

252 OPERATIONS CHEM/SMOKE/FUMES/PAINT
258 OPERATIONS COMPLETED ALL OTHER
261 PRODUCTS CAUSE NOT LISTED
268 MISCELLANEOUS
952 POLLUTION PD KEROSENE SPILL STORAGE
953 POLLUTION PD WASTE OIL STORAGE
954 POLLUTION PD FUEL OIL STORAGE
955 POLLUTION PD AVIATION FUEL STORAGE
956 POLLUTION PD LUBRICATION OIL STORAGE
957 POLLUTION PD PESTICIDE STORAGE
958 POLLUTION PD FERTILIZER STORAGE
959 POLLLUTION PD SPILL NEAR EMPTY TANK
950 POLLUTION PD GAS SPILL STORAGE TANK
951 POLLUTION PD DIESEL SPILL STORAGE TANK
960 POLLUTION PD OTHER TYPE SPILL STORAGE

600-603 See WTC set up instructions

AGENT OF LOSS CODE: 795 (APPLIES TO ONLY 5 & 9 SERIES CLAIMS)

140 Reactive Drywall
770 SILT
771 FUGITIVE DUST
774 TOXIC WASTE CLEAN-UP-TP REMEDIATION
775 TOXIC WASTE CLEAN-UP-TP
776 CHEMICAL MISAPPLICATION/OVER-SPRAY
777 GOV. REMEDIATION ACTION
778 UNDERGROUND STORAGE TANK
779 LIMITED POLLUTION COVERAGE
795 ALL OTHER POLLUTION

ACKNOWLEDGEMENT LETTER: SEND TO: _____

STANDARD CLAIM ____
STANDARD SUIT ____
NOTICE ONLY ____
TRANSFER ____
OTHER ____

SPECIAL INSTRUCTIONS: _____

Claim Registration Form

Record: 25437

Date Received by Environmental: 1/24/2011

Source: Assignment Queue

Received Claim No: 9120116587

Cancelled: ☐ Fax Claim No: 9120116587

Transferred: ☐ Where:

Date Reported to Zurich:

Registration Date: 1/25/2011

Insured: CoCa Mines Inc

Policy Number: SMP 31501167

Claimant/Site: United States

Primary ☐ Excess ☐ Business Unit:

Loss Type: Release of hazardous substance.

Date of Loss: 12/25/1980

MAS Assigned: Marthaler, Andy

A/S Assigned: DONOHUE, DAVID

Support Staff: Speer, Brenda

Date Assigned to Support Staff: 1/25/2011

☐ Acknowledged By Mail

☑ Z-Notes Entered

☑ Physical File Made

Additional Comments:

mp

Search

Zurich0000044

Brenda

Claim Registration Form

Record: 25437

Date Received by Environmental: 1/24/2011 Source: Assignment Queue

Received Claim No: 9120116587

Date Reported to Zurich:

Cancelled ☐ Env. Claim No:

Registration Date:

Transferred ☐ Where:

Insured: CoCa Mines Inc

Policy Number: SMP 31501167

Claimant/Site: United States

Primary ☐ Excess ☐ Business Unit:

Loss Type: Release of hazardous substance.

Date of Loss: 12/25/1980

MAS Assigned: Marthaler, Andy

A/S Assigned: DONOHUE, DAVID

Support Staff:

Date Assigned to Support Staff:

☐ Acknowledged By Mail

☐ Z-Notes Entered

☐ Physical File Made

Additional Comments:

mp

Duplicate Search By Date of Loss Search

Created Malina Podzimek 1/24/2011 9:15:24 AM

Edited Malina Podzimek 1/25/2011 9:52:06 AM

Zurich0000045

Claim Registration Form

Record: 25437

Date Received by Environmental: 1/24/2011 Source: Assignment Queue

Received Claim No: 9120116587

Date Reported to Zurich:

Cancelled ☐ Env. Claim No:

Transferred ☐ Where:

Registration Date:

Insured: CoCa Mines Inc

Policy Number: 0

Claimant/Site: United States

Primary ☐ Excess ☐ Business Unit:

Loss Type: Release of hazardous substance.

Date of Loss: 12/24/1983

MAS Assigned: Stevens, Shannon

A/S Assigned:

Support Staff:

Date Assigned to Support Staff:

☐ Acknowledged By Mail

☐ Z-Notes Entered

☐ Physical File Made

Additional Comments:

mp

Duplicate Search By Date of Loss Search

Created Malina Podzimek 1/24/2011 9:15:24 AM

Edited Malina Podzimek 1/24/2011 9:15:24 AM

January 21, 2011

RE:Claim #:	9120116587
Insured:	CoCa Mines Inc
Date of Loss:	12/24/1983
Claimant:	United States

Reported By:	Michael Clary
Reported By Phone #:	

Care Center Notes:
Reported by: Michael Clary Channel reported: FAX CSR Name: Kevin Tacey

January 21, 2011

RE: Claim #: 9120116587
Insured: CoCa Mines Inc
Date of Loss: 12/24/1983
Claimant: United States

Participant Listing:

Participant Last Name	First Name	Role
United States		3rd Party Property Owner

9120116587

ACORD™ GENERAL LIABILITY NOTICE OF OCCURRENCE/CLAIM

DATE: 01/21/11

PRODUCER | PHONE (A/C, No, Ext):

NOTICE OF OCCURRENCE / NOTICE OF CLAIM | DATE OF OCCURRENCE AND TIME: 12/24/1983 12:00 X AM PM | DATE OF CLAIM | PREVIOUSLY REPORTED YES NO

EFFECTIVE DATE | EXPIRATION DATE | POLICY TYPE: OCCURRENCE CLAIMS MADE | RETROACTIVE DATE

COMPANY: Zurich American Insurance Co. | NAIC CODE: | MISCELLANEOUS INFO (Site & location code)

CODE: | SUB CODE: | POLICY NUMBER: Unknown | REFERENCE NUMBER

AGENCY CUSTOMER ID:

INSURED

NAME AND ADDRESS: CoCa Mines Inc, 6500 N. Mineral Dr Suite 200, Coeur D Alene ID 83815

SOC SEC # OR FEIN:

RESIDENCE PHONE (A/C, No) | BUSINESS PHONE (A/C, No, Ext)

CONTACT

CONTACT INSURED

NAME AND ADDRESS | WHERE TO CONTACT | WHEN TO CONTACT

RESIDENCE PHONE (A/C, No) | BUSINESS PHONE (A/C, No, Ext)

OCCURRENCE

LOCATION OF OCCURRENCE (Include city & state): Gilt Edge Mine Site, Unknown SD

AUTHORITY CONTACTED

DESCRIPTION OF OCCURRENCE (Use separate sheet, if necessary): Release of hazardous substance.

POLICY INFORMATION

COVERAGE PART OR FORMS (insert form #s and edition dates)

GENERAL AGGREGATE	PROD/COMP OP AGG	PERS & ADV INJ	EACH OCCURRENCE	FIRE DAMAGE	MEDICAL EXPENSE	DEDUCTIBLE	PD / BI

UMBRELLA/EXCESS | UMBRELLA | EXCESS | CARRIER: | LIMITS: AGGR | PER CLAIM/OCC | SIR/DED

TYPE OF LIABILITY

PREMISES: INSURED IS | OWNER | TENANT | OTHER:

TYPE OF PREMISES

OWNER'S NAME & ADDRESS (If not insured)

OWNERS PHONE (A/C, No, Ext):

PRODUCTS: INSURED IS | MANUFACTURER | VENDOR | OTHER:

TYPE OF PRODUCT

MANUFACTURER'S NAME & ADDRESS (If not insured)

MANUFACT PHONE (A/C, No, Ext):

WHERE CAN PRODUCT BE SEEN?

OTHER LIABILITY INCLUDING COMPLETED OPERATIONS (Explain)

INJURED/PROPERTY DAMAGED

NAME & ADDRESS (Injured/Owner): United States | PHONE (A/C, No, Ext)

AGE | SEX | OCCUPATION | EMPLOYER'S NAME & ADDRESS | PHONE (A/C, No, Ext)

DESCRIBE INJURY | FATALITY | WHERE TAKEN | WHAT WAS INJURED DOING? Release of hazardous substance.

DESCRIBE PROPERTY (Type, model, etc): Unknown | ESTIMATE AMOUNT: $0.00 | WHERE CAN PROPERTY BE SEEN? | WHEN CAN PROPERTY BE SEEN?

WITNESSES

NAME & ADDRESS	BUSINESS PHONE (A/C, No, Ext)	RESIDENCE PHONE (A/C, No)

REMARKS

REPORTED BY	REPORTED TO	SIGNATURE OF INSURED	SIGNATURE OF PRODUCER
Michael Clary			

 © ACORD CORPORATION 1986

Applicable in Arizona

For your protection, Arizona law requires the following statement to appear on this form. Any person who knowingly presents a false or fraudulent claim for payment of a loss is subject to criminal and civil penalties.

Applicable in Arkansas, District of Columbia, Kentucky, Louisiana, Maine, Michigan, New Jersey, New Mexico, New York, Pennsylvania and Virginia

Any person who knowingly and with intent to defraud any insurance company or another person, files a statement of claim containing any materially false information, or conceals for the purpose of misleading, information concerning any fact, material thereto, commits a fraudulent insurance act, which is a crime, subject to criminal prosecution and [NY: substantial] civil penalties. In D.C., ME, LA, and VA, insurance benefits may also be denied.

Applicable in California

Any person who knowingly files a statement of claim containing any false or misleading information is subject to criminal and civil penalties.

Applicable in Colorado

It is unlawful to knowingly provide false, incomplete, or misleading facts or information to an insurance company for the purpose of defrauding or attempting to defraud the company. Penalties may include imprisonment, fines, denial of insurance, and civil damages. Any insurance company or agent of an insurance company who knowingly provides false, incomplete, or misleading facts or information to a policy holder or claimant for the purpose of defrauding or attempting to defraud the policy holder or claimant with regard to a settlement or award payable from insurance proceeds shall be reported to the Colorado Division of Insurance within the Department of Regulatory Agencies.

Applicable in Florida and Idaho

Any person who Knowingly and with the intent to injure, Defraud, or Deceive any Insurance Company Files a Statement of Claim Containing any False, Incomplete or Misleading Information is Guilty of a Felony.*

* In Florida - Third Degree Felony

Applicable in Hawaii

For your protection, Hawaii law requires you to be informed that presenting a fraudulanet claim for payment of a loss or benefit is a crime punishable by fines or imprisonment , or both.

Applicable in Indiana

A person who knowingly and with intent to defraud an insurer files a statement of claim containing any false, incomplete, or misleading information commits a felony.

Applicable in Minnesota

A person who files a claim with intent to defraud or helps commit a fraud against an insurer is guilty of a crime.

Applicable in Nevada

Pursuant to NRS 686A.291, any person who knowingly and willfully files a statement of claim that contains any false, incomplete or misleading information concerning a material fact is guilty of a felony.

Applicable in New Hampshire

Any person who, with purpose to injure, defraud or deceive any insurance company, files a statement of claim containing any false, incomplete or misleading information is subject to prosecution and punishment for insurance fraud, as provided in RSA 638:20.

Applicable in Ohio

Any person who, with intent to defraud or knowing that he/she is facilitating a fraud against an insurer, submits an application or files a claim containing a false or deceptive statement is guilty of insurance fraud.

Applicable in Oklahoma

WARNING: Any person who knowingly and with intent to injure, defraud or deceive any insurer, makes any claim for the proceeds of an insurance policy containing any false, incomplete or misleading information is guilty of a felony.

ZURICH

January 21, 2011

RE: Care Center Claims Report/Confirmation
Claim #: 9120116587
Insured: CoCa Mines Inc
Date of Loss: 12/24/1983
Claimant: United States

Zurich Customer Care Center
Telephone (800) 987-3373
Fax number 877-962-2567
http://www.zurichna.com

Attention:

Thank you for using the Zurich Customer Care Center to report your claim.

Enclosed is a printed copy of your loss notice. It was immediately forwarded to the appropriate claim office for handling. Please include our claim number on any future correspondence regarding this claim.

This letter does not confirm coverage but merely acknowledges that we have received your report of the claim.

Sincerely,

Zurich American Insurance Co.

Report your claim online at www.zurichna.com

Customers can now access our internet-reporting system through www.zurichna.com and selecting the Claims hyperlink on the navigation bar. Claim Handler information is available at this web site.

CoCa Mines Inc.

6500 N. Mineral Dr., Suite 200
Coeur d'Alene, Idaho 83815-9408

CERTIFIED/RETURN RECEIPT REQUESTED

January 12, 2011

Northern Insurance Company of New York
1400 American Lane
Schaumburg, Illinois 60196-1056

Re: Northern Insurance Company Policy: SM31501167
Your Insured: CoCa Mines Inc.
Policy Period: December 24, 1980-December 24, 1983

To Whom It May Concern:

CoCa Mines Inc. ("CoCa") has received a demand from the United States Department of Justice asserting that CoCa is liable for activities at the Gilt Edge Mine Site in Lawrence County, South Dakota. United States has advised us that it is alleging that CoCa is jointly and severally liable to the United States for response costs incurred at the Gilt Edge Mine Site under CERCLA or Superfund, 42 USCA § 9607(a). United States asserts two theories of liability against CoCa. First they allege that CoCa is liable as the owner and operator of the Site beginning in 1982, which is during your policy period. United States also alleges that CoCa is responsible for a predecessor in interest, Congdon & Carey, which was an owner and operator of the Site from 1975 until 1982. A copy of the United States' letter is enclosed.

Policy number SM31501167 was issued to CoCa in Denver, CO, by the Northern Insurance Company of New York. A copy of this policy is attached. Northern Insurance Company of New York provided $1,000,000.00 per occurrence and $1,000,000.00 in the aggregate property damage comprehensive general liability coverage.

Based upon the demands of the United States Department of Justice, CoCa hereby tenders the defense of this action by the United States to Northern Insurance Company of New York and requests that Northern Insurance Company of New York defend and indemnify CoCa from any and all liabilities. CoCa has retained the firm of Temkin, Wielga & Hardt LLP to defend itself in this action. Temkin, Wielga & Hardt LLP are specialists in Superfund liability and have worked extensively with CoCa's claimed exposures at this Site. I will be providing you with the defense costs incurred to date in this action as soon as a contact person from your company is identified.

Finally, the United States has initiated settlement discussions concerning this Site. Therefore, it is essential that I hear immediately from someone on behalf of your company who has the authority to discuss resolution of the United States' claims.

Very truly yours,

Michael Clary

U.S. Department of Justice

Environment and Natural Resources Division

HKH
DJ #90-11-3-08278

Environmental Enforcement Section
Byron Rogers Federal Building
1961 Stout Street – 8th Floor
Denver, Colorado 80294

Telephone (303) 844-1349
Facsimile (303) 844-1350

RECEIVED
JUL 12 2010

July 9, 2010

CONFIDENTIAL SETTLEMENT COMMUNICATION
Subject to Federal Rule of Evidence 408

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Joseph Middleton, Esq.
TEMKIN WIELGA & HARDT, LLP
1900 Wazee Street, Suite 303
Denver, CO 80202

Re: *Gilt Edge Mine Superfund Site*

Dear Mr. Middleton:

The purpose of this letter is to notify you that the U.S. Department of Justice, at the request of the Environmental Protection Agency, is preparing to bring a federal court action against CoCa Mines, Inc. ("CoCa Mines"), and others, for recovery of costs incurred and to be incurred by the United States in responding to the release or threatened release of hazardous substances at the Gilt Edge Mine Site (the "Site") in Lawrence County, South Dakota. The United States' complaint will allege that CoCa Mines is jointly and severally liable to the United States for response costs incurred at the Site, pursuant to Section 107(a) of the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. § 9607(a).

Before filing the complaint, however, we are extending to CoCa Mines, as well as to Cyprus Mines Corporation, Cyprus Amax Minerals Company, Inc., Homestake Mining Company of California, and Blue Tee Corporation, the opportunity to discuss settlement of this case. As you know, the United States is seeking to recover response costs from the responsible parties. To date, the United States has incurred more than $91 million in past costs in connection with response actions at the Site. The United States will incur future costs in connection with response actions at the Site.

The United States is interested in settling this matter with all parties prior to the commencement of litigation. To that end, a joint settlement meeting has been scheduled for **Tuesday, July 27, 2010, at 1 PM** at the U.S. Department of Justice, Environmental Enforcement Section Denver Field Office (Byron Rogers Federal Building/1961 Stout Street – 8th Floor/Denver, CO 80294). While we have discussed your attendance at this meeting on behalf

of CoCa Mines, please respond formally in writing within two weeks of the date of this letter that you still plan to attend the settlement meeting. In addition, please sign and return to me the enclosed Confidentiality Agreement. Otherwise, I will assume that CoCa Mines is no longer interested in settlement of this case, and will proceed with the necessary actions to resolve this matter.

If you believe that there are financial factors which bear on CoCa Mines' ability to reimburse the United States, please provide this information to me at least one week prior to the July 27 meeting. This information should include, but is not limited to, copies of tax returns for the past five years, and/or any other supporting financial information that may be necessary to determine limited ability to pay. In addition, if you believe that there are other factors which may potentially impact the amount that the United States is seeking to recover from CoCa Mines, I request that you also provide any and all such information at least one week in advance of the meeting. The United States is willing to review all such information, but the burden is on you to provide it.

Thank you for your prompt attention to this matter. I look forward to hearing from you in the near future, and seeing you on July 27.

Sincerely,

Heidi K. Hoffman

Heidi K. Hoffman

Enclosure

cc: Roxanne Giedd, State of South Dakota
Andrea Madigan, U.S. EPA

TravelersProperty Casualty
A member of citigroup

3 Farm Glen Boulevard
Farmington, CT 06032
FAX: 860 954-5857

Special Liability Coverage Unit

Direct Dial Number
(860) 954-4860

RECEIVED

JAN 24 2000

ENVIRONMENTAL CLAIMS

January 18, 2000

Robert Edwards
Zurich U.S.
Legal Services
3910 Keswick Road
Baltimore, MD 21211

File

Policyholder: **CoCa Mines, Inc. ("CoCa Mines")**
Site: **Cactus Gold Mines Project Area ("Cactus Mines")**
Re: **George Creque, Jr. et al. v. Cactus Gold Mines Co., Inc. etl al. (including CoCa Mines, Inc.), Superior Court of the State of California, Case No. 23523 SPC, Second Amended Complaint**

Dear Mr. Edwards:

This follows my telephone conversation with you on January 17, 2000 regarding the captioned matter. Please note that I am a member of the Special Liability Coverage Unit ("SLCU") where my role is limited to determining the extent of Travelers insurance coverage obligations, if any, in this matter under policies issued by Travelers[1] to CoCa Mines, Inc. ("CoCa Mines").

On January 17th we discussed the possibility of a defense cost-sharing agreement in response to your letter dated January 6, 2000. During that conversation I advised you that Travelers had no obligation to defend or indemnify CoCa Mines with respect to three of our policies because, *inter alia*, one of the policies contained an absolute pollution exclusion and two of the policies were "claims made" policies.

As CoCa Mines and its attorney Mark Wiegla are aware, the information currently available to the SLCU indicates that there is no coverage available for this matter under the fourth policy, i.e., under Travelers 1984 to 1985 policy. We have invited CoCa Mines to provide us with information suggesting that coverage may be available under this policy, but to this date, we have not received any such information. As such, Travelers will not be participating in any defense cost-sharing arrangements unless and until information is received from CoCa Mines or its representatives which provides Travelers with a basis to grant defense coverage.

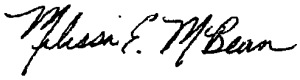
Travelers continues to fully reserve its rights in this matter. Neither this nor any subsequent communication or investigation should be deemed or construed as a waiver of any right or defense to

[1] "Travelers" includes The Travelers Indemnity Company and its subsidiaries and affiliates, one of which is Constitution State Insurance Company.

coverage available to Travelers (whether under its policies of insurance or at law or in equity), or as an expansion of any duties which may be owed by Travelers.

Should you have any questions, please call me at my direct dial number above. If it is more convenient, you may leave a message for me at our toll-free number (1-800-954-9633), and I will return your call as soon as possible. If you cannot reach me, you may also call Robert Harris at (860) 954-2959.

Sincerely,



Melissa E. McBean
Assistant Account Executive
SLCU

MMB076

cc: SLG (CSIC)

Mark A. Wielga, Esq.
Temkin, Wielga & Hardt LLP
1900 Wazee Street
Suite 303
Denver, CO 80202

Michael B. White
CoCa Mines, Inc.
c/o Hecla Mining Company
6500 Mineral Drive
Coeur d' Alene, ID 83815-8788

Robert Edwards
Tel. (410) 338-1573
Fax (410) 554-5042

ZURICH

January 6, 2000

Melissa E. McBean
Travelers Property Casualty-Specialty Liability Coverage Unit
One Tower Square
Hartford CT

RE: Your Insured: CoCa Mines
Constitution State Policies: CF257G347-8 and CF528G000-0
Matter: George Creque, Jr. v. Cactus Gold Mines Company Inc., et al.

Zurich U.S.
Legal Services

3910 Keswick Road
Baltimore, Maryland
21211

Telephone (410) 366-1000
www.zurichus.com

Dear Ms. McBean:

Your name was provided by Attorney Mark Wielga in connection with policies issued by Constitution State to either CoCa Mines and/or Cactus Gold Mines Company. We understand that the Constitution State policies may have been effective from approximately July 3, 1984 through July 3, 1986. I would appreciate having the opportunity to discuss whether or not Constitution State (Travelers) will participate in the defense of this matter. I would appreciate having the opportunity to discuss a possible defense sharing arrangement at your convenience. Thank you for your attention to this matter.

Very truly yours,

Robert Edwards
(410) 338-1573

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Robert Edwards
Tel. (410) 338-1573
Fax (410) 554-5042

ZURICH

January 6, 2000

Lynette Klawon, Esq.
Selman Brightman
11766 Wilshire Boulevard
Los Angeles CA 90025-6538

RE: Your Client: Commercial Union
Policyholder: CoCa Mines
Matter: George Creque, Jr. v. Cactus Gold Mines Company Inc.

Zurich U.S.
Legal Services

3910 Keswick Road
Baltimore, Maryland
21211

Telephone (410) 366-1000
www.zurichus.com

Dear Ms. Klawon:

Your name was provided by Attorney Mark Wielga regarding your representation of Commercial Union issued to CoCa Mines and/or Cactus Gold Mines. At your convenience, I would like to discuss this matter with you further. I look forward to hearing from you at your convenience. Thank you for your attention to this matter.

Very truly yours,

Robert Edwards
(410) 338-1573

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TEMKIN WIELGA & HARDT LLP

MARK WIELGA
(303) 382-2919
wielga@twhlaw.com

November 16, 1999

Mr. Robert Edwards
Zurich U.S.
Legal Services
3910 Keswick Road
Baltimore, Maryland 21211

RE: George Creque, Jr. v. Cactus Gold Mines Company, Inc., et al.
Policyholder: CoCa Mines
Policy No.: SMP 31501167, effective dates 12/24/80-12/24/82
UB 11822059, effective dates 6/4/81-6/4/82
UB 21826561, effective dates 6/4/82-12/24/82

Dear Mr. Edwards:

In response to your request, attached is a coverage chart for CoCa Mines covering the 1983-1986 time period. Also enclosed is a list of the relevant policies reflected on the chart. Policies number 4-7 are being handled by Lynette Klawon, Esq. of Selman Breitman, her telephone number is (310) 445-0800. Policies number 8 and 9 are being handled by Melissa E. McBean at Travelers Property Casualty, her telephone number is (860) 954-4860.

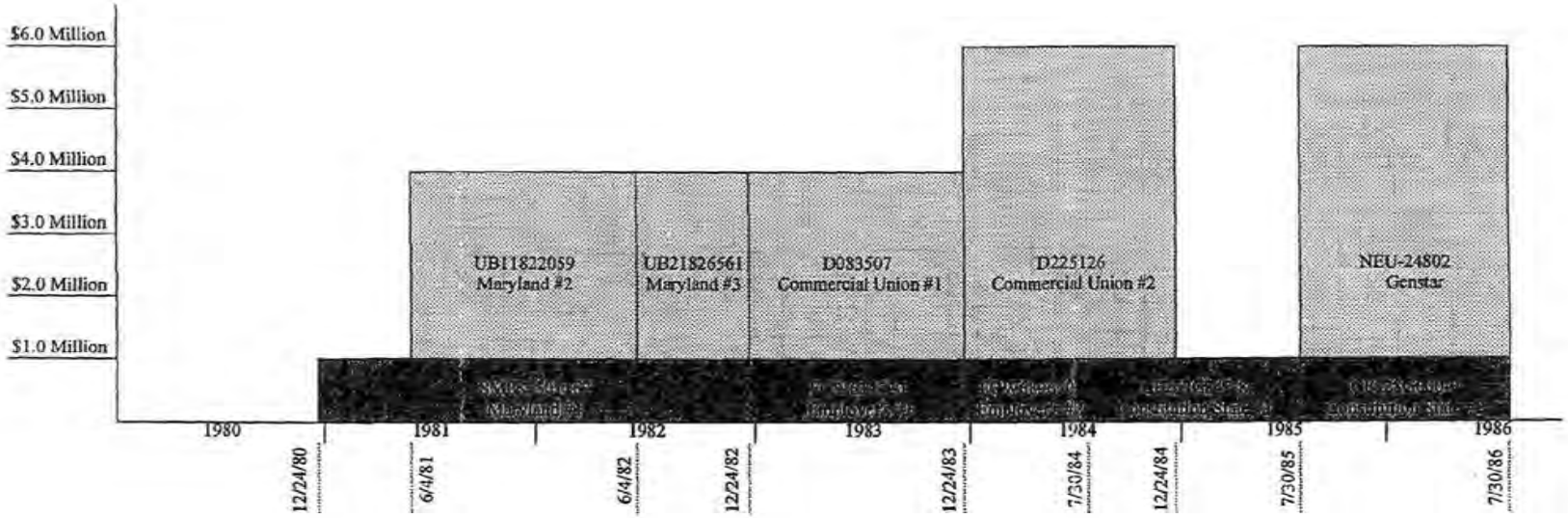
Please call me if you need any further information.

Sincerely,

Mark Wielga

MW/lb
Enclosures

RECEIVED
NOV 18 1999
ENVIRONMENTAL CLAIMS


$6.0 Million
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UB11822059
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UB21826561
Maryland #3
D083507
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D225126
Commercial Union #2
NEU-24802
Genstar
1980
1981
1982
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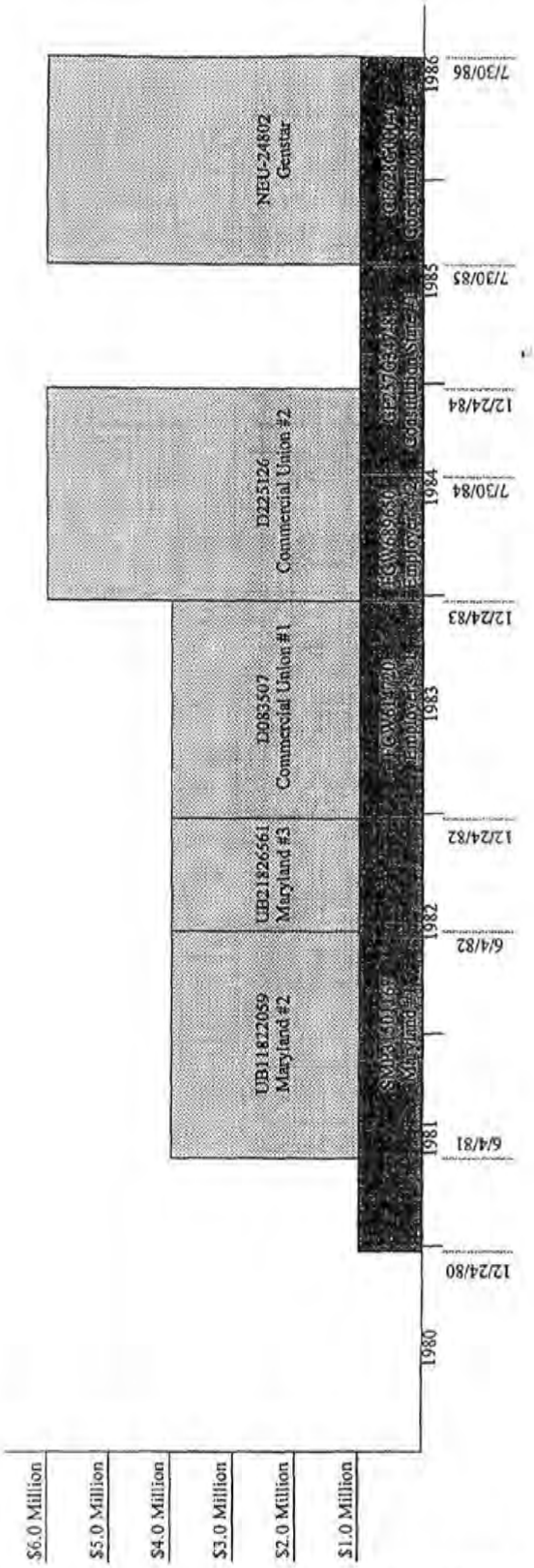
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6/4/81
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Maryland #2
1982
6/4/82
UB21826561
Maryland #3
12/24/82
1983
12/24/83
D083507
Commercial Union #1
1984
7/30/84
12/24/84
D225126
Commercial Union #2
1985
7/30/85
1986
7/30/86
NBU-24802
Genstar

EXHIBIT A

1. Policy: Maryland Casualty Company, No. SMP 31501167 —
   Date - Date: 12/24/80 - 12/24/82
   Amount: $1,000,000

2. Policy: Maryland Casualty Company, No. UB 11822059
   Date - Date: 6/4/81 - 6/4/82
   Amount: $3,000,000 rcl ?

3. Policy: Maryland Casualty Company, No. UB 21826561
   Date - Date: 6/4/82 - 12/24/82
   Amount: $3,000,000

4. Policy: The Employers' Fire Insurance Company, No. FCW61 47 20
   Date - Date: 12/24/82 - 12/24/83
   Amount: $1,000,000

5. Policy: Commercial Union Insurance Companies, No. DO8 35 07
   Date - Date: 12/24/82 - 12/24/83
   Amount: $3,000,000

6. Policy: The Employers' Fire Insurance Company, No. FCW68 96 50
   Date - Date: 12/24/83 - 7/30/84
   Amount: $1,000,000

7. Policy: Commercial Union Insurance Companies, No. D225126
   Date - Date: 12/24/83 - 12/24/84
   Amount: $5,000,000

8. Policy: Constitution State Insurance Company, No. CF257G347-8
   Date - Date: 7/30/84 - 7/30/85
   Amount: $1,000,000

9. Policy: Constitution State Insurance Company, No. CF528G000-0
   Date - Date: 7/30/85 - 7/30/86
   Amount: $1,000,000

10. Policy: GENSTAR Indemnity Company, No. NEU-24802
    Date - Date: 7/30/85 - 7/30/86
    Amount: $5,000,000

Zurich Insurance Response to EPA Request for Information
Pursuant to Section 104(e) of CERCLA

CONFIDENTIAL BUSINESS INFORMATION
DO NOT DISCLOSE

Zurich Insurance asserts a Business Confidentiality Claim against all documents covered by this Notice, including those documents under this cover with Bates numbers Zurich000063 through Zurich000325.

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MZURK RET 149593370-000001 RT ID: 00
M -40-07-2-18-0051-2-99-07 07267267
SKP:209226707-00019 CUST:209226707
NRM
COCA MINES INC
CACTUS GOLD SITE
Srv: 01/26 5:30pm EST For: BSPEER:
BRENDA SPEER
R NEXT

VO

985-0027505
Closed
8/19/02

DIARY

SEE VOLUME 2

COCA MINES, INC.
(CACTUS GOLD SITE)

Zurich0000326

ENDORSEMENT

EXCLUSION OF PROFESSIONAL LIABILITY

It is agreed this policy does not apply to any error or omission, malpractice or mistake of a professional nature committed or alleged to have been committed by or on behalf of the Insured in the conduct of any of the Insured's business activities.

End. #1

The information contained below is required only when this endorsement is issued subsequent to preparation of the policy.

TRANS.	This endorsement forms a part of Policy No. UB11822059			Issued to						And is effective on and after		
Term	Effective Date	Expiration Date	Co.	B.O.	Producer	Subject to Audit					Stat. Plan	☐ Prem. Bearing ☐ Non-Prem. Bearing
						M-1	Q-2	S/A-3	A-4			
Part.	Rat'g.		State	Comm.	Branch Office	Agent						

State Code	C/R Code	Fire District

KIND OF BUSINESS	LINE	CODE	PREMIUMS ADDITIONAL	PREMIUMS RETURN
Bodily Injury			$	$
Property Damage			$	$
Collision			$	$
A. P. D.			$	$
Miscellaneous			$	$
		Totals	$	$
Net Additional or Return Premium			$	$

Nothing herein contained shall be held to vary, alter, waive or extend any of the terms, limits or conditions of the policy, except as herein set forth.

.....

Authorized Representative.

42025 Ed. 7-72 Rev. 12-79 Printed in

ENDORSEMENT

PRODUCTS AND COMPLETED OPERATIONS EXCLUSION

It is agreed that this policy does not apply to Personal Injury or Property Damage included within the Completed Operations Hazard of the Products Hazard.

End. #2

The information contained below is required only when this endorsement is issued subsequent to preparation of the policy.

TRANS.	This endorsement forms a part of Policy No. UB11822059				Issued to							And is effective on and after		
Term	Effective Date	Expiration Date	Co.	B.O.	Producer	Subject to Audit							Stat. Plan	☐ Prem. Bearing ☐ Non-Prem. Bearing
						M-1	Q-2	S/A-3	A-4					
Part.	Rat'g.		State	Comm.	Branch Office	Agent								

State Code	C/R Code	Fire District

KIND OF BUSINESS	LINE	CODE	PREMIUMS ADDITIONAL	PREMIUMS RETURN
Bodily Injury			$	$
Property Damage			$	$
Collision			$	$
A. P. D.			$	$
Miscellaneous			$	$
		Totals	$	$
Net Additional or Return Premium			$	$

Nothing herein contained shall be held to vary, alter, waive or extend any of the terms, limits or conditions of the policy, except as herein set forth.

Authorized Representative.

42025 Ed. 7-72 Rev. 12-79 Printed in U.S.A.

ENDORSEMENT

PROPERTY DAMAGE - EXCLUSION

It is agreed this policy does not apply to damages because of property damage except insofar as coverage is provided by underlying insurance set forth and described in Item 1.6 of the Declarations.

End. #3

The information contained below is required only when this endorsement is issued subsequent to preparation of the policy.

TRANS.	This endorsement forms a part of Policy No. UB11822059				Issued to						And is effective on and after		
Term	Effective Date		Expiration Date	Co.	B.O.	Producer	Subject to Audit					Stat. Plan	☐ Prem. Bearing ☐ Non-Prem. Bearing
							M-1	Q-2	S/A-3	A-4			
Part.	Rat'g.		State	Comm.		Branch Office	Agent						

State Code	C/R Code	Fire District

KIND OF BUSINESS			PREMIUMS	
	LINE	CODE	ADDITIONAL	RETURN
Bodily Injury			$	$
Property Damage			$	$
Collision			$	$
A. P. D.			$	$
Miscellaneous			$	$
		Totals	$	$
Net Additional or Return Premium			$	$

Nothing herein contained shall be held to vary, alter, waive or extend any of the terms, limits or conditions of the policy, except as herein set forth.

Authorized Representative.

42025 Ed. 7-72 Rev. 12-79 Printed in

ENDORSEMENT

CONTRACTUAL LIABILITY EXCLUSION

It is agreed this policy does not apply to liability assumed by any Insured under any contract or agreement except insofar as coverage is provided by underlying insurance set forth and described in Item 1.6 of the Declarations. This exclusion does not apply to a warranty of fitness or qulity of the Insured's Products or a warranty that work completed by or on behalf of the Insured will be done in a workmanlike manner.

End. #4

The information contained below is required only when this endorsement is issued subsequent to preparation of the policy.

TRANS.	This endorsement forms a part of Policy No UB11822059	Issued to	And is effective on and after

Term	Effective Date	Expiration Date	Co.	B.O.	Producer	Subject to Audit M-1	Q-2	S/A-3	A-4		Stat. Plan	☐ Prem. Bearing ☐ Non-Prem. Bearing

Part.	Rat'g.		State	Comm.	Branch Office	Agent

State Code	C/R Code	Fire District

KIND OF BUSINESS	LINE	CODE	PREMIUMS ADDITIONAL	PREMIUMS RETURN
Bodily Injury			$	$
Property Damage			$	$
Collision			$	$
A. P. D.			$	$
Miscellaneous			$	$
		Totals	$	$
Net Additional or Return Premium			$	$

Nothing herein contained shall be held to vary, alter, waive or extend any of the terms, limits or conditions of the policy, except as herein set forth.

Authorized Representative.

42025 Ed. 7-72 Rev. 12-79 Printed in U.S.A.

E SONAL INJURY - EXCLUSION

It is agreed that this policy does not apply to liability for personal injury in connection with the operations and activities of the insured arising out of one or more of the following offenses:

(1) False arrest, detention or imprisonment or malicious prosecution.

(2) The publication or utterance of a libel or slander or of other defamatory or disparaging material, or a pualibcation or utterance in violation of an individual's right of privacy.

(3) Wrongful entry or eviction, or other invasion of the right of private occupancy.

(4) Discrimination, humiliation and mental anguish.

End. #5

The information contained below is required only when this endorsement is issued subsequent to preparation of the policy.

TRANS.	This endorsement forms a part of Policy No. UB11822059			Issued to						And is effective on and after		
Term	Effective Date	Expiration Date	Co.	B.O.	Producer	Subject to Audit M-1	Q-2	S/A-3	A-4		Stat. Plan	☐ Prem. Bearing ☐ Non-Prem. Bearing
Part.	Rat'g.		State	Comm.	Branch Office	Agent						

State Code	C/R Code	Fire District

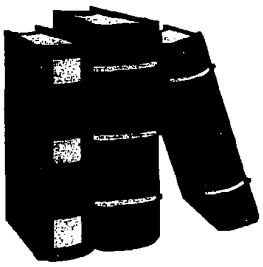
KIND OF BUSINESS	LINE	CODE	PREMIUMS ADDITIONAL	PREMIUMS RETURN
Bodily Injury			$	$
Property Damage			$	$
Collision			$	$
A. P. D.			$	$
Miscellaneous			$	$
		Totals	$	$
Net Additional or Return Premium			$	$

Nothing herein contained shall be held to vary, alter, waive or extend any of the terms, limits or conditions of the policy, except as herein set forth.

Authorized Representative.

42025 Ed. 7-72 Rev. 12-79 Printed in U.S.A.

GO TO *NEXT VOLUME*



THANK YOU

GRESHAM, SAVAGE, NOLAN & TILDEN, LLP
A REGISTERED LIMITED LIABILITY PARTNERSHIP
LAWYERS • FOUNDED 1910

FOR THE FIRM:
Duke D. Rouse
e-mail: duke@gsnt-law.com

600 NORTH ARROWHEAD AVENUE, SUITE 300
SAN BERNARDINO, CALIFORNIA 92401-1148
(909) 884-2171 • FACSIMILE (909) 888-2120

WILLIAM GUTHRIE (1886-1947)
DONALD W. JORDAN (1907-1989)
JOHN B. LONEGRAN (RETIRED 1976)

August 4, 2000

RECEIVED
AUG 7 2000
ENVIRONMENTAL CLAIMS

VIA EXPRESS MAIL
Robert Edwards
Zurich Insurance
3910 Keswick Road
Baltimore, Maryland 21211

Re: *Creque v. Cactus Gold etc. et al.*

Dear Mr. Edwards:

In response to your voice mail, I have enclosed a Collective Matrix and Individual Damage Charges for the 48 Plaintiffs who we have previously deposed. Because we thought the other Plaintiffs were being dismissed, we have not yet taken their depositions.

Very truly yours,

Duke D. Rouse, of
GRESHAM, SAVAGE,
NOLAN & TILDEN, LLP

DDR:nd
Enclosure
cc: Michael White
N:\H217-003\LTR\Edwards-0021.doc

COLLECTIVE MATRIX OF INDIVIDUAL PROOF CHARTS

NAME	NEGLIGENCE	TRESPASS	NUISANCE	ULTRAHAZARDOUS ACTIVITIES	DAMAGES	STATUTE OF LIMITATIONS
	1. Duty 2. Breach 3. Cause in Fact 4. Proximate Cause 5. Damages	1. Unauthorized entry on land which; 2. Disrupts the owners exclusive right to possession.	1. Conduct which results in; 2. Substantial interference with the owners use and enjoyment of their property.	1. Activity necessarily involves a risk of serious harm; 2. Which cannot be eliminated by the exercise of the utmost care; 3. And it is not a matter of common usage.	1. Physical 2. Property 3. Loss of Income (Severity of Damages is Rated on a Scale from 1 [minimum] to 5 [maximum])	
(b) (6)	–	–	–	–	Physical (1)	No
	–	–	–	–	Physical (1)	No
	–	–	–	–	–	No
	+	+	+	+	Physical (2)	No (minor)
	+	+	+	+	Physical (1)	No (minor until 1/27/97)
	–	–	–	–	Physical (1)	No (minor)
	–	–	–	–	Physical (1)	Yes
	–	–	–	–	Physical (2) Property (1) Loss of Income (2)	No
	–	–	–	–	Physical (1)	No
	–	–	–	–	Property (1)	Yes
	–	–	–	–	Physical (1)	No
	–	–	–	–	Physical (1)	No (minor)
	–	–	–	–	Physical (2) Loss of Income (1)	No (minor)
	–	–	–	–	Physical (1) Loss of Income (1)	No (minor)
	–	–	–	–	Physical (2) Property (3)	No
	–	–	–	–	Physical (2) Property (1)	No
	–	–	–	–	Physical (1) Property (1)	No
	–	–	–	–	–	No
	–	–	–	–	Physical (1)	No (minor)

Zurich0000337

NAME	NEGLIGENCE	TRESPASS	NUISANCE	ULTRAHAZARDOUS ACTIVITIES	DAMAGES	STATUTE OF LIMITATIONS
	1. Duty 2. Breach 3. Cause in Fact 4. Proximate Cause 5. Damages	1. Unauthorized entry on land which; 2. Disrupts the owners exclusive right to possession.	1. Conduct which results in; 2. Substantial interference with the owners use and enjoyment of their property.	1. Activity necessarily involves a risk of serious harm; 2. Which cannot be eliminated by the exercise of the utmost care; 3. And it is not a matter of common usage.	1. Physical 2. Property 3. Loss of Income (Severity of Damages is Rated on a Scale from 1 [minimum] to 5 [maximum])	
(b) (6)	–	–	–	–	Physical (2) Property (1)	Yes
	–	–	–	–	Physical (1)	No (minor)
	–	–	–	–	Physical (1)	No (minor)
	+	+	+	+	Physical (2)	Workers Compensation / Yes
	–	–	–	–	Physical (1) Loss of Income (1)	No (minor)
	+	+	+	+	Physical (2) Loss of Income (2)	Worker's Compensation / Yes
	–	–	–	–		No
	–	–	–	–	Physical (1) Property (1) Loss of Income (1)	Yes
	–	–	–	–	Physical (1) Property (1)	Yes
	–	–	–	–	Physical (1)	No (minor until 7/10/98)
	–	–	–	–	Physical (1)	No
	–	–	–	–	Physical (1)	No
	–	–	–	–	Property (2)	No
	–	–	–	–	Physical (1) Property (1)	No
	–	–	–	–	Physical (1) Property (1)	Yes
	–	–	–	–	Property (1)	No
	–	–	–	–	Physical (1)	Maybe
	–	–	–	–	Property (1)	Maybe
	–	–	–	–	–	Yes
	–	–	–	–	Property (1)	Maybe
	–	–	–	–	Physical (1) Property (1)	No

Zurich000338

NAME	NEGLIGENCE	TRESPASS	NUISANCE	ULTRAHAZARDOUS ACTIVITIES	DAMAGES	STATUTE OF LIMITATIONS
	1. *Duty* 2. Breach 3. Cause in Fact 4. Proximate Cause 5. Damages	1. *Unauthorized* entry on land which; 2. Disrupts the owners exclusive right to possession.	1. *Conduct* which results in; 2. Substantial interference with the owners use and enjoyment of their property.	1. *Activity necessarily* involves a risk of serious harm; 2. Which cannot be eliminated by the exercise of the utmost care; 3. And it is not a matter of common usage.	1. *Physical* 2. Property 3. Loss of Income (Severity of Damages is Rated on a Scale from 1 [minimum] to 5 [maximum])	
(b) (6)	–	–	–	–	Physical (1)	Yes
	–	–	–	–	Physical (1)	No (minor)
	+	+	+	+	Physical (1)	Yes
	–	–	–	–	Physical (1) Property (1)	Yes
	–	–	–	–	Physical (1)	No (minor)
	–	–	–	–	Physical (2)	Yes
	–	–	–	–	Physical (2) Loss of Income (2)	No
	–	–	–	–	–	Yes

Zurich0000339

(b) (6) [redacted]

INDIVIDUAL PROOF CHART

FACTUAL BASIS	PERSONAL INJURY DAMAGES	PROPERTY DAMAGE	LOSS OF INCOME	STATUTE OF LIMITATIONS
No fa[illegible]l basis for her claim. She states only that she believes the mine released some kind of toxic substance in the air and that it is affecting the people. (26:7-13) Her belief that the mine did anything wrong is further based on the comments of people in the community who say that the mine did something wrong. The deponent couldn't state with any specificity what these members of the community allege the mine to have done wrong. Do[illegible] has never told her that her physical problems were due to the mine activity. (18:11-19:11) Deponent produced no evidence showing that toxic substances produced by the mine were present on her property. Deponent never had the soil tested for any toxic materials. (54:11-22) Docto[illegible]ver told her the problem with her hand[illegible]lling was due to contact with toxic substances in the soil. (22:16-23:10)	Deponent claims that she has problems with her eyes and problems with her hands due to the mine's activities. (16:16-17:12) Deponent claims that her hands swell when they come in contact with the soil. (16:16-20) Doctors told her that her hand problems could be arthritis. (22:16-23:10) Deponent has incurred no medical expenses with respect to her injuries. (73:7-9)	Deponent is claiming no property damage due to the fact she rents her property. (40:6-7)	Not claiming any lost wages due to the mine's activity. (38:8-12)	The first person that spoke with Deponent about the nature of the mine's activity and their belief that the mine was contaminating the surrounding environment was George Creque. (48:14-49:3) Deponent stated that this communication occurred sometime after 1993, but that she could not recall for certain exactly when it occurred. (49:7-50:24)

Zurich0000340

(b) (6) [redacted]

INDIVIDUAL PROOF CHART

FACTUAL BASIS	PERSONAL INJURY DAMAGES	PROPERTY DAMAGE	LOSS OF INCOME	STATUTE OF LIMITATIONS
Son's great aunt, (b) (6) [redacted] took photographs of place "where the Cactus Mine dumped mercury in the ground and covered it up so OSHA wouldn't find out." ▪ Photos currently in (b) (6) [redacted] possession in New Mexico (9:3-10:21) ▪ Deponent hasn't seen pictures (13:5-8) ▪ (b) (6) [redacted] worked on the production line (14:3-7) Attributes physical illness to poisoning of the area by the mine with mercury and other unidentified chemicals that were improperly disposed of and got into ground, air and groundwater	Fatigue and headaches (24:10-14)	Had lease-option, never exercised, on Mohave property. Occupied, rent-free, Rosamond property owned by boyfriend's parents (18:7-19:7) ▪ Now lives in Rosamond with sister (17:19-18:4)	Didn't work from January to June/July of '99 because ill (24:3-11) ▪ Worked for (b) (6) [redacted]	

(b) (6) [redacted]

INDIVIDUAL PROOF CHART

FACTUAL BASIS	PERSONAL INJURY DAMAGES	PROPERTY DAMAGE	LOSS OF INCOME	STATUTE OF LIMITATIONS
Kn... nothing about the lawsuit. Her husband signed her up with out her knowledge. (24:18-22) She didn't even realize she was a plaintiff until a few weeks before her deposition on January 7, 2000. (25:16-22) She has no understanding of the basis of the lawsuit or why one was filed. (26:1-14) Never had the soil tested for any toxic ('aminants. (29:6-15) Has absolutely no evidence that any activity of the mine caused toxic substances to invade her property.	Had their water well tested and the test came back negative for contaminants. (22:11-23:10) Deponent is not able to state the damages she is alleging as a result of the lawsuit. (36:7-12)	Had their water well tested and the test came back negative for contaminants. (22:11-23:10) Deponent is not able to state the damages she is alleging as a result of the lawsuit. (36:7-12)	Deponent is not claiming any loss of income because she has never worked. (17:9-13)	Deponent didn't know anything about the lawsuit at the time it was filed. She didn't realize that she was ever even a Plaintiff until a few weeks before her deposition on January 7, 2000. (25:16-22) Deponent has no basis of knowledge that the mine has done anything wrong. (26-1:7)

Zurich0000342

(b) (6) [redacted]

INDIVIDUAL PROOF CHART

FACTUAL BASIS	PERSONAL INJURY DAMAGES	PROPERTY DAMAGE	LOSS OF INCOME	STATUTE OF LIMITATIONS
Deponent stated that he would hear explosions and see smoke from the mine coming to his property. (28:6-29:11) The cloud had a gaseous smell and would hurt when he breathed it in and when he breathed. No one has ever told him that his illness is the result of the mine activity. He just thinks that because the smoke from the mine used to come down and he used to br(it, that must be causing his physical problems. (37:15-40:13) Deponent believes that he did not start getting sick until the age of three. (42:8-12) However, he lived in the same place from birth until age eight. (42:16-21) He moved to his current residence at the age of eight.	Allergies, trouble breathing, headaches, dizziness. (15:18-24) These symptoms started approximately four years ago and the Deponent states that he has one, if not more, of these symptoms all day, most days. Deponent has been to a doctor for the allergies. (17:22-18:14) Doctors never told Deponent what he believes the cause of his allergies are. (23:20-24:3)	None	None	Minor

(b) (6) [redacted]

INDIVIDUAL PROOF CHART

FACTUAL BASIS	PERSONAL INJURY DAMAGES	PROPERTY DAMAGE	LOSS OF INCOME	STATUTE OF LIMITATIONS
Deponent believes that his physical problems are related to the mine activity because a large cloud emitted from the mine would come to their property which was located less than one mile from the mine. (27:1-9) The cloud was a brown cloud so thick that you could not see through it. (30:18-25) Once the cloud reached the property, deponent stated that the air smelled like chemicals and that you could not breath the air. It was like breathing pa[illegible] fumes. (29:1-25) Deponent stated that he estimated that there were at least fifteen explosions at the mine every week and that these explosions created the subject cloud. Deponent had no idea what the cloud contained, and if it was chemicals, what chemicals they were. (29:1-25) No d[illegible]s ever told him his lung problems were [illegible]ed by anything the mine has done. (28:10-25) Deponent does not own his property. His parents are the actual owners of the property	Deponent has problems with his lungs and he saw a doctor for that problem. (15:8-24:1) Deponent did not produce any evidence as to the amount of his medical bills.	No property damage is being claimed in that deponent does not own his property. Deponent still lives with his parents who are the owners of the property.	Deponent stated that he never missed work because of his chest problem. (41:18-20).	Deponent did not turn 18 until January 27, 1997. Lawsuit was filed December 6, 1997.

(b) (6) [redacted]

INDIVIDUAL PROOF CHART

FACTUAL BASIS	PERSONAL INJURY DAMAGES	PROPERTY DAMAGE	LOSS OF INCOME	STATUTE OF LIMITATIONS
Mino... – 12 years old at time of deposition (6:1-2) Heard explosions at mine 1 year ago (6:22-7:1) Saw dust or smoke clouds when 5 years old (7:14-8:11) Parents told her headaches may be caused by mine; believes related to smoke "but they don't know." (11:8-19) N... ...ctor has said problems are related to mine (11:5-16) Saw smoke only once; when 5 years old (11:20-25) No one other than parents ever told her mine responsible for illnesses (28:11-29:10) No testing on property (32:2-17)	Headaches, throat hurts, dizziness, eyes itch, allergies (8:14-16) Headaches (8:17-11:7) ▪ every morning for about ½ hour for last two years relieved with Advil for 2-3 hours ▪ never saw doctor for headaches Throat hurts (12:3-14:25) ▪ hurts about once a month, in front, under chin for 4 days ▪ saw doctor, but no opinion on cause ▪ sleeps with mouth open (30:22-31:6) Dizziness (15:12-17:15) ▪ dizzy every day when run or sits down; lasts a few minutes; usually in afternoon; for last year ▪ never saw doctor for problem Itchy eyes (19:17-21:1) ▪ no doctor or medication ▪ started last year ▪ parent say caused by mine, but not sure Allergies (23:24-27:15) ▪ eyes water, runny nose, sneezing ▪ occur mostly in summer; for last 3 years ▪ lasts 3-4 days; occurs every 3-4 days ▪ takes prescription medication			Hear dad tell mom that a man came to house with papers to fill out 2-3 years ago; saw man come in truck and drop off HDC&R forms (22:18-23:17

(b) (6) [redacted]

INDIVIDUAL PROOF CHART

FACTUAL BASIS	PERSONAL INJURY DAMAGES	PROPERTY DAMAGE	LOSS OF INCOME	STATUTE OF LIMITATIONS
The deponent believes that the Cactus Gold Mine operation may be responsible for her illness because her illnesses have progressed with nothing to cause that except for proximity to the mine and the materials around her in the environment. (58:22-59:7) Deponent has never been told by anyone that the physical problems she and her daughter suffer were caused by the operation of Cactus Gold Mine. (39:7-11) There is no evidence linking physical problems to Cactus Gold Mine activity. No tests have every been done on the property to see if it is contaminated with either cyanide or mercury. (47:2-48:5) There is no evidence linking her eczema with the activity conducted at the mine. (37:19-24)	Deponent has eczema. (32:10-13) The eczema problem began in 1988. (33:2-7) Her episodes of eczema are sporadic. (34:2-9) Deponent saw a doctor for her eczema problem. (34:10-20) Deponent also had Bowen's disease. It is a type of skin cancer. (37:19-22) Deponent had the skin cancer removed.	Husband purchased house in 1982 for $20,000.00. (29:10-12) There has been no appraisal on the house in the last five years. (29:5-20) Appraisal for property tax purposes was for $48,000.00. (29:24-26) Deponent had no idea when that appraisal was done. (29:26-30:1) No one has ever told her that their property has declined in value due to the Cactus Gold Mine. (30:5-12) No evidence the property has gone down because of Cactus Mine activity. Deponent gave no factual basis for the belief that the property value is affected by the activity of the Cactus Gold Mine. (30:13-31:7) Deponent believes that her property is worth less because of the activity of Cactus Gold Mine. (30:13-31:11)	Deponent is not claiming in loss of income as a result of the activity of Cactus Gold Mine. She has not been employed since 1994. (14:21-24)	Deponent has known about the cyanide wash at the gold mine since 1992. (24:22-25:6) Her husband told her in 1992 that they were not supposed to be using the cyanide wash procedure. (25:26-26:5) Deponent stated that she did not hear of anyone asserting that Cactus Mines was responsible for any damage until 1998 when George Creque mentioned it to her. (27:12-18) The first time deponent heard that people were asserting that the operation of Cactus Gold Mine was somehow affecting them was in 1998 when George Creque mentioned it to her. (28:13-29:6)

Zurich0000346

(b) (6) [redacted]

INDIVIDUAL PROOF CHART

FACTUAL BASIS	PERSONAL INJURY DAMAGES	PROPERTY DAMAGE	LOSS OF INCOME	STATUTE OF LIMITATIONS
De[illegible]nt has no factual basis for believing Cactus Gold Mine is responsible for any of his damages. His only basis is that he doesn't know what they do and there have been other complaints regarding the mine activity and the effects, but he doesn't know specifically what the mine has done or if it has done anything that has caused him damage. (20:4-13) Deponent has no idea if devaluation in his p[illegible]erty is due to the overall real estate [illegible]ket or some specific item that makes the property less valuable. (33:20-25) Deponent's only basis for believing his property is now worth less than it should be is what Deponent called a hazardous waste scare and the general devaluation of commercial property. People just don't want to purchase property in that area due to the fear of contamination. (17:1-3) No [illegible]r has ever said what caused his physical problems. (36:25-37:3) Deponent has never had his soil tested for contaminants. Deponent has had his well water tested and the tests have never revealed any contaminants.	Deponent has Barrett's esophagus problems. (35:4-12). This problem started in approximately April of 1997. Deponent has seen a doctor for his Barrett's esophagus problems. (35:13-14) Deponent estimates that he has spent approximately $10,000.00 in hospital bills treating his Barrett's esophagus problem. (41:17) Doctors have told him that he will need future medical care for his Barrett's esophagus problem.	Deponent purchased his property for $29,000.00 eighteen years ago. It was appraised in 1992 for $150,000.00. (15:15-19) Deponent's only basis for believing his property is now worth less than that is the hazardous waste scare and general devaluation of commercial property in the area. (17:1-3) Deponent has no idea how much his property is worth today.	Deponent claims loss of income of approximately $100,000.00. (37:19-20) Deponent operates his own machine shop which is located on the back part of his property. Deponent claims that his lost business was due to his Barrett's esophagus problem which caused him to have to turn away customers and caused him to be unable to finish work that he had already started. (39:6-15) His claim of lost income of $100,000.00 is just an estimate. He has no proof or way of determining other than his subjective belief. (37:21-38:7)	Deponent doesn't remember when he first spoke with anyone about the lawsuit. He didn't believe that any damages he may have incurred was due to the acts at the mine before filing the lawsuit. (26:9-13) Deponent remembers reading an article about the spill in 1988-89. At that time, he wanted to know if there was a connection between the spill and any damages to himself. (26:14-27:6)

(b) (6) [redacted]

INDIVIDUAL PROOF CHART

FACTUAL BASIS	PERSONAL INJURY DAMAGES	PROPERTY DAMAGE	LOSS OF INCOME	STATUTE OF LIMITATIONS
Depo...nt has no idea what the mine has done wrong and could not even state an opinion as to what Cactus Mine might have done wrong. (38:22-39:7) His mother signed him up for the lawsuit. He did not know about it until he was contacted for his deposition. (39:8-25) It is only his opinion that Cactus Mine is doing something wrong. (40:1-8) De... ent has no specific knowledge of any ac... y the mine that resulted in damage to his health or his property. (41:1-12)	The deponent suffers from headaches, metal taste in mouth, frequent urination, insomnia, fatigue, mood swings, irritability, weakness, stomach pain, quick temper, probably indecision. (45:4-7) Deponent states that he experiences the majority of these symptoms even when he is away from his Rosamond property. (48:16-22) Deponent also suffered from a bleeding ulcer. (48:23-24) Deponent saw a doctor in relation to his bleeding ulcer. (49:2-10) The doctors did not tell him that the ulcer was related to the activity at the mine, they said it was possibly from bacteria. (49:11-13) Cost of treatment for the bleeding ulcer unknown.	No property damage, he rents from his mother. (24:15-24)	No loss of earnings claimed. (46:4-6)	No facts which would allow us to get deponent out on statute of limitations grounds. Deponent had no idea that he was even signed up for the lawsuit until he was contacted for his deposition. (39:8-25)

(b) (6) [redacted]

INDIVIDUAL PROOF CHART

FACTUAL BASIS	PERSONAL INJURY DAMAGES	PROPERTY DAMAGE	LOSS OF INCOME	STATUTE OF LIMITATIONS
Depo[illegible]t knows of no specific facts tending to show Cactus Gold Mine Operation was responsible for any damage. The Deponent's concerns were general and unverified. (44:17-45:11) Deponent claims that Cactus Mine put some chemical in the ground that leached into the water and contaminated it. Her belief is based on what she read in the newspapers or what was told to her by Anna Belle Woody. (5[illegible]-55:12) Deponent never had her soil tested. She had her well tested when she bought the property in 1993 but doesn't remember the results. (50:13-52:14)	Deponent specifically states that she is not claiming anything or that the mine had specifically done anything to her. She does have some symptoms which may or may not be the result of contamination. (72:8-73:4) Never seen a doctor for any physical ailments. (73:5-8) No one has ever told her her physical problems are the result of activity at the mine.	Deponent had her property appraised on June 14, 1993. The property at that time appraised for $191,000.00. (59:9-21) No other appraisals have been done on the property since then. (59:22-24) Deponent believes property values have gone down due to the rumors of contamination. (65:16-66:15) Her main evidence that her property has gone down in value is the opinion of a lawyer in Rosamond who told her her house wasn't worth the $191,000 it was appraised for.	No loss of wages being claimed. (28:7-12)	Deponent became aware of problems with the mine very soon upon moving into their property in September of 1993. (39:23-40:15) In 1994, Deponent stated she began discussing potential problems at the mine with other neighbors. (42:2-43:17) Deponent was aware of the mercury spill in 1988 and had general discussions with Anna Belle Woody about the mine and the operations conducted at the mine. (54:8-55:12)

Zurich0000349

(b) (6) [redacted]

INDIVIDUAL PROOF CHART

FACTUAL BASIS	PERSONAL INJURY DAMAGES	PROPERTY DAMAGE	LOSS OF INCOME	STATUTE OF LIMITATIONS
Deponent's factual basis for believing that something done by the mine caused her physical problems is that ever since she moved to Rosamond she has just not quite felt right and with all of the rumors circulating about the contaminants in the air and water, she feels that there is something not right making her ill (29:22-30:12) The rumors were that the mine wasn't managed properly and the mine was dumping waste. This is the opinion of the general public. Doctors told her that her daughter's rash was due to toxins in the air and soil. (39:18-40:7) The doctors did not say the toxins were from the mining operation or what the toxins even were. Her daughters rash clears up when she goes away from Rosamond. (43:1-3) Deponent also read newspaper articles regarding the toxic environment caused by the mine. The article implicated other companies than Cactus Gold Mine.	Deponent has lost teeth and has general poor health. (65:23-66:12)	Deponent is not claiming any property damage. She rents her property. She does not own it. (15:7-12)	No loss of earnings claims. Her disability was not from the activity of the mine. (24:5-12)	There are no facts which would enable us to bring a motion for summary judgment based on statute of limitations with this deponent.

Zurich000350

(b) (6) [redacted]

INDIVIDUAL PROOF CHART

FACTUAL BASIS	PERSONAL INJURY DAMAGES	PROPERTY DAMAGE	LOSS OF INCOME	STATUTE OF LIMITATIONS
	Deponent suffers from nausea, headaches, mood swings, occasional nausea, diarrhea, fatigue and metallic taste in mouth. (15:20-16:1) Deponent has not sought any professional medical help for any of his physical symptoms. (19:21-21:9)	Deponent doesn't own any real property. Deponent owned three pigs which died. These pigs were purchased for $125.00 each. Deponent owned a show steer. He purchased it for $800.00 and sold it for $1,700.00 due to the fact that it wasn't gaining weight. It was sold for less than it would have otherwise. Deponent states that he believes that the steer could have been worth $5,000.00 to $6,000.00 had the steer not been so ill. (31:1-32:25) Deponent has no factual basis for linking the steer's problems to the mine. Deponent never found out what was wrong with the steer. He never took it to the veterinarian.	Deponent is claiming no lost wages. (11:5-7)	Deponent was a minor at the time this action was filed.

Zurich000351

(b) (6) [redacted]

INDIVIDUAL PROOF CHART

FACTUAL BASIS	PERSONAL INJURY DAMAGES	PROPERTY DAMAGE	LOSS OF INCOME	STATUTE OF LIMITATIONS
Deponent's factual basis for believing some activity of the mine was responsible for her injuries is that she didn't have any physical problems before she moved in with her father at their Rosamond address in 1995. (30:1-8)	She suffers from an ulcer, severe headaches and migraines. (27:17-22) Deponent went to see a doctor for these ailments in 1997 for the first time. Deponent had insurance at that time that covered the cost of the office visits. (29:3-11) Her symptoms lightened up when she moved to Texas. (32:12-23) No doctor has ever told her that the reason for the headaches is the activity at the Cactus Gold Mine. (39:18-25)	Deponent is not claiming any property damage because she does not own any property.	Deponent claims that she lost income from her injuries in 1996-97 while working at a dental office due to migraine headaches she believes are related to the activity at the Cactus Mine. (16:14-17:4) She lost approximately two to three weeks of work because of those migraines. (17:15-18)	Deponent was a minor at the time the cause of action arose.

(b) (6) [redacted]

INDIVIDUAL PROOF CHART

FACTUAL BASIS	PERSONAL INJURY DAMAGES	PROPERTY DAMAGE	LOSS OF INCOME	STATUTE OF LIMITATIONS
Dep[illegible]ent has no factual basis for believing that the mines operation caused any of his damages. (51:19-52:6) Deponent didn't know about the mine and the possible activity of the mine leading to damages suffered by the residence of the area until he had a conversation with Anna Belle Woody in early 1997. No one has ever told him that his animals died from contamination from Cactus Mine. No tests w[illegible] ever done on the deceased animals. ([illegible]-13) No evidence of why the animals died. (20:14-25) Deponent had three pigs. He had them slaughtered but then had to throw the meat away because it was rancid. (25:5-15) Deponent believes that his chickens died beca[illegible] of the mine because they died wit[illegible]ny blood or feathers missing. He believes that the pigs died as a result of the mine's operation also because they seemed to die for no reason. (20:14-25) Deponent didn't have the pigs tested after they died to determine the cause of death. (2[illegible]-19-21) Deponent's dog has tumors. Deponent believes it is because his dog rolls in the dirt outside and that the dirt is contaminated. (31:18-32:5)	Deponent suffers from adult onset diabetes which he was diagnosed as having in 1995. (34:15-20) Deponent takes insulin for his diabetes. Deponent also has joint pain. (44:7-12) No one has ever told him that the diabetes or joint pain was connected to the mine. (44:13-18) Deponent also suffers from nose bleeds and wheezing. (74:21-25) Deponent also suffers from swelling of the ankles. (42:9-14) Doctors told him that the swelling of the ankles was possibly a result of his diabetes. (42:15-23)	Deponent's chickens died and 31 baby chickens died also. (19:15-26) No one ever told him why the animals died and no tests were ever done on them. (20:6-13) Deponent had three pigs which died "mysteriously" according to the deponent. Deponent didn't have the pigs tested after they died. (28:19-21) Deponent purchased the property in 1995 for $58,000. (48:16-19) In 1996 he paid $48,000 for a prefabricated house that was to be situated upon the real property he had previously purchased. (49:9-10) In 1996 the house and the property together were appraised for $107,000. (49:25-26) In 1998 the house was reappraised for $78,000. (50:23-26) The reason for the decrease in value of the land is the general economic condition in the area according to the Deponent. (59:11-13) No one has ever told him, and he has no factual basis for believing, that the mine's operation caused the decrease in his property value. (51:19-52:6) His only reason for believing that his property value decreased is because of the word of mouth of people in the area that think the neighborhood is contaminated.	Doesn't appear that the deponent is claiming any lost income as a result of the activity of the Cactus Mine causing him physical ailments that prevent him from working. Out of all the physical ailments that Deponent suffers from, he only believes that the joint pain had some connection to the operation of the mine. (44:7-12) It doesn't appear that the Deponent lost any income as a result of his joint pain. Deponent believes that the joint pain must be connected to the operation of the mine because he didn't physically injure his joints and that is the only thing that it could be. (44:7-12)	Deponent didn't have any conversations or knowledge regarding the mine's activities until a discussion with Anna Belle Woody concerning the lawsuit in late 1997. (12:24-13:9)

Zurich0000353

(b) (6) [redacted]

INDIVIDUAL PROOF CHART

FACTUAL BASIS	PERSONAL INJURY DAMAGES	PROPERTY DAMAGE	LOSS OF INCOME	STATUTE OF LIMITATIONS
Dep. .nt's factual basis for bringing her claim is that the has more physical problems now than when she lived in Rosamond. (34:6-13) She also believes that her problems are the result of contamination from the mine because her property values have dropped and her animals die for no apparent reason. (34:14-24) She believes her headaches are attributable t .: mine's activity because headaches are a major symptom of mercury poisoning. (48:4-8) She believes that all of her symptoms are caused by the spill at the mine in the late '80s. (46:9-21) Deponent believes that this contamination reached her property because of the wind blowi.. the particles and from the water dra . (47:21-48:9) Anna Belle Woody told her that the test revealed mercury in her soil. (17:23-18:11)	Deponent suffers from inattentiveness, headaches, bloody noses. Deponent has never seen a doctor for any of these physical symptoms. (49:15-51:10) The headaches are getting worse over time. She has consulted three doctors for her headache symptoms. (36:22-25) No doctor has ever told her what the cause of her headaches were. (38:1-10) Deponent is taking pain killers for her headaches. (43:18-25) Deponent believes her headaches are attributable to the mine's activity because headaches are a major symptom of mercury poisoning. (45:4-8) She had soil testing on her property by Pat Chiodo of Hollywood Damage Control. (14:8-25)	Her property was appraised in 1996 for $107,000 and in 1998 for $78,000. Because there house didn't appraise for enough, they were turned down for a 6.9% loan from Sanwa Bank and could only get a second from another bank at 14%. (61:10-63:7) She had two pigs that died. The value she believes is up to $15,000 a piece. (65:4-8) She did nothing to determine how the pigs died but she believes that they died because of the mine's activity.	Deponent does not claim damages from loss of income. (24:8-12)	The first time deponent became aware of the possible mercury contamination that is claimed by the residents to be causing damages to the people in the neighborhood was 1998 when (b) (6) [redacted] asked if she would like Hollywood Recovery and Damage Control to test their soil. (16:1-14)

(b) (6) [redacted]

INDIVIDUAL PROOF CHART

FACTUAL BASIS	PERSONAL INJURY DAMAGES	PROPERTY DAMAGE	LOSS OF INCOME	STATUTE OF LIMITATIONS
Dep[illegible]nt's only factual for believing his physical ailments were related to the activity of the mine was that his ailments were unexplained and that he heard the mine was burning mercury and therefore they may be related. (25:16-26:10) Deponent remembers seeing a video on a mercury spill at the Cactus Mine. (26:5-13) No one ever told him that his physical problems were connected to the activity at [illegible] mine. (29:9-13) He believes that his physical ailments are related to the activity of the mine because his symptoms, and the cause of those symptoms, are unexplained. (29:13-18) Deponent had his soil tested and was told there levels of mercury in the soil and swamp cooler. (30:13-31:2) Hov[illegible], deponent got the impression that the [illegible]s of mercury weren't very high. (38:15-22)	Deponent had a rash and a lump under his skin. (20:24-22:23) No doctor ever told him that his physical problems were connected to the activity at the mine. (29:9-13)	Deponent believes that his property value has gone down. He has no factual basis except that his brother's property has declined in value. Deponent has had no appraisal on his property. Deponent has no factual basis for his belief that his property value has gone down. If his property has in fact gone down, Deponent has no factual basis for believing that Cactus Mine had anything to do with the decrease in his property's value.	Deponent is not claiming any loss of income from the activity at the Cactus Gold Mine.	There is no evidence available to bring a summary judgment motion against this deponent on statute of limitations grounds.

(b) (6) [redacted]

INDIVIDUAL PROOF CHART

FACTUAL BASIS	PERSONAL INJURY DAMAGES	PROPERTY DAMAGE	LOSS OF INCOME	STATUTE OF LIMITATIONS
Never had physical ailments before moved to property (80:19-81:6) Ingrown toenail ▪ doctors unsure whether attributable to some chemical (55:21-56:8) Rash ▪ video showed chemicals in air and soil; wind blows; mercury and cyanide can't be good for you (64:22-66:5)	Aches, pains, soreness (40:20-48:15) ▪ Soreness began 1992/93 (41:13-42:1) ▪ Elbows, fingers, wrists, back ▪ Never to doctor (42:14-19) ▪ spoke with doctor (50:11-52:7) Stomach pain (48:16-52:10) ▪ never saw doctor (50:3-50:10) Frequent diarrhea (52:14-53:18) ▪ no doctor (53:6-18) Ingrown toenail (55:7-59:22) ▪ big toe left foot, nail removed. Skin irritation (60:18-67:15) ▪ red, itchy bumps on arms and hands, ankles, feet. Stomach wherever clothes rub. Believes from contaminated soil. Metallic taste (67:12-67:25) Headaches (67:24-68:25) ▪ no doctor (68:22-23) ▪ occur when around house Nausea (69:1-69:4)	No property damage (71:14-71:20). Doesn't own property or trees (71:14-24). Trees dying (71:21-73:4) ▪ Italian Cypress and Leland Cypress – 25 out of 50 trees dead. Fruit trees died prior to moving in. Dogs (73:5-79:15) ▪ epileptic seizures – wife took to vet (wife said never took dogs to vet) ▪ biting and itching feet – irritation Parakeet (79:16-80:2) bites feet, in house, others died after one year.		Talked to (b) (6) less than 1 year ago (32:3-32:17)
Tijuana dentist attributes dental problems to minerals or chemicals in water (95:22-96:23)	Dental problems (87:3-100:20) ▪ brittle, crumbling, loss of enamel, cavities; sharp pain in ears when open jaw ▪ Tijuana dentist attributes dental problems to minerals or chemicals in water (95:22-96:23)			

Zurich0000356

(b) (6) [redacted]

INDIVIDUAL PROOF CHART

FACTUAL BASIS	PERSONAL INJURY DAMAGES	PROPERTY DAMAGE	LOSS OF INCOME	STATUTE OF LIMITATIONS
Date of Birth 7/17/78 (6:5-6:6) Incarcerated at Ventura Youth Correctional Facility in Camarillo, California since 10/15/96 (7:11-13) Incarcerated at Fred Nellis in Whittier from 9/74 [?] to 4/96 then Paso Robles for 6 months and Northern Reception Clinic in Sacramento between Paso Robles and Ventura (7:14-8:21) First learned he was a plaintiff in lawsuit when parents told him about 2 months ago. ▪ Parents signed him up (8:22-9:7) Mother answered discovery _____ spoke with her about his time in Mojave; unclear whether signed verification (9:8-11:5) Lived in Mojave 2-3 years (11:6-11:22)	Went to hospital for alcohol poisoning; told nothing wrong by doctors. ▪ Speculates about allergies and headaches (17:8-18:9) Developed rashes from swimming in water ponds at asphalt plant ▪ "Everyone" swam in those ponds and got rashes (19:10-20:4) Only knew mine was out there and never visited it (20:23-21:8) Never heard about illness from mercury contamination until parents mentioned it. Never took it seriously (26:22-27:16)			

Zurich0000357

(b) (6) [redacted]

INDIVIDUAL PROOF CHART

FACTUAL BASIS	PERSONAL INJURY DAMAGES	PROPERTY DAMAGE	LOSS OF INCOME	STATUTE OF LIMITATIONS
Road ATC onto mine property in Summer '97 (31:16-32:6) One of the quarries had "whitish orange foam in the bottom" (32:17-37:21) ▪ Like a fungus ▪ Deponent color blind (35:24-36:12) (37:22-38:8)				Minor ▪ Born 8/9/80 ▪ Presently 19 years old
No other factual basis for claim (45:12-45:24) Saw newspaper article, but didn't read it (60:22-64:13) Dewey Pest Control tested property Summer '98 (65:20-66:6) Discussed lawsuit with Eric Edmonds whose dad "watched it all happen." (75:6-76:5) [illegible] toms of ailments – "no proof" caused by mine, "but there's a big possibility" (77:19-77:23) Dr. Thompson of High Desert Medical Center said rashes could have been caused by activities at mine. (77:24-79:16) Dr. said rashes can come from anything (81:25-82:10)	Rashes (79:16-83:10) ▪ Swollen red welts like hives, lasted for one week in November 1999 Headaches (83:11-85:3) Cough (85:8-86:1) ▪ Smokes 1½ packs of cigarettes for 5 years Difficulty breathing (86:2-86:25) ▪ Diagnosed with bronchial asthma 5 years ago Chest pains (87:1-88:7) ▪ 2 to 3 times per week; EKG normal about 1 year ago Mood swings / quick temper (88:21-88:18) Nose bleeds (89:18-89:7) ▪ Couple of times per week Forgetfulness (90:8-91:18) ▪ Forgets what girlfriend says ▪ Problem for 4 years Indecision (91:19-91:24) ▪ Same as forgetfulness Eye irritation (91:25-93:10)			

(b) (6) [redacted]

INDIVIDUAL PROOF CHART

FACTUAL BASIS	PERSONAL INJURY DAMAGES	PROPERTY DAMAGE	LOSS OF INCOME	STATUTE OF LIMITATIONS
(41:19-42:9) Summer of '96 trees and shrubs dying – pest control people come out, take a soil sample and say "soil is bad." No testing done (45:12-46:14) Video shown by (b) (6) [redacted] (124:5-125:3) Newspaper clippings (126:5-126:20)		Oleanders (28:19-22) alive in spring/summer '94 / '95 (29:15-17) "before" the incident (29:18-30:8). Dead in approximately spring '98. Evergreens and cypress trees also alive in '94 or '95 (33:19-35:1). Dead 3 years ago (summer '96) (40:16-41:24)		(41:19-42:9) Summer of '96 trees and shrubs dying – pest control people come out, take a soil sample and say "soil is bad." No testing done (45:12-46:14) (b) (6) came to house to discuss lawsuit in Summer of '93-'94 (53:14-57:3).
	Headaches (62:9-18) (68:17-72:4) started appearing in 1994 Runny nose Tumor on ovaries (75:3-75:19); not cancerous (75:3-75:11) Bad cough Emotional Irregular periods Teeth deteriorating (80:7-80:25) Discharge from breasts (75:3-79:23)			Went to doctor for medical problems 4-5 years ago (73:3-74:4). (b) (6) [redacted] 1994 (89:13-90:17) when symptoms noted could be result of mine.
Believes well-water contaminated by mine (150:25-151:13) No testing (155:4-155:18)	Tumor on ovaries ▪ prescribed birth control pills to dissolve it ▪ Plaintiff never took them (83:18-85:20) Runny nose/post nasal drip (85:21-86:17) Cough ▪ heavy cigarette smoker (86:18-88:7) Saliva (88:8-89:7) (90:20-90:23) Rash (90:24-94:9) ▪ appear on uncovered skin when ride ATVs and clear up with hand lotion and water			Believes well-water contaminated by mine (150:25-151:13) No testing (155:4-155:18)

Zurich0000359

FACTUAL BASIS	PERSONAL INJURY DAMAGES	PROPERTY DAMAGE	LOSS OF INCOME	STATUTE OF LIMITATIONS
	▪ *daughter a little longer because* sensitive skin (92:9-93:11)			
	Muddled thinking (94:11-96:9) ▪ started 1994, comes and goes, more severe when "stressed" Mood swings (96:10-96:18) and slurred words Frequent urination (96:19-97:6) ▪ started 1996 Metallic taste (97:7-98:17) Difficulty breathing (98:18-99:12) Insomnia (101:1-102:4) ▪ take over the counter sleeping pills Fatigue (102-104:1) Nosebleeds (104:9-104:25) ▪ 4 since 1994 Chest pains (105:6-106:10) Breast discharge (106:14-107:2) Teeth (107:3-110:18)	Chihuahuas – (4 dogs) and Shady (big dog) problems with paws (128:12-130:17) (150:21-24)		

Zurich0000360

(b) (6) [redacted]

INDIVIDUAL PROOF CHART

FACTUAL BASIS	PERSONAL INJURY DAMAGES	PROPERTY DAMAGE	LOSS OF INCOME	STATUTE OF LIMITATIONS
..alth problems with no idea of cause (10:20-11:3) No rashes when visiting in Arizona (19:10-23) Tijuana dentist says problems related to contaminated well water (25:20-26:14) Tested for hypoglycemia and diabetes – testing inconclusive (37:23-38:18)	Stomach problems (11:18-19:5) ▪ Began 5 years ago / occurs 3 times per week ▪ Treated by physician / thought cause was mental ▪ Vomit for no reason / medication didn't help ▪ Began 6 years ago; continues today (66:16-25; 67:9-14) No mental problems (17:3-5) ▪ Doctor suggested psychologist for family problem. Doctor thought may be cause of vomiting (77:4-78:24) Rashes (19:6-21:7) ▪ Began 6 years ago; continues today (67:1-8) ▪ Rashes on hands and arms, neck and legs ▪ Blotchy bumps that come and go for past few years Dizziness (21:25-23:7) began 6 years ago; continues today (67:15-22) ▪ Light headed when stands up Weakness (23:8-23:19) ▪ Began 6 years ago; continues today (68:2-10) ▪ Connected to dizziness Dental problems (23:20-29:2) ▪ Tijuana dentist attributes to contaminated well water ▪ Began 6 years ago; continues today	None (8:22-8:25)		Born 2/11/83 (5:14-15) Filled out (b) (6) [redacted] questionnaire in 1998 (9:22-10:12)

Zurich0000361

FACTUAL BASIS	PERSONAL INJURY DAMAGES	PROPERTY DAMAGE	LOSS OF INCOME	STATUTE OF LIMITATIONS
	(68:11-15) Diarrhea ▪ Began 6 years ago (68:21-23) Headaches (29:3-31:12) ▪ Began 6 years ago (68:24-69:1) ▪ Migraines – took medication, now only occasional aspirin or Ibuprofen Aches and pains (31:13-37:13) ▪ Began 4 years ago (69:2-5) ▪ Back pain around spine and back of legs at knee area (left leg more than right) ▪ Hands get tense – lock up; knuckles throb ▪ Never discussed with doctor Respiratory and sinus problems (40:18-42:7) ▪ Treated with antibiotics ▪ Began 6 years ago (69:7-11)			
Other than info received from attorneys and (b) (6) [redacted] no other basis for believing mine responsible for physical problems (45:8-20) Doctor felt family problems may be cause of vomiting and stomach problems (77:4-78:24) (13:7-14:24)	Muddled thinking / short-term memory loss (69:24-72:5) ▪ Began 6 years ago; continues today ▪ Mentioned to physician but never followed through with tests Irritability (72:6-73:3)			

Zurich0000362

(b) (6) [redacted]

INDIVIDUAL PROOF CHART

FACTUAL BASIS	PERSONAL INJURY DAMAGES	PROPERTY DAMAGE	LOSS OF INCOME	STATUTE OF LIMITATIONS
o factual basis.	Stomach pain. (11:18-12:4) Hives. (16:1-18) Trouble sleeping. (16:19-23)	No property damage.	No loss of income.	No statute of limitations (deponent is a minor).

Zurich0000363

(b) (6) [redacted]
INDIVIDUAL PROOF CHART

FACTUAL BASIS	PERSONAL INJURY DAMAGES	PROPERTY DAMAGE	LOSS OF INCOME	STATUTE OF LIMITATIONS
Deponent began working at Cactus Gold Mine in 1991. (24:11-13) Deponent's duties included being on the heap pile, rolling up the hoses that dripped cyanide solution. (25:7-20) Deponent's factual basis for believing that Cactus Gold Mine is the source of her family's physical problems is that when the mine blasted it would kick up a large cloud of dust which would be carried away by the wind and the deponent believes that that dust contained quantifiable amounts of mercury which contaminated the environment around and caused the population to be sick. (57:7-58:14) Blood test done at Freemont Medical right after last depo: ▪ showed no mercury or arsenic, but showed cyanide – doctors attributed to smoking (134:17-135:6) ▪ feels better *about risk of exposure* but not totally assured (135:23-138:24) Smoked for 15-20 years; 1½ packs a day until 6 months ago (141:24-142:17) Believes (b) (6) [redacted] was exposed to mercury in the air when she moved back to Rosamond from Ivanhoe around Thanksgiving/Christmas of 1993. Her behavior changed and it was noticeable at the end of the school year 1994 (144:23-149:8) ▪ no one has ever told her (b) (6) [redacted] problems were due to mercury exposure; no medical evidence (149:2-8) While working at the mine, Deponent didn't	Deponent suffered from allergies (87:1-6), rashes and hives (89:15-19). She had a lymph node removed. (93:1-94:5) She had breast tissue removed. (94:8-25) She never sought medical attention for her rashes and hives. (90:15-16) No one ever told her the lymph node of the breast tissue that were removed were damaged because of the activity at the mine. (94:19-21) Female problems began while working at mine (130:11-16) ▪ went on disability in April 1992 (132:8-10) ▪ emergency hysterectomy after April 1992 (131:1-132:23) ▪ diagnosed with pelvic inflammatory disease (133:12-21) - large cyst on left ovary ▪ believes caused by exposure at the mine but never told that by health professional (134:9-16) Rash (171:21-177:7) ▪ first appeared when working at mine (171:21-172:2) ▪ doctor believed silica used in operation was causing the rash (172:8-173:10 (175:19-176:21) ▪ today still breaks out in rash but not around silica so believes arsenic or mercury the cause (173:18-25) ▪ rash went away when moved from	Deponent is not claiming any property damage as a result of the activities of Cactus Gold Mine. Deponent did not own any property when she was living in Rosamond. (45:10-12)	Deponent is not claiming any lost income due to the activities of the mine. (22:24-23:2) She did have loss of income when she was on disability when she was working at the mine. She had an ovarian cyst. (36:8-15) She believes it was due to her exposure to mercury, cyanide, arsenic and other hazardous chemicals. (36:21-23) No health care professional ever told her that the ovarian cyst was a result of her exposure to hazardous chemicals. (37:7-21)	Deponent discussed the issues with (b) (6) [redacted] (b) (6) [redacted] sometime between June 1996 and January 1997. (73:11-74:7) Her husband (b) (6) [redacted] tested positive for mercury in the early 1990's. (96:7-8) Deponent began working at the Cactus Gold Mine in 1991. (24:11-13) Deponent first put together the connection between the mine's activity and her family's injuries when her husband got sick in Georgia. (38:5-22) Deponent and her family moved back from Georgia to Henderson, Nevada in the middle of June, 1996. (73:17-25) Began working at mine in February 1991 (124:10-13) Moved to Rosamond in 1990 (124:14-17) Was on disability in April 1992 (130:20-25) First determined (b) (6) [redacted] problems were related to exposure when (b) (6) [redacted] became sick and they moved to Nevada (151:1-152:9) When (b) (6) [redacted] had his first stroke in February 1996, (b) (6) [redacted] told (b) (6) [redacted] doctor he might have been exposed to mercury. Deponent heard conversation (166:13-168:5) ▪ brain biopsy performed on (b) (6) [redacted] and mercury exposure was "mentioned" but doctor said it was "farfetched" (168:6-169:9) ▪ didn't actually believe mercury was the cause until read info provided by (b) (6) [redacted] (b) (6) [redacted] in late 1997 (169:14-170:11)

Zurich0000364

FACTUAL BASIS	PERSONAL INJURY DAMAGES	PROPERTY DAMAGE	LOSS OF INCOME	STATUTE OF LIMITATIONS
believe she was being exposed to mercury, but now she believes she was exposed to mercury at work at the mine and that the mine has released mercury in the air that contaminates the entire area (147:23-160:20) ▪ mine disturbed the ground and the mercury blew in dust travelling through the air (160:21-161:4) Deponent believes she was also exposed to arsenic and cyanide; arsenic can also cause rash, hives and allergies; and arsenic naturally is present in the soil (170:22-171:20) No one ever told deponent worsening of allergies was due to arsenic, mercury, silica, or anything in particular (178:8-12) Doctor said cyanide in blood test due to smoking (179:15-180:5) Blood test didn't show presence of arsenic (180:6-8) Deponent smoked and had one or two drinks during (b) (6) pregnancy (180:9-17) No testing of (b) (6) trailer home where deponent resided in Rosamond (180:25-181:11) Deponent believes she was exposed to mercury dust in her house trailer and not just at the mine (182:14-184:3) but no info that dust at trailer came from mine No mercury shows in blood but attributes present rash to mercury because it's the same type of rash (184:13-186:19)	pulverizing department, but came back much later when deponent went to Georgia in 1995 or 1996 (175:9-18) 176:22-177:8) Allergies (177:8-178:12) ▪ deponent had asthma and hay fever as a child (177:23-178:4) ▪ allergies have become increasingly worse (177:13-178:12) Rash comes and goes presently; and hives are worsening and occur more frequently (178:13-16)			▪ after deponent moved from house on Barrett to house on Holick (170:13-21)

Zurich0000365

(b) (6) [redacted]

INDIVIDUAL PROOF CHART

FACTUAL BASIS	PERSONAL INJURY DAMAGES	PROPERTY DAMAGE	LOSS OF INCOME	STATUTE OF LIMITATIONS
Deponent stated that she is not sure that her physical problems have anything to do with the activity of the mine but that she did go to the mine site as a child and she believes she was exposed to mercury and cyanide there. (24:23-25:13) Deponent visited the mine and cyanide ponds as a child. (33:4-34:24) She went to the cyanide ponds once a month while her father worked at the mine. (35:9-14) Deponent has no specific factual basis for believing that the activities at the Cactus Gold Mine have contaminated the surrounding area or been the cause of the physical problems of her and her family.	Deponent has allergies, chest pains, headaches, bronchitis, upper respiratory infections, mood swings, fatigue, irritation, forgetfulness. (40:7-13) No doctor has ever told her that her physical problems stem from activity of the mine. (44:7-10) Her symptoms did not get any better when she moved away from Rosamond. (44:3-6; 45:15-17; 48:10-13; 52:15-17; 55:5-7) Deponent's concern about the mine's effect leads the deponent not to have children for fear that they will have problems. (60:8-61:4)		Claims to have lost ten days of work due to bronchitis in July of 1999. (22:6-14) Doctors didn't tell her what caused her bronchitis. (23:25-24:2) Deponent stated that she is not sure that her bronchitis has anything to do with the activities of the mine but that she went to the mine as a child and was exposed to the mercury and cyanide. (24:23-25:13) No doctors ever told deponent that there was any relationship between the mine and her health problems. It was only a connection that she drew in her own mind. (25:14-20)	Deponent was a minor at the time this lawsuit was filed.

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(b) (6) [redacted]
INDIVIDUAL PROOF CHART

FACTUAL BASIS	PERSONAL INJURY DAMAGES	PROPERTY DAMAGE	LOSS OF INCOME	STATUTE OF LIMITATIONS
...ining operations shut down in May '92 (35:2-8) Checked houses of employees to see if they were taking home mercury on their clothing (45:24-49:16) ▪ negative results at his own home. ▪ mechanic found fan out of balance because to much mercury on it (49:17-50:21) ▪ not remedied until retort installed in '89, 6 months later (50:25-51:17) ▪ besides fan issue, no improper conduct resulted in release of liquid or vapor mercury (52:1-55:25) ▪ scrap and contaminated materials were returned to heap leach to extract the mercury so could put through retort oven (62:21-63:13) ...gan working at Cactus Gold Mine with ICC in summer 1988 (105:9-15) Hired by Cactus Gold Mine before Christmas of '88 (105:25-106:10) Only well water used was at house in Tehachapi in late 1970's and it tested fine (120:5-13) Lived in Tehachapi entire time worked at mine (126:17-25) Learned Cinnabar in its undisturbed state has no effect on a person's health (132:18-133:4) Safety coordinator for mine from December 1988 to April 1992 (145:24-146:2) Tested home in Tehachapi for mercury once in May 1989 and no reading of mercury was	Had series of strokes in 1996 (31:21-25) Declared disabled by Social Security Administration (32:1-5) Never filed workers compensation claim (32:10-15) Broke neck in motor cycle accident in 1980 (69:8-21) Broke neck in motorcycle accident in May 1980 (102:7-104:2) Smokes pipe everyday for last 35 years (116:4-17) Drank beer and wine until 1996 (116:18-23) Aside from stroke, no other health problems attributed to mine (167:24-169:2) Deponent believes strokes were caused by mercury exposure but only Dr. Soli concurs (169:3-171:16) (b) (6) [redacted] wrote report confirming mercury exposure – Bates stamped #002040 (171:17-174:21) Deponent believes effect of strokes is permanent (183:9-187:5) ▪ difficulty forming sentences ▪ paralysis ▪ memory loss ▪ continuing small strokes (TIAs) No fear of later physical problems (192:16-193:1)	Never owned property in Rosamond or Mojave (32:19-33:1)	Claims lost over $30,000 per year job and now on disability at $1,700 per month (non-taxable) (203:3-16)	Lived in Mojave prior to 1994. Moved to Ivanhoe, California in 1992; Georgia in 1994; Nevada in 1996; Riverside in 1999 (9:3-10:25) Worked for the mine from December '88 to May '92 (18:4-22:4) ▪ worked as Safety Supervisor <u>Workers Compensation</u> ▪ Injury was due to mercury poisoning received during course of employment (37:5-38:11)

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FACTUAL BASIS	PERSONAL INJURY DAMAGES	PROPERTY DAMAGE	LOSS OF INCOME	STATUTE OF LIMITATIONS
indicated (159:23-161:17)				
Tested other homes for approximately 1 ek (161:18-164:1)				
Blood not tested while employed at mine (164:12-18)				
Urine tests performed on employees (164:24-166:16)				
(b) (6) performed urinalysis, blood work and tested with an "electrical device" and deponent received chelation therapy (174:22-178:10)				
(b) (6) eport states mercury levels not so high as to assume symptoms would be associated with them (179:3-183:7)				
Believes greater exposure resulted while employed at mine than when lived in Mojave (195:22-196:4)				

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(b) (6) [redacted]

INDIVIDUAL PROOF CHART

FACTUAL BASIS	PERSONAL INJURY DAMAGES	PROPERTY DAMAGE	LOSS OF INCOME	STATUTE OF LIMITATIONS
Her belief as to the activity at the mine being related to her family's injuries was that there was a lot of dust in the air and when outside working in the garden she would get rashes on her hands. (24:17-25:1) She had no idea where the dust was coming from. (25:22-26:4) She stated that everybody was bitching about the dust and that it was hard to breathe after the mine would blast. Deponent would cough all of a sudden when she would go to the mine site. (58:25-59:8) No one has ever told her that the dust from the mine could allow for dermal exposure to mercury. (72:2-5)	Deponent got sick in 1990 or 1991. (17:4-15) In 1990 and 1991, deponent developed symptoms which included prolonged lethargy, rashes, and a constant cough. (17:4-15) She saw a doctor for her illness. (17:22-18:6) The doctor couldn't tell her what was causing her illness. (19:9-13) The condition lasted for approximately four years. (19:25-20:2) When she moved from Rosamond, her condition cleared up. (20:19-24) When she was sick she would cough so hard that she would break her ribs. (23:15-23) No one ever said that her problems were related to the mine. (24:13-16)	Deponent is not claiming any property damage as a result of the activities of Cactus Gold Mine. (16:5-13)	Deponent has not worked since 1982 and therefore is not claiming any damages from loss of income. (13:12-15)	Deponent talked to (b) (6) [redacted] about a possible lawsuit against Cactus Gold Mine in 1997 or 1998. (34:15-21) This meeting, according to the deponent, occurred after the lawsuit had commenced. (34:22-35:6)

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(b) (6) [redacted]

INDIVIDUAL PROOF CHART

FACTUAL BASIS	PERSONAL INJURY DAMAGES	PROPERTY DAMAGE	LOSS OF INCOME	STATUTE OF LIMITATIONS
Visual cloud with acrid/metallic smell would float (air pocket) through every few months (50:16-52:12). ▪ Assumed coming from cement plant. Based on what (b) (6) [redacted] told her about violations of environmental laws at the mine (57:9-58:12) and health problems of mine workers (64:17-65:8).	Bought house in California City. Had to move from house in Mojave where lived since early '70s. Gave up farm – purchased farm equipment (13:3-17). Rash on hands (36:12-37:24) ▪ First saw doctor 4-5 years ago. ▪ Work around chemicals, solvents and gasoline on farm. No testing for mercury or cyanide of self or property (45:7-15). Rash continues after moved (53:3-54:20). Except for rash no medical treatment for last 10 years (65:19-66:5).	Owned 50 acres in Mojave. Sold 10 acres in 1991 for $89,000. Sold 2 ½ acres with geodetic dome house on it for $80,000 in 1995 (23:8-24:12). Purchased 50 acres in Mojave in 1972 for $67,000 with all buildings except dome (28:11-20). Farm was a tax shelter and can still support crops and animals (29:12-31:4). Animals were lost under normal circumstances (31:5-24). Water has tested 7-8 years ago as "excellent" (31:25-32:15). No dust from mine landed on property (35:24-36:11). Moving expenses of $4,000 to $5,000 (60:18-61:4). Purchase of property in California City - $140,000 (61:5-23). ▪ Now worth $75,000 - $80,000 Mojave property not appraised by purchased for $1,400 per acre and believes now worth $5,000 per acre (62:14-64:13). No trees dying (66:6-9). Consequential damages ▪ Bought 2 houses next door to each other in California City in '96 – '97 ▪ Abandoned one because of loss of value; purchase price $140,000, $14,000 down, $1,100 per month ▪ Live in 2nd house, $75,000, $20,000 down, $415 per month.	$5,000 per year for 9 years loss of income from farm (21:4-12).	Moved from Mojave in 1991 Own remainder of property – barn, farm house, out buildings, farm equipment, fencing (24:13-19). They moved solely in fear of son's health (29:9-13). (b) (6) [redacted] asked them if they were concerned about the Cactus Mine. Deponent (they) responded worried about son's health because someone authoritative had mentioned son had symptoms of mercury poisoning. That's why they moved in 1991 (39:17-40:12). (Probably (b) (6) [redacted] (42:22-43:6)

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(b) (6) [redacted]

INDIVIDUAL PROOF CHART

FACTUAL BASIS	PERSONAL INJURY DAMAGES	PROPERTY DAMAGE	LOSS OF INCOME	STATUTE OF LIMITATIONS
Discussion of problems wit(b) (6) [redacted] (dismissal pending) (7:17-15:22) Psychiatrist said no mercury residue would be left at time of son's second hospitalization (29:22-30:9) Lived downwind from mine and it was releasing heavy metals (32:24-34:3) Metallic smell when wind blew, metallic taste in mouth next morning (38:7-39:5) • Wind blew towards the east • Tested well (500 gallon per minute well) and came back with arsenic and cyanide within acceptable levels	Eczema on left hand (17:3-18:9) • Began after had been living in California City of 5 years • Treats with Cortaid Respiratory allergies (18:10-19:18) • Runny nose 6 months out of the year while lived in Mojave • Got worse every year after moved to California City • Very allergic to tumbleweeds (Russian thistle) • Allergic to desert plants generally • Feels mine exacerbated tendency to have allergies (19:12-16) Arthritis (19:19-20:22) • Joints in hands hurt • Taking Glucosamine and Chondroiton Also worried that son's problems were caused by the cement plant burning dioxides (28:10-13)	No appraisal (24:9-12) Feels property devalued because of contamination in area but never tested (37:9-20)		Moved for Mojave in March 1990. We talked to a lot of people before we moved [in March 1990] about the toxins that were probably blowing from the mine and the metallic taste and about how it was bad for us to be downwind from a cement plant or a mine. (21:14-22:5) Spoke with '(b) (6) [redacted] and (maybe) Barbara Rigg about the mine in late '80's and again in the '90's. (22:6-22:18) Didn't join (b) (6) [redacted] lawsuit because too busy. (22:22-23:4) Extrapolated that the mine might be cause of son's health problems from (b) (6) [redacted] son's problems prior to moving (28:23-29:17) Had discussions about mine with (b) (6) [redacted] (b) (6) [redacted] time Golden/Silver Queen was starting up. When moved in March of '90 were fleeing problems caused by mine (33:21-35:2)

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(b) (6) [redacted]

INDIVIDUAL PROOF CHART

FACTUAL BASIS	PERSONAL INJURY DAMAGES	PROPERTY DAMAGE	LOSS OF INCOME	STATUTE OF LIMITATIONS
Turned 18 July 10, 1998 (11:24-12:7) Birth date July 10, 1980 (13:17-18) Moved away from Rosamond area July 11, 1999 (14:2-14:11) Mom and (unidentified) doctors told her illness and rash could have been caused by mercury spill (20:8-17) Kept diary while had rash of eating patterns, severity, trouble breathing, detergents and shampoo used (35:21-39:17) • Told by doctors to start it	Rash on legs, stomach, arms, back, hands and feet (20:10-25:4) • Numerous doctor's visits for rash (22:4- Scars from biopsies (25:9-26:12) Cyst on thyroid (26:13-26:22) Scars from rash (26:23-27:24) Nightmares and embarrassment as result of rash (32:2- Rash stopped when moved to Las Vegas (44:19-25) Testing for heavy metals – inconclusive (45:1-18) • Cause of rash undetermined (45:22-47:22) • Biopsy scar (47:23-48:12) results unknown (50:2-5) • Thyroid cyst – no action taken (48:16-49:1) (50:6-18)			(For parents) Deponent believes she was 14 when the lawsuit started (20:16) Rash began in 1993 (21:6-20)

(b) (6) [redacted]

INDIVIDUAL PROOF CHART

FACTUAL BASIS	PERSONAL INJURY DAMAGES	PROPERTY DAMAGE	LOSS OF INCOME	STATUTE OF LIMITATIONS
Deponent has no factual basis for believing any of his physical ailments have anything to do with any operation of the Cactus Gold Mine. (27:22-25) Deponent has not discussed the subject with anybody and nobody has told him that any of his conditions are connected in any way with the Cactus Gold Mine. (28:1-6) Deponent has no idea what the connection is between his injuries and the Cactus Gold Mine. (31:23-32:5)	Deponent has thyroid and heart problems. (9:2-14) Doesn't know if his physical problems are related to Cactus Mine and no one has ever told him they were. (11:7-16) Deponent has seen a doctor for his thyroid problem. (15:9-16:15) No one has ever told him that his thyroid problem is related to the operation of the Cactus Gold Mine. (21:2-4)	Deponent is not claiming any property damage. He does not own his own home. (32:25-33:3)	Deponent is not claiming any lost wages. He has been disabled for three years. (7:4-9)	There are no facts here which would allow us to bring a summary judgment against this deponent on the basis of statute of limitations.

(b) (6) [redacted]

INDIVIDUAL PROOF CHART

FACTUAL BASIS	PERSONAL INJURY DAMAGES	PROPERTY DAMAGE	LOSS OF INCOME	STATUTE OF LIMITATIONS
Prior to living in Rosamond, her and her family had no medical problems. In 1991, they moved to Rosamond and all of their problems started. (19:1-6) She doesn't know if something to do with Cactus Gold Mine is causing their problems. (19:7-18) She only got into the lawsuit because someone approached her and her husband about becoming plaintiffs. (19:24-20:3) No one has ever told her, and she has no basis for believing, that Cactus Gold Mine has anything to do with her problems. (44:4-19) She has no lost income. (45:16-21)	Deponent suffers from headaches. (21:8-14) She saw a doctor for her headaches. (22:9-25) The doctor didn't tell her the headaches were related to the mine. (24:11-14) Deponent suffers from rashes. (25:12-21) The doctor never told her what caused the rashes. (26:12-25) She has a problem with frequent urination. (28:18-21) No one has ever told her that the frequent urination problem was related to the Cactus Mine's activity. (29:9-20) Deponent suffers from prolonged fatigue. (30:2-4) No one has ever told her that her fatigue is related to the Cactus Gold Mine's activity. (31:18-21) Deponent suffers from allergies. (32:4-14) No one has ever told her that her allergies are related to the activity of the Cactus Mine. (32:18-20) She has no current medical expenses. (47:3-8)	Deponent does not claim any property damage because her and her husband currently rent their house. (60:15-24)		No facts which would afford us the opportunity to get this deponent out on summary judgment based upon the statute of limitations.

(b) (6) [redacted]

INDIVIDUAL PROOF CHART

FACTUAL BASIS	PERSONAL INJURY DAMAGES	PROPERTY DAMAGE	LOSS OF INCOME	STATUTE OF LIMITATIONS
Deponent believes that his property has been contaminated. (15:8-22) (b) (6) [redacted] told him that his property is contaminated. (15:24-16:4) A real estate agent told him his property value had dropped because of contamination. (16:9-17:1) The real estate agent never gave deponent any idea about how much the land was devalued. (23:20-24:8) No appraisal was done on the property. (24:9-11) The property has never been tested for contamination.	Deponent is not claiming any physical injuries. (9:2-4)	Deponent believes his property has been contaminated. (15:8-22) The real estate agent told him his property value had dropped because of contamination. (16:9-17:1) The real estate agent never gave deponent any idea about how much the land was devalued. (23:20-24:8) No appraisal has been done on the property. (24:9-11)	Deponent is not claiming any lost wages. (8:22-9:1)	

(b) (6) [redacted]

INDIVIDUAL PROOF CHART

FACTUAL BASIS	PERSONAL INJURY DAMAGES	PROPERTY DAMAGE	LOSS OF INCOME	STATUTE OF LIMITATIONS
Renter at present Rosamond address since 1992 (3 miles from mine) Lived in Rosamond since 1977 about 10 miles away (9:25-12:21) Property owned by (b) (6) [redacted] Tropico Gold Mine (21:7-19) Notice posted that well water was undrinkable (20:23-22:17) and had to be cleaned out – no indication of reason	Skin problems developed in last 2 years (22:26-27:3) (24:2-27:8) Headaches (27:9-28:5) • Top of head, treated with over-the-counter drugs • Headaches began in 1997 and occur almost every day (31:26-33:16) Metallic taste (34:11-35:7) Property owners Burton Bros of Tropico Mine (43:5-17) • Lives on mine property ≈ 1,000 yards from the mine (43:23-44:8) • Gold mine (48:15-17)	Dog died in '97 (18:16-20:11) No testing (20:19-22)		Learned of mercury release in '97 from Rikki Allen (15:4-14) Filled out questionnaire in '97 (18:11-15)

(b) (6) [redacted]

INDIVIDUAL PROOF CHART

FACTUAL BASIS	PERSONAL INJURY DAMAGES	PROPERTY DAMAGE	LOSS OF INCOME	STATUTE OF LIMITATIONS
... woman came to deponent's house and discussed the possibility of filing a lawsuit against the cactus mine, possibly as early as 1995. However, she is not sure of the date. (58:3-59:2) Deponent and her husband took a tour of the Cactus Mine and were told about the cyanide leaching process. (60:1-19) Deponent had conversations with neighbors regarding the potentially hazardous nature of the cyanide process employed by the mine as early as 1991. (62:1-63:8) Deponent has no factual basis for her allegation that her sinus headaches were the result of the Cactus Mine operation. She is really not sure whether the mine caused any of her injuries. (65:15-66:1) Deponent believes that her property value has gone down because people know that mine is using cyanide so they refuse to purchase property there.	Deponent has sinus headaches and insomnia. (44:9-13) Deponent's husband has a strange rash. (44:4-8) Sinus headaches began in 1990. (47:23-48:4) Deponent has seen a doctor for those headaches. (48:5-8) None of those doctors ever told her that her sinus pain was attributable to the activity of the mine. (52:3-9)	Deponent claims that her property value has dropped approximately $60,000 worth. (24:10-12) Had the property reassessed. The original value of the house was $119,000. Reassessed at $58,000. (24:10-23) On one ever gave her a reason for the drop in the value of her home. (26:23-25)	No loss of earning claimed by this deponent. (18:8-11)	A woman came to deponent's house and discussed the possibility of filing a lawsuit against Cactus Mine possibly as early as 1995. Deponent is not sure of the date. (58:3-59:2) Deponent and her husband took a tour of the Cactus Mine and were told of the cyanide leaching process. (60:1-19) Deponent had conversations with neighbors regarding the potentially hazardous nature of the cyanide process employed by the mine as early as 1991. (62:1-63:8)

(b) (6) [redacted]

INDIVIDUAL PROOF CHART

FACTUAL BASIS	PERSONAL INJURY DAMAGES	PROPERTY DAMAGE	LOSS OF INCOME	STATUTE OF LIMITATIONS
ponent knows of no specific cause of his loss. (47:22-48:16) Deponent saw activity occurring at the mine but never saw anything he would call misconduct. (59:22-60:1) Deponent first heard about this lawsuit from a lady who came by his residence. Deponent is unsure who that was or when that was. (64:18-65:23) Deponent's only factual basis for believing the mine's activity is at all related to his property loss is that deponent knew what kind of chemicals the mine was using and other people kept telling him that he shouldn't live there. (42:9-43:2)		Deponent is claiming property damage as a result of the mine's activity. Deponent believes that his property has decreased in value because of the gold mine and the publicity about the mine's activity. (28:7-29:5) Deponent's only factual basis for believing the mine's activity is at all related to his property loss is that deponent knew what kind of chemicals the mine was using and other people kept telling him that he shouldn't live there. (42:9-43:2) A property assessment took place in 1995. (37:5-17). No one attributed the loss of value of deponent's land to the mine. (42:9-43:2) Deponent's belief that his property value's decline was caused by the Cactus Mine was based on his speculation and conversations he had with other residents (45:20-46:12), and the common fears of the neighborhood. (60:2-4) Deponent is not claiming any other damage of any kind other than property damage. (47:19-21)	No lost earnings from the activity of Cactus Gold Mine. (26:13-16)	There is no factual basis for bringing a summary judgment motion against this deponent on the basis of statute of limitations.

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(b) (6) [redacted]

INDIVIDUAL PROOF CHART

FACTUAL BASIS	PERSONAL INJURY DAMAGES	PROPERTY DAMAGE	LOSS OF INCOME	STATUTE OF LIMITATIONS
...as asthma and allergies that didn't have before moved onto property (20:14-23) Deponent offered property to co-worker for $75,000.00. Told him about spill and lawsuit and offer was never accepted (22:19-25:10) Deponent provided HDC&R with scrapings from swamp cooler about a year ago but never received testing results (25:18-28:13) "Attorney" stated deponent could sue mine and collect damages for not being able to sell land because no one would buy after disclosure of spill (44:16-45:14) When moved on property had no physical ailments, *i.e.*, asthma and allergies, high blood pressure, now does (63:22-64:21)	Had blood test and no mercury contamination detected (47:22-48:17) (69:22-70:9) Under treatment by physician for allergies and high blood pressure (65:8-71:2) Some allergies pre-exist moving onto property (71:3-16) Doesn't attribute problems with allergies to mine (72:20-22) Not suffering from – proteinuria, dyspnea, *mental/emotional distress, insomnia* as alleged in rogs (73:3-15) Headaches – suffers every day; relieved by aspirin, never seen a doctor, began 3-4 years ago (73:16-7) Not suffering from – rashes, skin/eye irritation, salivation, mental confusion, joint aches, muddled thinking (74:8-75:4), fatigue (76:6-13) Metal taste in mouth (75:5-76:5) ▪ from dust in air ▪ relieved by brushing teeth Frequent urination (76:14-77:1) ▪ Never seen doctor Claiming no personal injury damages (77:25-78-8)	Living with (b) (6) (wife) on property owned in joint tenancy by Stidham and (b) (6) [redacted] but claims will have ownership interest "soon." (19:20-20:13) Partition action filed. (21:9-22:6) "Detective/attorney" (Chiodo) told deponent that Court's regularly value remediation at $10 per foot and that is damage amount deponent is claiming as stated in answers to interrogatories (55:20-58:13) *Well tested in 1992 by the County for* permit (81:16-82:12)		Learned about mercury spill in 1996 or 1997 (20:5-8) First time heard about lawsuit was at a meeting at (b) (6) [redacted] house in '97 or '98 (36:3-6) Asthma began in 1994 and high blood pressure began in 1997 (64:25-65:7)

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(b) (6) [redacted]

INDIVIDUAL PROOF CHART

FACTUAL BASIS	PERSONAL INJURY DAMAGES	PROPERTY DAMAGE	LOSS OF INCOME	STATUTE OF LIMITATIONS
eponent doesn't believe potential purchasers will buy property located near mine because cyanide pits are on property (35:10-37:20) • Learned of pits in 1980s Mercury spill as cause of property devaluation (37:21-38:2) No samples taken (60:22-61:2) Blood test for mercury came back negative (63:25-64:5) Well tested in 1992 and no problems found (79:1-80:14)	Rheumatoid arthritis diagnosed in 1992; can't say its not caused by mine (50:15-50:24) High blood pressure not attributed to mine (55:6-9) Weight problems attributable to high blood pressure • Can't say not caused by mine (56:14-57:8) • No other problems attributed to mine (56:1-13) (59:11-19) Not seeking personal injuries as result of lawsuit (didn't allege damages in the amount of $250,000) (57:19-59:10) No metal taste in mouth (68:14-17)	Real Estate Co. set asking price at $264,000 in 1990 based on comparables in the area (13:25-14:25) • No other appraisal (15:11-15:15) Tax assessor's bill assessed property at $54,531 (15:1-10) No claim for property damage Only claiming loss of property value based on the fact that they would have to inform prospective purchasers of the 1988 spill (27:14-28:6) Real Estate Co. valued deponent's 10-acre share of property at $75,000 in ≈ 1999 Isn't claiming remediation costs of $450,000 as provided in rogs (49:12-50:8) (Verification was not filled in when signed (48:18-49:6)) Only claiming loss of value (80:25-83:7) because would have to disclose the lawsuit Not claiming the $9,000,000 stated in rogs only the value of the property (85:8-88:13)		People in the restaurant where deponent worked, including Brown & Root employees and Brown & Root supervisor talked about spill in 1988 but didn't have disclosure concerns until 1 year ago when spoke with real estate agent (28:7-32:1) Read about spill in newspaper article in 1988 (34:19-22) (b) (6) [redacted] spoke with deponent ≈ summer of 1997 In 1989, read about an environment agency fining the mine in a newspaper (77:13-25)

(b) (6) [redacted]

INDIVIDUAL PROOF CHART

FACTUAL BASIS	PERSONAL INJURY DAMAGES	PROPERTY DAMAGE	LOSS OF INCOME	STATUTE OF LIMITATIONS
...oesn't know if Defendants did anything but doesn't know they didn't (43:1-22) (57:13-17)	Tiredness, headaches, respiratory problems (32:16-33:22) • No diagnosis until received letter from doctor (37:3-14) Renal failure (33:15-21) (39:4-40:17) • No cause given Fired for drinking too much (19:23-20:5) Condition worsening; problems driving and staying awake; on dialysis 3 times per week; 3 ½ hours each time (56:14- Headaches caused or lessened (?) by medication for kidney problems (69:15-70:13)		Loss of earnings • Due to illness in '92 – '94 (18:18- • Not claiming real property damage (19:20-22)	Began getting sick in June – August 1992 (27:19-21) or before (28:1-4) (32:16-19) Told of problems with operations in Mojave area by Dewey, friend in trailer park, at least 9-10 years ago (51:5-52:11)

(b) (6) [redacted]

INDIVIDUAL PROOF CHART

FACTUAL BASIS	PERSONAL INJURY DAMAGES	PROPERTY DAMAGE	LOSS OF INCOME	STATUTE OF LIMITATIONS
Just general decline of property values in neighborhood (43:6-15) Present assessed value for property taxes is $54,531 (44:25-45:3) (b) (6) [redacted] put his name on a list as one of the "concerned" or "affected" neighbors. He knows nothing more about it (63:21-68:3) (77:2-17)	None (60:21-17) (80:24-81:1)	In 1990, received offer of $150,000 on property (20 acres) owned as joint tenants by (b) (6) [redacted] originally paid $25,000 in 1980 (9:11-23; 21:6-17; 26:23-27:1) Offer was withdrawn before deponents could accept it (49:3-49:18) Reason for withdrawal of offer never provided Only loss claiming is decline in property value (40:15-19)		Meeting held at (b) (6) [redacted] house to discuss adverse affects of mercury spill sometime between 1992 and 1995. (b) (6) [redacted] informed deponent of meeting, but deponent didn't attend (62:4-65:14)

(b) (6) [redacted]

INDIVIDUAL PROOF CHART

FACTUAL BASIS	PERSONAL INJURY DAMAGES	PROPERTY DAMAGE	LOSS OF INCOME	STATUTE OF LIMITATIONS
ves with (b) (6) [redacted] for last 28 years (4:21-5:1) Moved on property in Rosamond in July '94 (8:15-25) ▪ lived in Rosamond Trailer parks from '89 to '94 (9:1-25) Vegetables in garden are miniature and plants are dying – they didn't used to (22:23-24:3) ▪ never told cause by mine Soil never tested (33:4-6) Water comes from City system (33:14-15) No one ever said problems with animals caused by mine (45:3-6) Some airborne contaminant or something got in the water and caused damage uses City water system and drinks bottled water (56:13-58:11)	Allergies, rash, and respiratory problems (24:7-25:4) Diagnosed with tracheal bronchitis in '99 (27:20-28:3) ▪ uses inhaler (35:17-36:20) Rash (30:16-33:3) ▪ began July '94 (30:16-25) ▪ never saw doctor ▪ never told caused by mine	Not alleging any property damage (12:2-5) Vegetables grown for personal use, some are small (38:7-39:1) Pet ferret died from pancreatic tumor (39:2-40:22) 22 year-old poodle has breathing problems and needs to be put to sleep (41:8-42:18) Bird with "soft hips" (42:19-43:15) Golden lab with cyst on head (44:5-21) German Shepherd is find (44:21-24)		Allergies began when moved to desert in '89 (26:7-17) Knew nothing about lawsuit until received discovery in the main (50:15-52:3)

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[redacted]

INDIVIDUAL PROOF CHART

FACTUAL BASIS	PERSONAL INJURY DAMAGES	PROPERTY DAMAGE	LOSS OF INCOME	STATUTE OF LIMITATIONS
..e first contact deponent had with anybody regarding a potential lawsuit against Cactus Mine was sometime in 1996 when an unidentified man came to her family's home and began discussing the fact that there was a mining company in the area and asking whether deponent and her family were having any problems with their health, water or animals. (57:3-58:25) An unidentified individual came to deponent's residence and alerted her to the fact that the physical problems that her family was suffering from could be caused by contaminated well water and that that contamination, in turn, could have been caused by the operations of Cactus Gold Mine. (66:2-68:14) The unidentified individual wa[redacted] (69:17-25) either late 1996 or early 1997[redacted] provided to the deponent a form which included various symptoms of illnesses with check boxes after it and asked the deponent to check any of the illness which she or her family were suffering from (73:8-75:14) Deponent can state no facts which show that her physical ailments are the result of activity at the Cactus Gold Mine. (97:1-6)	Deponent suffered from depression, anxiety, urinary tract infections and bladder infections. (83:18-84:1) Deponent has seen health care professionals for her physical ailments. (84:10-24) No medical professional has ever told deponent what the cause of her depression and anxiety are. (96:15-17) No medical professional has ever told deponent that the activities of the Cactus Gold Mine caused her anxiety and depression. (96:18-22) Deponent claims that her premature delivery of her last child is related to the activity of the Cactus Gold Mine. (96:23-97:6) It is deponent's own belief that her giving birth prematurely to her youngest child is related to the Cactus Gold Mine activity. She believes the Cactus Gold Mine caused her premature delivery because she thinks it is just so unusual that she would be so healthy and give birth to two normal children and then all of a sudden give birth to a premature child. (97:1-6) No health care professional ever told deponent that her premature delivery was the result of any activity at the Cactus Mine. (100:6-11) Deponent began doing investigations concerning the activity of the mine and the possible connection to the physical symptoms she and her family were experiencing in the spring of 1996. (121:5-11)	Deponent is claiming no property damage because she does not own her residence, she rents. (31:24-32:2)	No loss of earnings due to the activity of Cactus Mine. (21:23-25) Deponent states that nothing related to the Cactus Mine will cause her to lose future earnings. (22:1-3)	The first contact deponent had with anybody regarding a potential lawsuit against Cactus Mine was sometime in 1996 when an unidentified man came to her family's home and began discussing the fact that there was a mining company in the area and asking whether deponent and her family were having any problems with their health, water or animals. (57:3-58:25) This first meeting with the unidentified individual took place sometime prior to April 23, 1996. (62:8-12) Deponent had a second meeting, approximately two months after the first meeting with the same individual in which they went into more detail regarding a potential lawsuit against Cactus Gold Mine. (62:13-65:24) During this second meeting, the unidentified individual alerted deponent to the fact that her family's physical problems could be stemming from contamination of the well water on their property and that this contamination could have been caused by Cactus Gold Mine. (66:2-68:14)

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(b) (6) [redacted]

INDIVIDUAL PROOF CHART

FACTUAL BASIS	PERSONAL INJURY DAMAGES	PROPERTY DAMAGE	LOSS OF INCOME	STATUTE OF LIMITATIONS
Deponent has heard that there is a lot of mercury out there and that there are a lot of chemicals in the ground. A lot of people living in the area have told him that the ground is contaminated. (15:6-16) Deponent is still currently having problems with headaches approximately once a week. (29:5-8) No doctor has ever told him what the cause of his headaches is. (30:5-8)	Deponent suffers from coughs, headaches, nosebleeds, mental and emotional distress. (9:18-10:6) The deponent saw a doctor for his cough. The doctor prescribed some medication for the cough. (22:15-20)	Deponent is not claiming any property damage from the activity of Cactus Gold mine in that he his a minor and does not own any real property. (9:14-17)	Deponent is not claiming a loss of income from the activity of Cactus Gold Mine because he does not have a job. (24:12-13)	Deponent was a minor at the time the lawsuit was filed.

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(b) (6) [redacted]

INDIVIDUAL PROOF CHART

FACTUAL BASIS	PERSONAL INJURY DAMAGES	PROPERTY DAMAGE	LOSS OF INCOME	STATUTE OF LIMITATIONS
...eponent met with (b) (6) [redacted] who told him that some of the chicken eggs had been tested and found to contain mercury, that the swamp coolers had been tested and found to contain mercury, and that some of the livestock had died (pigs, cows and chickens), and through some process, those dead animals were determined to contain large quantities of mercury. (38:4-25) Deponent saw a video of a mercury spill that had taken place at Cactus Gold Mine. (39:1-9) Deponent states that he doesn't know for a fact that the Cactus Gold Mine has done him anything that has caused him either physical, property or monetary damages. He doesn't have proof of anything, but he does know that he is generally not sick a day in his life and while he was in his house ...ar the Cactus Gold Mine, he was sick ...te a lot. (46:7-17)	Deponent had respiratory problems. (46:18-23) Deponent also has problems with his neck (47:15-20) Deponent had to go to a doctor to receive cortisone shots in his neck to relieve the pain and stiffness. (47:15-23) Deponent never went to the doctor for any of his respiratory problems. (49:3-6) Deponent has problems with memory. (51:15-52:16) Deponent has not seen a health professional concerning his memory loss problems. (52:19-23)	Deponent claims that there were dead animals found under his trailer. (42:23-43:12) Deponent has not had his property appraised other than the appraisal to obtain the original purchase money loan. (44:18-25) No body has ever told him what the property would be worth, such as a real estate agent or private appraisal company. (45:5-7) Deponent does not know for sure whether there was a drop in the value of his property. (68:25-69:3) Deponent lost his residence through a foreclosure by the bank.		Deponent first became involved in the lawsuit when he came home from work one day and his wife told him that somebody named (b) (6) [redacted] had come by to talk about the Cactus Gold Mine. (29:21-30:1) Approximately two weeks after the first meeting with (b) (6) [redacted] returned to talk to deponent some more about the operation of the Cactus Gold Mine and its possible connection with the physical ailments of the residents. (31:19-32:7) (b) (6) [redacted] told deponent that he thinks that the contamination came from the Cactus Gold Mine. (32:11-14) The meetings with (b) (6) [redacted] regarding the possible connection between the Cactus Gold Mine and the problems suffered by deponent occurred probably a year and a half before his wife moved out of the house. (37:20-38:3)

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(b) (6) [redacted]

INDIVIDUAL PROOF CHART

FACTUAL BASIS	PERSONAL INJURY DAMAGES	PROPERTY DAMAGE	LOSS OF INCOME	STATUTE OF LIMITATIONS
Deponent's factual basis for believing that the Cactus Mine activity contributed to the physical ailments of her family is that her family began suffering from nose bleeds, headaches, sinus problems and nausea shortly after moving to their Rosamond address and it was only when they were outside on the ground, playing baseball or basketball for example, that they would get real sick. (14:25-15:6) Also, deponent found it odd that certain things she would plant in her yard would just die and keep dying even when she put new soil down. (15:7-14) None of her children had had any physical problems before moving there. (16:2-5) Hollywood Damage Control and Recovery tested Deponent's soil. (17:19-23) Deponent never got the results of her test. :26-18:1) Deponent talked to two of her neighbors before signing up for the lawsuit regarding the physical problems of her children. The neighbors told her that they felt their symptoms were a result of the Cactus Gold Mine. (18:9-25) Deponent is aware that there was a mercury spill at the Cactus Gold Mine in 1988 and believes that her land is contaminated with mercury as a result of that spill. (18:26-19:14) Her only basis for this belief is her own opinion. (19:15-17) Deponent talked to a worker at the Cactus Gold Mine named (b) (6) [redacted] who told her that they were very careless with their operation and that they had no monitoring	Deponent was suffering from headaches, nosebleeds, sinus problems, upper respiratory problems and bronchitis. (15:21-26) None of her children had had any physical problems before moving there. (16:2-5) Deponent did not take her children or herself to the doctor for any of these physical ailments. (16:6-9)	Deponent believes that her property has been damaged and that she could not sell it for the $60,000 for which she purchased it because she believes the land is contaminated with mercury. (24:4-22) No one has ever told her that there is mercury on her land. (24:23-25) There have been no appraisals done on her property to determine the current value of it. (25:10-18)		Deponent first became aware that a lawsuit was going to be filed when (b) (6) [redacted] (b) (6) informed her of such. This was in either 1995 or 1996. (14:14-24) Deponent first attributed the problems that she and her children were having to the operations of Cactus Gold Mine in '94 or '95, approximately four months after she moved into the residence. (22:18-25) Deponent believed there was a connection between the activity at Cactus Gold Mine and the problems her family was facing approximately a year before (b) (6) [redacted] (b) (6) approached her with the lawsuit. (23:8-24)

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FACTUAL BASIS	PERSONAL INJURY DAMAGES	PROPERTY DAMAGE	LOSS OF INCOME	STATUTE OF LIMITATIONS
in their air control, and that the spill in 1988 got out of hand. (20:23-21:9) (b) (6) [redacted] told deponent that quite a few employees including (b) (6) [redacted] became sick as a result of the mercury spill.				

(b) (6) [redacted]

INDIVIDUAL PROOF CHART

FACTUAL BASIS	PERSONAL INJURY DAMAGES	PROPERTY DAMAGE	LOSS OF INCOME	STATUTE OF LIMITATIONS
	Has a really bad cough. This occurs once every three months. (6:17-22). When she gets sick she has bloody noses. (7:7-12) and headaches (8:13-19). Had same physical problems when her family lived in their other residence. (11:13-19) Has never gone to a doctor for her physical problems.			No (minor).

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(b) (6) [redacted]

INDIVIDUAL PROOF CHART

FACTUAL BASIS	PERSONAL INJURY DAMAGES	PROPERTY DAMAGE	LOSS OF INCOME	STATUTE OF LIMITATIONS
Well not tested (27:9-11) (b) (6) told her the fan at the mine broke down and spewed mercury into the air (96:3-97:4) No appraisal (132:2-21) Video tape of Q&A session wit (b) (6) [redacted] (b) (6) given to HDC&R (134:12-26) (House waived any objection to testing results 137:8-9)	Sinus infections and bronchitis began in 1991 (35:24-36:8) Thyroid problems, headaches, nosebleeds, itching, metallic taste in mouth and shortness of breath in 1993 (37:5-13) Don't blame mine for (b) (6) [redacted] husband's quadruple bypass (110:1-5) or rash (112:6-113:2) No other personal injuries for husband (113:3-6) No further respiratory problems (132:24-133:14) and no lingering effects (143:23-144:8) Small amount of mercury flushed out after 2 chelation treatments (146:3-19) Mercury not detected by blood test (146:25-147:6) ▪ doctor took urine sample and used "medico sonolator" (148:9-150:9) Hair sample indicated no mercury (150:10-21)	Three elm trees died in 1996 ▪ took four years for them to die ▪ first noticed problems with the trees in '91 (76:6-77:15)		Became involved in lawsuit when family began getting sick in 1993 (15:9-16:1) Started investigations in early '90s (16:8-17:17) when helped (b) (6) [redacted] ather info for their lawsuit in '90 or '91 Didn't join because felt contamination wasn't bad enough (17:18-23) Helped (b) (6) ake samples from water cooler (18:8-19:6) in 1995 Knew something was wrong (prior to this time) because when swam cooler was cleaned "he" broke out into a rash (19:10-19:15) Received test results from lab in 1995 (19:16-20:9) ▪ sent to EMS Labs in Pasadena Talked to people in neighborhood about it in 1995 or 1996 ▪ (b) (6) [redacted] (b) (6) reported they found mercury in the dust in their window sills (21:14-22:9) ▪ (b) (6) chickens were dying in '95-96 Attended meeting with reps of Cactus Queen Mine in '90-'91 about mercury spill (22:10-25:22) at Terry Murphy's house. No other plaintiffs there Soil tested 3 times in '96, '97 & '98 along with (b) (6) [redacted] Received reports for tests done in '96 and '97 but not '98 (31:7-32:16) and received test results from water cooler in 1996 Provided documents to HDC&R in 1995

FACTUAL BASIS	PERSONAL INJURY DAMAGES	PROPERTY DAMAGE	LOSS OF INCOME	STATUTE OF LIMITATIONS
				who turned over to attorneys (57:13-58:21) First me(b) (6) n July of 1995 (64:7-15) First came in contact with HDC&R in 1994 (64:26-65:7) Tests from RCH Research and Environmental Labs produced (68:22-70:6) ▪ samples taken in '98 Began chelation treatments in '95 or '96, received information produced at first treatment (71:2-71:20) Started gathering info for lawsuit in 1995 (72:15-24) Believed she had physical problems related to lawsuit in 1993 when daughter became sick (72:25-73:16) Related it to mercury spill of '88 when remodeled in '92 stirred up a lot of dust and daughter began getting sick in '93 (74:19-75:9) Signed up neighbors for lawsuit in '95 or '96 ▪ (b) (6) Spoke with(b) (6) (b) (6) bout problems related to the mine prior to, or during, 1995 (93:15-94:3) (b) (6) gan to link illness with Cactus Gold Mine at same time as Anna Belle – in 1993 (109:7-26) (b) (6) told deponent in 1990 that felt problems of their animals dying was associated with mercury spill (115:4-7) In 1991 hung patch to indicate (127:22-128:17) Didn't do anything because was waiting to

FACTUAL BASIS	PERSONAL INJURY DAMAGES	PROPERTY DAMAGE	LOSS OF INCOME	STATUTE OF LIMITATIONS
				get worse (128:18-131:5) (b) (6) indicated they were having physical problems associated with the mine to deponent in 1995 (161:8-162:5) First spoke with (b) (6) [redacted] out lawsuit prior to 1995 and she talked to (b) (6) [redacted] (172:8-11) (b) (6) [redacted] alked to mine and deponent prior to 1993 about rocks flying onto property (180:18-181:13) (b) (6) [redacted] niece of (b) (6) [redacted] ▪ already knew of problem with mines (183:8-18) (184:1-6) ▪ (b) (6) [redacted] (183:19-26)

(b) (6) [redacted]
INDIVIDUAL PROOF CHART

FACTUAL BASIS	PERSONAL INJURY DAMAGES	PROPERTY DAMAGE	LOSS OF INCOME	STATUTE OF LIMITATIONS
(b) (6) [redacted] (of Reno, Nevada) diagnosed unusually high levels of mercury in system (126:23-128:8) (b) (6) [redacted] said mine red-tagged (138:21-139:6) and told deponent's brother the problems with mercury were caused by mine because only source of mercury in desert. (b) (6) [redacted] said mine was a potential cause of problems (140:16-142:5) Decline in desert reptiles (185:14-186:25)	Loss of earnings • Claims $10,000 loss because couldn't clean houses due to ill health (26:9-28:3) Problems with loss of equilibrium and low blood pressure have cleared up and problems with weakness and fatigue, insomnia, dizziness, memory loss and confusion have subsided (75:19-77:5) Tremors (78:3-14; 79:20-85:18) • Began in mid-90's (*i.e.*, 1995) • Diagnosed as intention tremors • Began to subside after 10-12 chelation treatments Headaches (85:22-91:17) • Headaches worse when wind blew • 3-4 times per week • No headaches when away from property • Prevented deponent from doing daily activities Rash (91:18-93:19) • On arms, neck, face, chest; everywhere body exposed • Itchy and would last a week or two • Did not prevent daily activities Forgetfulness (93:19-95:22) • Interfered with daily activities Underwent 31 or 32 chelation therapy at $100 - $200 per treatment to rid of toxins (130:3-136:10)	Land owned by parents; only owns mobile home (37:5-12) No physical damage to mobile home; alleging damage to plants (182:10-184:11) and trees	No loss, just deponent's approximation of what she believed she could have made house cleaning if not ill (178:6-180:12) • No specific names of potential clients (180:16-181:13)	Became ill in 1995 Began trying to find out what was wrong in 1996 (45:20-48:22) Diagnosed with mercury poisoning by (b) (6) [redacted] (b) (6) [redacted] in late '96 – early '97 (50:15-23) First contact with (b) (6) [redacted] friend of brother's) early 1997 (51:3-52:11) (b) (6) [redacted] first contacted deponent in late '96 / early '97 (54:4-10) Meeting with HDC&R where showed video after Schneiderman left. • (b) (6) [redacted] resent (61:12-63:13) • No attorney present 14 fillings removed (187:11-198:9) • Encouraged to do so by (b) (6) [redacted] in 1988 and all were gone 2 ½ to 3 years ago (b) (6) [redacted] checked deponent for mercury toxicity from 1989 on; found levels of mercury rising in 1994

FACTUAL BASIS	PERSONAL INJURY DAMAGES	PROPERTY DAMAGE	LOSS OF INCOME	STATUTE OF LIMITATIONS
	Metallic taste in mouth (145:14-147:7) • Symptoms at worst in '94 – '96; subsided Insomnia (147:8-149:9) • From dizziness and having to sleep upright • Improving Fatigue (149:10-151:5) • Saw doctor in Bakersfield and Mexico • Loss of work Weakness (151:6-152:16) • Muscle weakness • Began in 1994; subsided Allergies (153 – 156:23) • Diagnosed with allergies as a child (1972 – '82) • Subsided and returned when adult • Universal allergies • Exacerbated by Defendant's actions • (b) (6) irectly related the cause with mercury poisoning Slurred words (156:24-158:3) • Improving now Mood swings (158:4-159:19) • Calm to angry • Worst in '94 – '96; normal today Confusion (160:5-161:24) • Improving; no monetary loss Dizziness (161:25-163:9) • Caused by low blood pressure			

FACTUAL BASIS	PERSONAL INJURY DAMAGES	PROPERTY DAMAGE	LOSS OF INCOME	STATUTE OF LIMITATIONS
	Eye / Skin Irritation (163:10-164:24) • Used eye drops for allergic, watery, red, itchy eyes Nausea (164:25-166:12) • As a result of dizziness; no vomiting Joint Aches (166:13-168:20) • Taking DMSO in pill form Lack of concentration (168:21-170:18) Short-term memory loss (170:20-171:17) same as forgetfulness Depression (171:18-173:15) • (b) (6) orrelated depression to mercury poisoning Urine dribbles (173:16-175:25) • Never sought medical attention Neck sores (176:2-8) same as rash Mental and emotional distress (176:9-178:5) • Because had to quit pioneering for Jehovah's Witnesses			

(b) (6) [redacted]

INDIVIDUAL PROOF CHART

FACTUAL BASIS	PERSONAL INJURY DAMAGES	PROPERTY DAMAGE	LOSS OF INCOME	STATUTE OF LIMITATIONS
Mine employees were not qualified to "work cinnabar" (*i.e., mining cinnabar*) and that's why they had the mercury spill Deponent cannot state how mercury spill has adversely affected him (64:25-65:2) Hollywood tested soil (92:12-93:16) • Didn't provide deponent with results Mercury comes from cinnabar that could naturally be found under deponent's property (107:9-109:21)	(61:9-62:17) Doesn't know what physical symptoms may be attributable to the mercury dust; may have contributed to his quadruple bypass operation (b) (6) [redacted] ested deponent for mercury in his system and found above normal limits (94:25-95:25) Diagnosed with thyroid problems (98:13-99:5) Doctors have told deponent memory loss is result of triple bypass (100:6-8) Had 37 chelation treatments (100:16-24) No physical problems besides heart and thyroid (104:17-105:15)	Owns property with mobile home and garage(s) (34:7-35:2) Well water never tested (35:22-36:16) Believes problem with water because neighbor, who lives at 4500 block of (b) (6) and (b) (6) [redacted] 3-4 miles away, has arsenic, cyanide – other chemicals in her water (36:17-38:25) No appraisal of property (92:3-7)		First learned of lawsuit at meeting at (b) (6) [redacted] (b) (6) [redacted] house in 1995 or '96 (43:23-44:12) Knows of (b) (6) [redacted] and knew she was involved in a lawsuit (46:1-47:10) Learned about the spill in 1988 (60:24-61:12) Neighbors' animals dying 4-5 years ago (62:19-64:11) Deponent tested soil with chemicals (65:9-72:15) for mercury cyanide and cyanide in 1995-96 because worried about contamination from spill • Tested dark brown and red showing presence of cyanide and mercury Deponent tested dust from tool room window screen (72:14-73:9) • Same results Gave (b) (6) [redacted] ewspaper articles about spill (97:7-98:5) Hollywood now has the articles • Came from local paper At first chelation treatment, August 14, 1996 (b) (6) [redacted] knew about spill and was trying to treat possible mercury poisoning (112:24-113:25) In '87 – '88 the local TV station (Bakerstown?) has coverage of the spill that would run for 4 days (114:1-5)

CLAIM FILE ACTIVITY MEMORANDUM

This form is to be used for Supervisor's Initial Assignment Instructions, Diary Reviews and Claim Representative File Documentation of Claim Developments. Retain chronologically in Field file.

DATE	ACTIVITY:
	12/24/
	1980 → 4/14/82
	17 months - 2
	24 ↓ - 112 - Plaintiffs
	→ 1998 - 18 yr -
	3-4
	→ 30% → 3
	→ 275 · 325,000K
	Travelers -
8/15/00	- Called Melissa McBean - left message
	Re: 1984-85 policy - claims made ? (860) 954-4860
	Called Lynette Klavon - left message (310) 445-6300

20591 Rev. 2-94

Robert Edwards
Tel. (410) 338-1573
Fax (410) 554-5042

August 7, 2000

Duke D. Rouse, Esq.
Gresham, Savage, Nolan & Tilden, LLP
600 North Arrowhead Avenue, Suite 300
San Bernardino, CA 92401-1148

RE: George Creque, Jr. v. Cactus Gold Mines Company, Inc., et al.

Policyholder: CoCa Mines Company , Inc.
Policies: SMP 31501167 (12/24/80-12/24/82)
UB 11822059 (6/4/81-6/4/82)
UB 21826561 (6/4/82-12/24/82)

Zurich U.S.
Legal Services

3910 Keswick Road
Baltimore, Maryland
21211

Telephone (410) 366-1000
www.zurichus.com

Dear Mr. Rouse:

This letter will serve as a follow-up to my voicemail message left for you on Friday, August 4, 2000 in connection with the above referenced matter. I would appreciate your help and cooperation in terms of providing information in connection with each of the plaintiffs' claims. For example, please indicate when various plaintiffs moved into the immediate area of the Cactus Gold Mine Facility. In addition, please furnish any further information obtained during the course of discovery which outlines the nature and extent of their alleged injuries. We look forward to receiving this information immediately.

In addition, please advise if the settlement conference is still scheduled for August 25, 2000. Please confirm the location, time and other pertinent information in connection with this settlement conference. We look forward to receiving this information at you earliest convenience.

Thank you for your cooperation on this matter.

Very truly yours,

Robert Edwards
(410) 338-1573

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Temkin Wielga & Hardt LLP
1900 Wazee Street, Suite 303
Denver, Colorado 80202
(303) 292-4922
FAX: (303) 292-4921

FROM: Mark Wielga
PHONE: (303) 382-2919

DATE: July 31, 2000
MATTER: 001-06

PLEASE DELIVER AS SOON AS POSSIBLE TO:

RECIPIENT	COMPANY	FAX NO.	PHONE NO.
Robert Edwards	Zurich U.S.	410-554-5042	410-338-1573

Total number of pages including this page: 4
If you do not receive all the pages, please call 303-292-4922

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TEMKIN WIELGA & HARDT LLP
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May 26, 2000

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ENVIRONMENTAL
CLAIMS

VIA FAX - 410-554-5042
AND FIRST CLASS MAIL

Mr. Robert Edwards
Zurich U.S.
Legal Services
3910 Keswick Road
Baltimore, Maryland 21211

File

RE: George Creque, Jr. v. Cactus Gold Mines Company, Inc., et al. (the "Litigation")
Policyholder: CoCa Mines (the "Insured")
Policy No.: SMP 31501167, effective dates 12/24/80-12/24/82
UB 11822059, effective dates 6/4/81-6/4/82
UB 21826561, effective dates 6/4/82-12/24/82

Dear Mr. Edwards:

This is the follow-up on the conversations you had with Duke Rouse of the Gresham, Savage, Nolan & Tilden, LLP, in San Bernardino, California, who is representing the Insured in the Litigation. With respect to attorneys' fees, as you and Mr. Rouse discussed, his firm's fee schedule is very competitive and is in the middle range of law firms which handle cases of the size and type similar to the Litigation. This fact is supported by surveys done by Mr. Rouse's firm.

The Litigation is a large and complex toxic tort suit with claimed damages in the hundreds of millions of dollars. It is unfair and misleading to assume that such Litigation could be assigned to generalist personal injury attorneys at discounted rates. It is clear that Mr. Rouse and his firm are the right attorneys to handle this case and that their billing rates are appropriate for the Litigation and the locale.

Demand was made for coverage of this suit on June 11, 1999. Coverage was agreed to on July 30, 1999. The Insured has been paying Mr. Rouse and his firm since the lawsuit was filed.

Large-scale discovery has taken place and significant litigation expenses have been incurred since coverage was accepted. It is extremely unfair and prejudicial to the Insured to ask now for a retro-active rate reduction.

In the face of these very serious concerns, but with the desire to resolve these issues and move on, the Insured is willing to agree to reimbursement from Zurich at 10% less than Gresham, Savage's normal billing rates. The Insured will, under extreme protest, pay the difference. This is a significant discount from the amounts already paid by the Insured for defense of this case.

Please call me if you would like to discuss these matters further.

Sincerely,

Mark Wielga

MW/lb

cc: John N. Galbavy, Esq.
Duke D. Rouse, Esq.

GRESHAM, SAVAGE, NOLAN & TILDEN, LLP
A REGISTERED LIMITED LIABILITY PARTNERSHIP
LAWYERS • FOUNDED 1910

FOR THE FIRM:
Duke D. Rouse
e-mail: duke@gsnt-law.com

600 NORTH ARROWHEAD AVENUE, SUITE 300
SAN BERNARDINO, CALIFORNIA 92401-1148
(909) 884-2171 • FACSIMILE (909) 888-2120

WILLIAM GUTHRIE (1886-1947)
DONALD W. JORDAN (1907-1989)
JOHN B. LONEGRAN (RETIRED 1976)

April 24, 2000

Robert Edwards
Zurich Insurance
3910 Keswick Road
Baltimore, Maryland 21211

RECEIVED
APR 27 2000
ENVIRONMENTAL CLAIMS

Re: *Creque v. Cactus Gold etc. et al.*

Dear Mr. Edwards:

Pursuant to our telephone conversation of April 21, 2000, I am enclosing for your review copies of the following documents:

1. A letter dated January 8, 1999 to Price Waterhouse Coopers from James E. Good;
2. My letter dated May 26, 1999 to Michael White and John Galbavy;
3. My letter dated July 14, 1999 to Steven Zelig and Pamela Mozer;
4. My letter dated August 11, 1999 to Michael White;
5. A deposition schedule of the Plaintiffs noticed for deposition;
6. A Mining/Processing history at Cactus Gold;
7. A list of our firm's current billing rates.

It is my understanding that you will be contacting Mark Welga and further discussing with him attorneys' fees rates as a result of our discussion. As I indicated, I would be more than happy to join in any of those discussions if and when you deem it appropriate. I look forward to working with you along with our client in continuing to pursue the successful defense of this matter.

Very truly yours,

Duke D. Rouse, of
GRESHAM, SAVAGE,
NOLAN & TILDEN, LLP

DDR:jo
Enclosure
cc: John Galbavy, Esq.
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GRESHAM, SAVAGE, NOLAN & TILDEN, LLP
A REGISTERED LIMITED LIABILITY PARTNERSHIP
LAWYERS • FOUNDED 1910

FOR THE FIRM:
James E. Good

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WILLIAM GUTHRIE (
DONALD W. JORDAN (
JOHN B. LONERGAN (RETI

January 8, 1999

Via Facsimile - (509) 625-1346
and First Class Mail

PriceWaterhouseCoopers
601 Riverside Avenue, Suite 1600
Spokane, WA 99201-0640

Re: Hecla Mining Company

Gentlemen:

Attached hereto is a copy of our letter of January 7, 1999.

Please be advised of the following corrections:

1. At the top of page 2, each individual plaintiff appears to be claiming general and special damages in the sum of $200 million, instead of $1,000,000.00, and punitive damages in the amount of $200 million, instead of $2,000,000.00.

2. In the last sentence of the fourth paragraph on page 1, the date should be January 6, 1999, instead of January 6, 1998.

We apologize for any inconvenience that this may have caused.

Please let me know if I can provide any further information or clarification.

Very truly yours,

James E. Good

JEG:bb
Enclosures

Fax cc: Michael B. White
Hecla Mining Co.

n:\clients.h\H217Hecl\Audit

GRESHAM, SAVAGE, NOLAN & TILDEN, LLP
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WILLIAM GUTHRIE (1884-1947)
DONALD W. JORDAN (1907-1989)
JOHN B. LONERGAN (RETIRED 1976)

July 14, 1999

VIA FACSIMILE (310) 470-1069
AND FIRST CLASS MAIL

Steven L. Zelig, Esq.
STEVEN L. ZELIG & ASSOCIATES
10850 Wilshire Blvd., Suite 530
Los Angeles, California 90024

Pamela A. Mozer
LAW OFFICES OF PAMELA A. MOZER
2049 Century Park East, Suite 2050
Los Angeles, California 90067

Re: *George Creque, Jr., et al. v. Cactus Gold Mines Co., Inc., et al.*;
Kern County Superior Case No. 235323; Your File No. 5000

Dear Mr. Zelig and Ms. Mozer:

I am writing to "meet and confer" with respect to some outstanding discovery which has been propounded to your clients.

By way of overview, your clients commenced this action in a fashion which includes serious allegations of wrongdoing on the part of our client, which conduct has allegedly resulted in literally (this is by your figures) billions of dollars worth of damage. Both we and our co-defendant, Brown & Root, have undertaken the first round of discovery to which your clients have now responded and we know no more about the factual basis of these claims now than we did when the complaint was served. It would seem that if the allegations of wrongdoing had any substantial merit and if the damages were as serious as has been claimed, it would be a relatively simple task to provide us with that information. In fact, it would seem that if your clients were entitled to and desirous of receiving compensation for these damages, they would be anxious to inundate us with that information.

However, what we have experienced is either an unwillingness or an inability on the part of your or your clients or both to provide even the rudimentary facts which underlie the filing of this action.

That general observation having been made, there are some specific problems that exist with respect to all of the discovery that has been propounded to your clients to date.

Judicial Council Form Interrogatories, Set No. One

On May 28, 1999, we served Judicial Council Form Interrogatories, Set No. One to all of your clients, except George Creque, Jr. As these interrogatories were served by mail, the responses would have to be served on or before July 2, 1999. No such responses have been received by our office. Obviously, this discovery is now overdue and we therefore demand that responses (without objection) be served upon this office within ten days from the date of this letter or we will have no alternative but to bring a motion to compel production of these answers. Understandably, we will seek sanctions against your clients and/or you firm at that time for having to undertake those efforts.

Special Interrogatories, Set One

On June 4, 1999, we served upon your office by mail the First Set of Special Interrogatories. By our calculation, again accounting for mailing, these responses would be due on or before July 9, 1999. On July 12, 1999, we received from your office what purports to be your clients' responses to the Special Interrogatories. The Proof of Service indicates a service date of July 9, 1999.

In the Responses to Special Interrogatories, Set No. One, we first find that there was a general objection made that the time frame required for the submission of responses would be overly burdensome and oppressive due to the number of plaintiffs in this case. I am personally unaware of, and our research has revealed no statutory or case law substantiating any basis for such an objection. The time limits for responding to discovery are set forth in *Code of Civil Procedure*, in this case Section 2030(h). We find no special exception to these rules dictated by the number of parties involved.

The second portion of your general objection states that the plaintiffs will agree to meet and confer regarding an appropriate schedule for the service of the aforementioned responses. We had made overtures to your office following the receipt of your letter dated June 14, 1999. On June 16, 1999, I forwarded to you a letter indicating a proposal for an extension of discovery.

I followed up on that letter, having heard nothing in the interim, with my letter dated July 2, 1999. Short of this offer in your response to meet and confer in this respect, we find your desires to be evidently disingenuous. We have made attempts to work out a scheduling of this discovery with you, which have been ignored until inserted, apparently as an afterthought, in what has been presented to us as responses to these interrogatories.

In short, with respect to the Special Interrogatories, we believe we have no legal obligation to meet and confer with you about any extensions of discovery Nevertheless, we believe it to be in the interest of all parties to cooperate to the extent we are able with discovery, and we will agree to a further discussion regarding your providing in an orderly fashion **substantive** answers to these questions. However, to evidence your good faith in this process, we will leave it to you to contact our office to coordinate either a telephone meeting or an in person meeting to discuss this discovery. And, if it is not your intention of supplementing these responses with something of substance, you need not call. Barring such communication of good faith on your part, we will move forward with our motion to compel within ten days of the date of this letter.

As to the specific responses, there was no response made to Special Interrogatories Nos. 1, 4 and 7. Please provide a supplemental response to each of those interrogatories, without objection, within ten days of the date of this letter, or within some other date as our offices can work out, or we will have no alternative except to file a motion to compel responses to those interrogatories.

Special Interrogatories 2, 3, 5, 6, 8 and 9, all merited the same identical "boilerplate" objection, but with an assurance that plaintiffs will identify all non-privileged documents responsive to that interrogatory. As we understand *Code of Civil Procedure* Section 2030(f)(2), a party responding to interrogatories has an option to allow the interrogating party to inspect and copy records if the answer to the interrogatory would necessitate making a compilation or summary of information contained in such records. No such statement it made with respect to these interrogatories, and in any respect, the statement that is included is not made under oath as required by the Code. *See Deyo v. Kilbourne* (1978) 84 Cal.App.3d 771, 784. The responding party must also, when exercising the "document inspection" option, specify or refer to Section 2030(f)(2) as the basis of the response. No such reference was made. Furthermore, you failed to specify the documents from which the answer may be derived or ascertained. The responding party must describe the records from which the compilation or summary can be made with sufficient particularity that they can be easily located.

In sum, we believe this reference to records has been improperly made and that therefore your clients' ability to utilize this option has been waived. We would therefore demand that substantive responses be made to the Special Interrogatories, Set No. One, within ten days of the date of this letter (or some other date that we may mutually agree to) or we will have no alternative but to bring a motion to compel those responses. Again, we will seek sanctions for those efforts.

Requests for Production, Set One.

The third set of discovery requests are the those seeking the production of documents, set one. Again, these were served on June 4, 1999, with responses due to be served on or before July 9, 1999.

To each of the three requests, you lodged the identical objections.

First, you claim that the requests are defective because they are not complete in and of themselves. This language comes from Section 2030, the section governing the proper form of interrogatories. Section 2030(c)(5). You will note, however, that Section 2031, that governing production requests, has no similar language. *See* Section 2031(c). What this obviously signifies is that the Legislature allowed for production requests not to be complete in and of themselves, but may, in fact, reference other material.

So far as you claim that the request is vague, ambiguous, unintelligible, etc., you did not lodge similar objections to the interrogatories to which these requests refer. Your position is thus untenable since you evidently had no problem comprehending the interrogatories which, in responding to the requests for production, you claim are unintelligible.

As to your objections regarding privileges, both attorney and work product as well as your clients' rights of privacy, I think it important to refer to the subject matter of the interrogatories as to which documents are being sought. Interrogatory Nos. 1, 5 and 8 seek information about your clients' damages. It appears to be your position that you may avoid discovery on the issue of damages but presumably may submit evidence in this regard at the time of trial. This contradictory position makes your objections untenable since it would eviscerate the Discovery Act.

Lastly, you again reassert your position that the production on the time schedule per the Code is onerous. That argument has been dealt with above and the same rationale as to the impropriety of this objection also applies here.

Judicial Council Form Interrogatories to Creque

We initially served Form Interrogatories upon your client, George Creque, to which you objected on the basis that the little box beside "Incident" on the first page was not checked. Although we took issue with your objection on the basis that if anyone should know what "Incident" means, the plaintiffs should; we re-served The Second Set of Form Interrogatories, with the little box appropriately checked. To date, we have received no responses to the Second Set and these responses are now overdue. Please provide substantive responses within ten days of the date of this letter (or such other time as we may work out) or we will bring a motion compelling these responses together with seeking sanctions.

Special Interrogatories to Creque, Set One

On May 4, 1999, we served upon George Creque Special Interrogatories, Set One. The response, served on June 8, 1999, contained nothing but objections (identical for each request) which we maintain are all unfounded.

First, you claim the requests are overbroad, vague, ambiguous with respect to the term "YOU" and "YOUR." These terms come directly from the Judicial Council Form Interrogatories, and we believe you will be hard-pressed to convince a court that these "bullet-proof" terms possess these qualities. Moreover, this particular set is directly specifically to George Creque; there can be no legitimate basis for confusion.

Next, you claim that the interrogatories have the same defects with respect to the terms "total amount of damages," "each element or item of damage," and "the method(s)". These questions all have as a foundation the damages, if any, claimed to have been suffered by your clients, and assume the normal and everyday definitions utilized with these terms. Your objections are, thus, manufactured. Further, you had no difficulty formulating a Statement of Damages for each of your clients which was filed and served with the Complaint. All we are seeking is information which has purportedly already been developed.

Next, you contend that the requests violate your clients' privileges of various sorts. The inherent defect of raising these objections in discovery has been considered above and applies with equal force here.

The objection that these interrogatories call for speculation is curious indeed. It is well founded that speculative damages cannot be recovered. To the extent that your client is claiming damages, we are entitled to information within his possession in that regard.

Lastly, you object that the interrogatories are overbroad because of the claimed complexity of the complaint. Boiled down to its essence, your client contends that my client caused him damage by the infusion of harmful substances into the land, air, or water. That is not complex. If our client caused your client damage of some sort, all we ask is that you reveal what that damage was.

Supplemental responses are in order, and unless we have heard from you by the close of business on July 22, 1999, that (1) you will extend our time to bring a motion while we further confer, or (2) we receive written assurance that supplemental responses will be forthcoming by a date upon which we can agree, or (3) we make other arrangements for dealing with this matter, we will file a motion to compel further responses.

Special Interrogatories to Creque, Set No. Two

On June 9, we served Special Interrogatories to George Creque, Set No. Two. No responses have been received. Please provide full and complete responses, without objections, within ten days of the date of this letter (or such other time as we may work out) or we will bring a motion to compel.

Requests for Production, Sets One and Two

The First Set of Requests for Production was served upon your client on June 10, 1999, and the Second Set on June 11, 1999. Of course, responses to both sets are now overdue. Please provide responses to both sets within ten days of the date of this letter (or such other time to which we may agree) or we will file a motion to compel production, seeking at the same time sanctions.

Again, let me reiterate that we have no pressing desire to have to take these matters to court for resolution. That said, we are confident that the Court is not going to idly allow what is becoming a pattern of discovery abuse to go unpunished. As was stated at the outset, our client has been hailed into this action against its will and has been subject to some severe allegations of wrongdoing. We view the function of discovery to ascertain the extent and legitimacy of those claims and to the extent they are ill founded, this action should never have been filed in the first place or should be dismissed immediately.

Again, we will leave with you the responsibility of scheduling further discussions on these issues with our office and we will willingly participate in such a process. In my absence, you may contact my partner, Bart Brizzee. Otherwise, we consider this letter our last such attempt and should we have no communication from you, or supplemental responses (as would be our preference), we will bring these matters before the Court.

Very truly yours,

Duke D. Rouse, of
GRESHAM, SAVAGE,
NOLAN & TILDEN, LLP

DDR:BWB:ds

cc: John Galbavy
James E. Good
Timothy Jones

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Robert Edwards
Tel. (410) 338-1573
Fax (410) 554-5042

April 14, 2000

Mark Wielga, Esq.
Temkin, Wielga & Hard, LLP
1900 Wazee Street, Suite 303
Denver, CO 80202

RE: George Creque, Jr. v. Cactus Gold Mines Company, Inc., et al.

Policyholder: CoCa Mines Company , Inc.
Policies: SMP 31501167 (12/24/80-12/24/82)
UB 11822059 (6/4/81-6/4/82)
UB 21826561 (6/4/82-12/24/82)

Zurich U.S.
Legal Services

3910 Keswick Road
Baltimore, Maryland
21211

Telephone (410) 366-1000
www.zurichus.com

Dear Mr. Wielga:

I note that Hecla has received and possibly paid legal bills from the lawfirm of Gresham, Savage, Nolan & Tildon in connection with the defense of the above referenced matter. As of this date, we have not received any type of update in connection with the status of the litigation. As you know, The Maryland agreed to participate in the defense of this matter and agreed to pay only reasonable and necessary legal fees in this matter. We believe that the rates charged by Gresham, Savage, Nolan & Tildon exceed what our company customarily pays for this type of litigation in this area of California. Accordingly, we are adjusting the bills to reflect the hourly rate of $160.00 for the partner responsible for the litigation, $125.00 for associates and $65.00 for paralegals.

We are continuing with the review of the bills that have been submitted Hecla to date. I would appreciate your full help and cooperation in providing any status reports that Gresham, Savage, Nolan & Tildon have provided to date.

Thank you for your cooperation on this matter.

Very truly yours,

Robert Edwards
(410) 338-1573

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Robert Edwards
Tel. (410) 338-1573
Fax (410) 554-5042

February 23, 2000

Lynette Klawon, Esq.
Selman Brightman
11766 Wilshire Boulevard
Los Angeles CA 90025-6538

RE: Your Client: Commercial Union
Policyholder: CoCa Mines
Matter: George Creque, Jr. v. Cactus Gold Mines Company Inc.

Zurich U.S.
Legal Services

3910 Keswick Road
Baltimore, Maryland
21211

Telephone (410) 366-1000
www.zurichus.com

Dear Ms. Klawon:

This letter will serve as a follow-up to my previous letter directed to your attention dated January 6, 2000. It is our understanding that you represent Commercial Union. I would appreciate your cooperation in terms of clarifying whether or not Commercial Union may have issued any primary policies of insurance to CoCa Mines. I look forward to discussing this with you at your earliest convenience. Thank you for your attention to this matter.

Very truly yours,

Robert Edwards
(410) 338-1573

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Robert Edwards
Tel. (410) 338-1573
Fax (410) 554-5042

October 25, 1999

John N. Galbavy
Corporate Counsel
Hecla Mining Company
6500 Mineral Drive
Coeur d'Alene ID 83815-8788

Zurich U.S.
Legal Services

3910 Keswick Road
Baltimore, Maryland
21211

Telephone (410) 366-1000
www.zurichus.com

RE: Matter: George Creque, Jr. v. Cactus Gold Mines Company , Inc., et al.

Dear Mr. Galbavy:

Thank you for your correspondence dated September 9, 1999 regarding the above referenced matter. It is my understanding that Hecla has approved the July invoice and has incurred $10,444.37 for these two invoices. As you are aware, our company has agreed to participate in the defense of CoCa Mines subject to a full and complete reservation of rights. As you are further aware, our policy period as referenced in my previous correspondence extends from 12/24/80 through 12/24/82. We anticipate that you have tendered the defense of this matter to the other insurers of CoCa Mines and/or other Hecla affiliates that are being defended in this matter to seek their participation in connection with these costs. I would appreciate have the opportunity to further discuss these issues with you at your earliest possible convenience. Thank you for your attention to this matter.

Very truly yours,

Robert Edwards
(410) 338-1573

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DORSEY & WHITNEY LLP

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MARK A. WIELGA
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August 31, 1999

RECEIVED
SEP 7 1999
ENVIRONMENTAL
CLAIMS

Mr. Robert Edwards
Zurich U.S.
Legal Services
3910 Keswick Road
Baltimore, Maryland 21211

CoCa Mines

Re: Matter: George Creque, Jr. v. Cactus Gold Mines Company, Inc. et al.
Policyholder: CoCa Mines
Policy No.: SMP 31501167, effective dates 12/24/80-12/24/82
UB 11822059, effective dates 6/4/81-6/4/82
UB 21826561, effective dates 6/4/82-12/24/82

Dear Mr. Edwards:

This is in response to your letter of July 30, 1999 to Michael B. White at Hecla Mining Company. Thank you for agreeing to participate in the defense of the CoCa Mines, Inc., subject to the statements in your letter.

You asked for an explanation of the relation between CoCa Mines, Inc. and the other defendants. A corporation with the specific name of "CoCa Mines, Inc. of Denver" does not exist. It is our belief that this is simply an attempt by the Plaintiffs to accurately name CoCa Mines, Inc. Cactus Gold Mines Company is a joint venture between CoCa Mines, Inc. and Compass Mining, Inc. CoCa Mines, Inc. is the managing venturer of that joint venture. MBPL is limited partnership of which CoCa Mines, Inc. is the general partner and William Carey and Thomas Cogden are the limited partners. Hecla Mining Company is now the sole shareholder of CoCa Mines, Inc. Those are the only defendants related to CoCa Mines, Inc. in the lawsuit.

Attachment A is an insurance coverage chart for CoCa Mines, Inc. covering the period from December 1980 to July 1986. It is based on records we believe to be sufficient, but we cannot represent it as an authoritative statement of coverage. Demand has been made on the companies with the policies described on Attachment B. We have received your response on policies 1, 2 and 3. We have also received a response from GenStar on its policy (number 10 on the list) denying coverage based on an "absolute" pollution exclusion contained in an endorsement. We have not yet had a response from the other carriers.

A demand was made by Hecla Mining Company on its insurers, Great Northern Insurance Company, Federal Insurance Company and Vigilant Insurance Company, which are part of the Chubb Insurance Group. A demand was made on the Federal/Vigilant policy number 7313-26-26 which had a $1,000,000 occurrence and aggregate limit and on the Federal Northern policy 3710-76-30 which had a $1,000,000 occurrence and a $2,000,000 aggregate limit for general liability and $100,000 aggregate and occurrence limit for pollution coverage. Coverage was denied based on the policies' pollution exclusions. Pollution coverage was denied based on the assertion that the pollution incident at issue began before the policy period started in January 1997.

You should contact Duke Rouse at the Gresham, Savage, Nolan & Tilden firm in San Bernadino. His phone number is (909) 884-2171 and his address is 600 North Arrowhead Avenue, Suite 300, San Bernadino, California 92401-1148.

We understand that you are agreeing to participate in CoCa Mines, Inc.'s defense subject to the conditions and reservations of rights stated in your letter. Of course, our acceptance of the defense does not constitute a waiver of CoCa Mines, Inc.'s rights under the Policies, and we take exception to the restrictions and reservations contained in your letter.

If you have any questions about the information in this letter, please contact me directly.

Sincerely,

Mark Wielga

cc: Michael B. White, Esq.
John Galbavy, Esq.
Duke Rouse, Esq.

Robert Edwards
Tel. (410) 338-1573
Fax (410) 554-5042

July 30, 1999

Michael B. White
Hecla Mining Company
6500 Mineral Drive
Coeur d'Alene ID 83815-8788

RE: Matter: George Creque, Jr. v. Cactus Gold Mines Company , Inc., et al.
Policyholder: CoCa Mines
Policy Nos.: SMP 31501167, effective dates 12/24/80-12/24/82
UB 11822059, effective dates 6/4/81-6/4/82
UB 21826561, effective dates 6/4/82-12/24/82

Dear Mr. White:

Zurich U.S.
Legal Services

3910 Keswick Road
Baltimore, Maryland
21211

Telephone (410) 366-1000
www.zurichus.com

This letter will serve as a follow-up to my previous correspondence directed to your attention dated June 21, 1999. In addition, we received a complete copy of the above referenced complaint from Mark Wielga, an attorney at Dorsey & Whitney. Please be advised that we have located copies of documents which evidence the issuance of the above referenced policies to CoCa Mines for the periods referenced in the caption of this correspondence. Based upon our review of the documents which evidence the policies as well as the allegations in the complaint, please be advised that we will participate in the defense of CoCa Mines subject to a full and complete reservation of rights as delineated in this correspondence. In my review of the complaint, I note that there are several other defendants that have been named in this matter. I would appreciate an explanation as to what relationship these entities have with Hecla Mining Company. In addition, please explain the business relationship between Hecla Mining Company and CoCa Mines. Please be advised that we only have an obligation to participate in the defense of CoCa Mines and we do not have information which suggests or indicates that any of the other entities which may be part of Hecla were ever part of CoCa Mines or insureds under the above referenced policies.

In light of this fact, we anticipate that you have placed all of the insurers for Hecla Mining on notice of this matter as well as any other entity named as a defendant which Hecla Mining may have acquired over the years to seek their participation in the defense of this matter as well. I would appreciate your help and cooperation in terms of providing an insurance profile for the various entities if in fact they are associated with Hecla Mining. Please indicate what response, if any, you have had in connection with the tender of the defense of this matter with Hecla's other insurers.

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ZURICH

We understand that Greshum, Savage, Nolan & Tildon in San Berardino has been retained to evaluate this matter and prepare an answer. I would appreciate your help and cooperation in terms of providing me with the name of the partner responsible for this matter as well as his phone number and address so we may further discuss our participation in the defense of this matter. I would like to have the opportunity to discuss various administrative matters related to the defense such as hourly rates.

As a preliminary matter, please be advised that The Maryland will not pay for any legal fees incurred prior to the tender of this matter. In my review of the complaint, I note that this is a first amended complaint and was most likely served earlier this year. We will not be responsible for the legal fees incurred prior to June 11, 1999 which is the date of your correspondence advising The Maryland of this matter.

The primary Maryland policy above policy (SMP 31501167) contains General Liability Coverage Form MP 0093, edition 7-77. The insuring agreement provides:

> **SECTION II LIABILITY COVERAGE**
>
> **BODILY INJURY LIABILITY**
> **PROPERTY DAMAGE LIABILITY**
>
> **1.** The Company will pay on behalf of the **insured** all sums which the **insured** shall become legally obligated to pay as damages because of
>
> > **bodily injury** or
> > **property damage**
>
> to which this insurance applies, caused by an **occurrence**, and arising out of the ownership, maintenance or use of the **insured premises** and all operations necessary or incidental to the business of the **named insured** conducted at or from the **insured premises**, and the company shall have the right and duty to defend any suit against the **insured** seeking damages on account of such **bodily injury** or **property damage**, even if any of the allegations of the suit are groundless, false or fraudulent, and may make such investigation and settlement of any claim or suit as it deems expedient, but the company shall not be obligated to pay any claim or judgment or to defend any suit after the applicable limit of the company's liability has been exhausted by payment of judgments or settlements.

The Maryland policy defines "bodily injury", "property damage" and "occurrence" as follows:

> **"occurrence"** means an accident, including continuous or repeated exposure to conditions, which results in **bodily injury** or **property damage** neither expected nor

ZURICH

intended from the standpoint of the **insured**.

"Bodily injury" means bodily injury, sickness or disease sustained by any person which occurs during the policy period, including death at any time resulting therefrom.

"property damage" means **(1)** physical injury to or destruction of tangible property which occurs during the policy period, including the loss of use thereof at any time resulting therefrom, or **(2)** loss of use of tangible property which has not been physically injured or destroyed provided such loss of use is caused by an **occurrence** during the policy period.

The Maryland reserves the right to assert that the matters alleged and complained of in the above referenced complaint do not constitute claims for damages as contemplated by a general liability policy. Certain claims for injunctive relief, including prophylactic measures to prevent future pollution, clearly are not damages, and therefore, are not subject to coverage.

The Maryland also reserves the right to assert that it is a policy requirement that "bodily injury" and "property damage" transpire during the policy periods resulting from an "occurrence". To the extent that any alleged injuries and/or property damage transpired subsequent to The Maryland policy periods, coverage would not apply. Further, any such injuries must be the result of an "occurrence" as defined in the policy. The Maryland reserves the right to assert that any contamination in and around the site which is the subject of this litigation may not have been the result of an "occurrence".

The Maryland policies also contain various exclusions which may apply. Specifically, I call your attention to the pollution exclusion which is exclusion f. Exclusion f. states:

This insurance does not apply:

(f) to **bodily injury** or **property damage** arising out of the discharge, dispersal, release or escape of smoke, vapors, soot, fumes, acids, alkalis, toxic chemicals, liquids or gases, waste materials or other irritants, contaminants or pollutants into or upon land, the atmosphere or other water course or body of water; but this exclusion does not apply if such discharge, dispersal, release or escape is sudden and accidental.

The Maryland reserves the right to assert that any contamination in and around the property was not the result of sudden and accidental releases of pollutants within the meaning of the exclusion. Accordingly, the pollution exclusion may bar coverage for all or part of the claims asserted in this matter.

The Maryland policy also contains an owned premises exclusion which bars coverage for any

remediation which may be required in connection with property that may have been owned by CoCa Mines which may include part of the property where the operations were conducted. There may be various other policy terms, conditions and exclusions which may also serve to bar coverage. Specifically, The Maryland reserves the right to assert that it may not have been provided notice of this matter in accordance with the policy conditions. It appears that your company had notice of this lawsuit in February of 1999 and perhaps earlier depending upon when the initial complaint was filed. The Maryland reserves the right to assert that coverage does not apply because notice was not tendered on a timely basis.

Please be advised that The Maryland reserves the right to seek reimbursement of defenses costs incurred in this matter should it be determined that coverage does not apply.

Finally, please be advised that punitive damages are not subject to coverage.

The Maryland's reservations as delineated in this correspondence should not be deemed or construed as exhaustive listing of all policy terms, conditions and exclusions which may apply. The Maryland reserves the right to supplement our reservations should additional information, currently unknown to The Maryland be obtained at a later date. Should you have any questions about The Maryland's participation, please feel free to contact the undersigned at your earliest convenience. In the meantime, we look forward to receiving the information requested in this correspondence at your earliest convenience. Thank you for your attention to this matter.

Very truly yours,

Robert Edwards
(410) 338-1573

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DORSEY & WHITNEY LLP

MINNEAPOLIS
WASHINGTON, D.C.
LONDON
BRUSSELS
HONG KONG
DES MOINES
ROCHESTER
COSTA MESA

REPUBLIC PLAZA BUILDING, SUITE 4400
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MARK A. WIELGA
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wielga.mark@dorseylaw.com

RECEIVED
JUL 29 1999
ENVIRONMENTAL CLAIMS

July 27, 1999

Mr. Robert Edwards
Zurich U.S.
Legal Services
3910 Keswick Road
Baltimore, Maryland 21211

Re: Policyholder: CoCa Mines Company, Inc.
Matter: George Creque, Jr. v. Cactus Gold Mines Company, Inc. et al.

Dear Mr. Edwards:

This is in response to your letter of July 16, 1999. Enclosed is a complete copy of the original Complaint and of the recently filed Second Amended Complaint. Please contact me if you need any other information about this case.

Sincerely,

Mark Wielga

cc: John Galbavy, Esq. (w/o Encls.)

STEVEN L. ZELIG (State Bar No.: 94654)
LAW OFFICES OF STEVEN L. ZELIG
AND ASSOCIATES
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Los Angeles, California 90067
310/557-0088

Attorneys for Plaintiffs

Endorsed
FILED
KERN COUNTY
DEC - 9 1997
TERRY McNALLY, CLERK
BY_____DEPUTY

NO SUMMONS ISSUED

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF KERN

GEORGE CREQUE, JR. and those Plaintiffs listed on the attached document identified as Exhibit 1, and incorporated herein, Plaintiffs, vs. CACTUS GOLD MINES COMPANY, INC.; CACTUS GOLD MINES COMPANY, A JOINT VENTURE; CACTUS GOLD MINES, INC. OF KERN COUNTY; COCA MINES, INC.; COCA MINES, INC. OF DENVER; HECKLA MINING COMPANY, INC.; BROWN & ROOT, INC.; SHUMAKE OPERATIONS; MERRILL-CROWE; GOLDEN QUEEN MINING COMPANY; COMPASS MINING, INC.; MBPL, A BUSINESS ENTITY, FORM UNKNOWN; SAINT MARY PARISH LAND COMPANY; MINVIN GOLD CORPORATION; CHARLES ASTON, SCOTT BENNETT, JIM BRADY, MICHAEL FISHER; and DOES 1 through 2000, inclusive, Defendants.	CASE NO. 235323 SPC *Filed Via Facsimile* COMPLAINT FOR COMPENSATORY AND PUNITIVE DAMAGES; AND INJUNCTIVE RELIEF

Plaintiffs GEORGE CREQUE, JR and those plaintiffs listed on the attached Exhibit 1, incorporated herein, hereby allege the following:

FIRST CAUSE OF ACTION - VARIOUS TORTS AND OTHER BREACHES

(By all Plaintiffs, against Defendants and each of them.)

1. This suit is brought by the Plaintiffs listed in the caption and those Plaintiffs listed in Exhibit 1, incorporated by reference herein. Plaintiffs seek compensatory and punitive damages and injunctive relief arising from acts and/or omissions both in the past and which are presently ongoing and continuous, and which Plaintiffs are informed and believe will continue indefinitely into the future. Said acts and/or omissions emanate and/or arise out of and will continue to emanate and/or arise out of mining, smelting, processing of minerals and other substances and geological components, the utilization of cyanide technology, and/or related activities at or about real property, commonly and collectively referred to as "The Cactus Gold Mines Project Area." Those plaintiffs listed in the caption and in the exhibit incorporated by reference have suffered personal injuries as a result of the acts and omissions herein. This suit is also brought by plaintiffs who are the owners and/or otherwise have possessory interest in parcels of real property adjacent, contiguous to, adjoining and/or otherwise in proximity to the Cactus Gold Mines Project Area. Plaintiffs seek compensation for "injury" to these parcels of real property as a result of the acts and omissions of defendants and each of them, which caused severe environmental contamination and pollution Said contamination and pollution has specifically damaged the real properties listed in the attached Exhibit.

2. Defendants, Does 1 through 2000, inclusive, are unknown to Plaintiffs who therefore sue said Defendants by such fictitious names and will ask leave of Court to amend this Complaint to show the true names and capacities, whether corporate, individual, partnership, association or otherwise, were some way at fault and/or otherwise liable, tortiously, contractually, or otherwise for the injuries and/or damages (both to Plaintiffs' person and/or property) sustained by the individual Plaintiffs herein.

3. Plaintiffs are informed and believe and based thereon allege that each of the Defendants designated as Does 1 through 2000, inclusive, are in some way responsible for the injuries and damages sustained by Plaintiffs herein.

4. Defendants named in the caption are generally described as follows:

A. At any and all relevant times between 1960 through the present, Defendants Cactus Gold Mines Company, Inc.; Cactus Gold Mines Company, a Joint Venture; Cactus Gold Mines, Inc. of Kern County; CoCa Mines, Inc.; CoCa Mines, Inc. of Denver; and Does 1 through 100, inclusive, (hereinafter these Defendants are collectively referred to as "Defendants Cactus"), owned, operated, managed, participated in a venture concerning, and/or otherwise controlled real property commonly known as "Cactus Gold Mines," "Cactus Mines," "Cactus/Shumake Mines" at or about the Cactus Goldmines Project Area located in Mojave, California, and/or other real property according to proof. Said real property is hereinafter sometimes referred to as "Cactus Mines" or "the subject real property." Said defendants also owned, operated, managed, and/or otherwise controlled businesses and other ventures, including mining and drilling, conducted at, about, below, and/or within the confines of said real property.

B. At any and all relevant times between 1960 through the present, Defendants Heckla Mining Company, Inc. and Does 101-125, inclusive, (hereinafter these Defendants are collectively referred to as "Defendants Heckla") owned, operated, managed, participated in a venture concerning, and/or otherwise controlled real property commonly known as "Cactus Gold Mines," "Cactus Mines," "Cactus/Shumake Mines" at or about the Cactus Goldmines Project Area located in Mojave, California, and/or other real property according to proof. Said real property is hereinafter sometimes referred to as "Cactus Mines" or "the subject real property." Said defendants also owned, operated, managed, and/or otherwise controlled businesses and other ventures, including mining and drilling, conducted at, about, below, and/or within the confines of said real property.

C. Defendants Brown & Root, Inc. and Does 126-150, inclusive, (hereinafter these Defendants are collectively referred to as "Defendants Brown") were involved in various tortious ways and are otherwise at fault relative to the machinery, equipment, and/or other devices used within the Cactus Mine operation. Plaintiffs are further informed and believe that defendants Brown were at all relevant times since 1986 through the present engaged and/or otherwise contracted to perform various activities relative to the Cactus Mine operation,

including but not limited to dirt hauling, blasting, stacking, ore handling, and/or other activities according to proof.

D. At and all relevant times from 1960 through the present, Defendants Shumake Operations and Does 151-175, inclusive, (hereinafter these Defendants are collectively referred to as "Defendants Shumake") owned, operated, managed, participated in a venture concerning, and/or otherwise controlled real property commonly known as "Cactus Gold Mines," "Cactus Mines," "Cactus/Shumake Mines" at or about the Cactus Goldmines Project Area located in Mojave, California, and/or other real property according to proof. Said real property is hereinafter sometimes referred to as "Cactus Mines" or "the subject real property." Said defendants also owned, operated, managed, and/or otherwise controlled businesses and other ventures, including mining and drilling, conducted at, about, below, and/or within the confines of said real property.

E. Defendants Merrill-Crowe and Does 176-200, inclusive, (hereinafter these defendants are collectively referred to as "Defendants Merrill") manufactured, sold, retailed, distributed, designed, integrated, and/or were otherwise an integral part of the stream of commerce of various products used in the Cactus Mine venture; and/or were involved in various tortious ways and are otherwise at fault relative to the machinery, equipment, and/or other devices used within the Cactus Mine operation.

F. At any and all relevant times from 1960 through the present, Defendants Golden Queen Mining Company and Does 201 through 225, inclusive, (hereinafter these defendants are collectively referred to as "Defendants Golden Queen") owned, operated, managed, participated in a venture concerning, and/or otherwise controlled real property commonly known as "Cactus Gold Mines," "Cactus Mines," "Cactus/Shumake Mines" at or about the Cactus Goldmines Project Area located in Mojave, California, and/or other real property according to proof. Said real property is hereinafter sometimes referred to as "Cactus Mines" or "the subject real property." Said defendants also owned, operated, managed, and/or otherwise controlled businesses and other ventures, including mining and drilling, conducted at, about, below, and/or within the confines of said real property.

G. At any and all relevant times from 1960 through the present, Defendants Compass Mining, Inc. and Does 226 through 250, inclusive, (hereinafter these defendants are collectively referred to as "Defendants Compass Mining") owned, operated, managed, participated in a venture concerning, and/or otherwise controlled real property commonly known as "Cactus Gold Mines," "Cactus Mines," "Cactus/Shumake Mines" at or about the Cactus Goldmines Project Area located in Mojave, California, and/or other real property according to proof. Said real property is hereinafter sometimes referred to as "Cactus Mines" or "the subject real property." Said defendants also owned, operated, managed, and/or otherwise controlled businesses and other ventures, including mining and drilling, conducted at, about, below, and/or within the confines of said real property.

H. At any and all relevant times from 1960 through the present, Defendants MBPL, a business entity form unknown, and Does 251 through 275, inclusive (hereinafter these defendants are collectively referred to as "Defendants MBPL") owned, operated, managed, participated in a venture concerning, and/or otherwise controlled real property commonly known as "Cactus Gold Mines," "Cactus Mines," "Cactus/Shumake Mines" at or about the Cactus Goldmines Project Area located in Mojave, California, and/or other real property according to proof. Said real property is hereinafter sometimes referred to as "Cactus Mines" or "the subject real property." Said defendants also owned, operated, managed, and/or otherwise controlled businesses and other ventures, including mining and drilling, conducted at, about, below, and/or within the confines of said real property.

I. At any and all relevant times from 1960 through the present, Defendants Saint Mary Parish Land Company and Does 276 through 300, inclusive (hereinafter these defendants are collectively referred to as "Defendants Saint Mary Parish") owned, operated, managed, participated in a venture concerning, and/or otherwise controlled real property commonly known as "Cactus Gold Mines," "Cactus Mines," "Cactus/Shumake Mines" at or about the Cactus Goldmines Project Area located in Mojave, California, and/or other real property according to proof. Said real property is hereinafter sometimes referred to as "Cactus Mines" or "the subject real property." Said defendants also owned, operated, managed, and/or otherwise

controlled businesses and other ventures, including mining and drilling, conducted at, about, below, and/or within the confines of said real property.

J. At any and all relevant times from 1960 through the present, Defendants Minvin Gold Corporation and Does 325 through 350, inclusive, (hereinafter these defendants are collectively referred to as "Defendants Minvin") owned, operated, managed, participated in a venture concerning and/or otherwise controlled real property commonly known as "Cactus Gold Mines," "Cactus Mines," "Cactus/Shumake Mines" at or about the Cactus Goldmines Project Area located in Mojave, California, and/or other real property according to proof. Said real property is hereinafter sometimes referred to as "Cactus Mines" or "the subject real property." Said defendants also owned, operated, managed, and/or otherwise controlled businesses and other ventures, including mining and drilling, conducted at, about, below, and/or within the confines of said real property.

K. At any and all relevant times, DOES 351-400, inclusive, acted in the capacity of engineers relative to the operation of Cactus Mines.

L. At any and all relevant times, DOES 401-450, inclusive, acted in the capacity of contractors relative to the operation of Cactus Mines.

M. At any and all relevant times, DOES 451-500, inclusive, supplied and/or otherwise were an integral part of the stream of commerce of products, machinery, and/or other items used relative to the operation of Cactus Mines.

N. At any and all relevant times, DOES 501-550, inclusive, were safety consultants for and relative to the operation of Cactus Mines.

O. At any and all relevant times, DOES 551-600, inclusive, were owners, possessors, occupiers, and/or otherwise were in control of Cactus Mines.

P. Defendants Charles Aston, Scott Bennett, Jim Brady, Michael Fisher, and various other individuals and/or entities designated herein as DOES. 601-750, inclusive, managed, supervised, oversaw, developed policies and practices, were responsible for, and/or were an integral part of the operation of Cactus Mines.

Q. Defendants DOES 751-2000, inclusive, were individuals and/or entities who were somehow responsible for, tortiously or otherwise, the injuries and damages to plaintiffs herein and their respective properties (real and/or personal).

5. Plaintiffs are informed and believe and based thereon allege that at all times mentioned herein, Defendants, and each of them, were the agents, principals, partners, associates, joint venturers, employees and/or co-conspirators of each of the remaining co-defendants; that the Defendants, and each of them, were at all times acting within the course, purpose and scope of said agency, partnership, association, joint venture employment and/or conspiracy and that Defendants and each of them were acting with the authorization, permission and/or consent of the remaining co-Defendants.

6. At any and all relevant times herein and beginning in 1960 and continuing through the present, the defendants herein participated in various ways in the operation of the Cactus/Shumake mining operation. The mining operation in question caused the dissemination of harmful substances into the environment. Plaintiffs are informed and believe that defendants against whom this suit is asserted knew at least as early as 1989 that the activities arising at or about the subject real property were creating a significant negative environmental impact from a health and safety perspective; and that same was causing an/or contributing to substantial damage to real property which adjoined, was adjacent to, or otherwise in proximity to the Cactus/Shumake Mines. Unfortunately, the acts and omissions giving rise to this suit are ongoing as of this filing, and plaintiffs are informed and believe that said acts and omissions will continue continuously and/or indefinitely into the future. Hence, not only are compensatory and punitive damages sought herein, but request is also made for abatement and injunctive relief.

7. Defendants and each of them acted tortiously in many ways, proximately resulting in personal injuries to plaintiffs, their offspring, and to plaintiffs' property (real and personal). The following acts and/or omissions of defendants and each of them, which are listed by way only of example and not by limitation, give rise to any and all of the following causes of action:

A. General negligence -- Defendants and each of them owned, operated, managed, and/or otherwise engaged in acts and/or omissions relative to the Cactus/Shumake Mine operation, which activities included and continue to include goldmining, refining, smelting, and other related activities according to proof. These activities resulted in and continue to cause the introduction, dissemination and/or placement into the general environment of numerous toxic substances, compounds, contaminants and/or pollutants, including mercury and other chemicals. Plaintiffs are informed and believe that these toxic substances were disseminated and/or otherwise related into the environment as part and parcel and/or a byproduct and secondary to the operations and activities occurring at and about the Cactus/Shumake Mines referenced above. Plaintiffs are informed and believe that the introduction into the environment of the harmful chemicals occurred in several different ways, including, but not limited to the allowance of the introduction of contaminants into the generalized environment by specific miners themselves; and by the improper management of byproducts, including mercury into the environment.

Plaintiffs are informed and believe that defendants and each of them were fully aware of the fact that there are severe hazards due to mercury introduction or contamination as a secondary result of mining and related activities; and, the defendants and each of them knew at all relevant times that plaintiffs would not be aware of the cause of their injury and damages due to the fact that there are no "warning properties" relative to exposure to mercury. Defendants and each of them specifically kept secret and/or concealed this state of affairs from plaintiffs and numerous others in furtherance of pecuniary and financial gain, but at the same time, plaintiffs are informed and believe defendants knew that the concealment thereof had a high probability of resulting in severe, significant, and enduring personal injuries and damages. The management of the property was grossly negligent because the release and dissemination of contaminants, pollutants, chemicals and other substances could have been easily avoided, but as alluded to above, plaintiffs are informed and believe that defendants and each of them opted not to take appropriate prophylactic measures.

Plaintiffs are informed and believe that defendants were negligent in numerous other ways as well relative to the management, supervision, ownership, and/or control of the subject property.

Plaintiffs are further informed and believe that defendants and each of them utilized improper equipment, machinery and other devices so as to effectuate and maintain a proper level of safety and overall control of the release and dissemination of contaminants, pollutants, chemicals, toxins, and/or other substances, including mercury.

To the extent that various defendants and each of them were responsible for controlling and/or eliminating environmental pollutants such as mercury, defendants were negligent.

To the extent that various defendants designed and/or engineered the mining operation or procedures to be utilized, said defendants acted negligently.

Plaintiffs are informed and believe that defendants were negligent in numerous other ways according to proof.

B. Nuisance -- A public and/or private nuisance was created by the use of the properties as briefly described above.

C. Trespass -- Due to the fact that the various contaminants, toxins, pollutants and other substances, including mercury, were disseminated and released into the environment, and those pollutants ultimately interfered with the comfortable use and enjoyment of the plaintiffs' real property and the general environment, trespass of a past, present and continuing nature has occurred. In effect, harmful and hazardous materials have been allowed to escape from the confines of the subject real property into the generalized environment used by members of the public at large and residents of adjacent and/or adjoining properties, many of which were owned or occupied by plaintiffs herein.

D. Statutory violations -- The above acts and omissions of defendants and each of them violated numerous local, state and/or federal statutes and regulations according to proof.

E. Ultrahazardous activity -- The activities in question should be classified as a matter of law as ultrahazardous. Of primary import relative to this classification is the fact that the mining operations in question create a high probability of environmental contamination with significant ramifications from a health and safety perspective.

F. Strict liability -- To the extent that various defendants were an integral part of the stream of commerce of various products, machines and/or devices used in the subject operation and in particular those that caused mercury or other toxic substances to be released into the environment and/or allowed them to be disseminated into the environment, said defendants are strictly liable in tort for product defects.

G. Other torts and bases of liability according to proof.

8. As referenced above, the environmental pollution that was occurring was done without the knowledge of plaintiffs and was specifically covered up and/or concealed by defendants. Notwithstanding the fact that plaintiffs herein at all times exercised reasonable care, plaintiffs, however, did not become aware of the cause and/or nexus between the activities at the subject property and their injuries within a year of filing of this action. Plaintiffs exercised reasonable care in assessing

9. As referenced above, defendants' use, management, ownership, and/or control of the Cactus/Shumake Mines has resulted in severe environmental contamination and pollution constituting a public and private nuisance, the abatement of which is hereby sought.

10. As a proximate and/or legal result of the acts and/or omissions of defendants and each of them, plaintiffs suffered various forms of injury and damage, including, but not limited to the following:

A. Each individually named plaintiff suffered personal injury, necessitating past, present and/or future medical and health care.

B. Each individually named plaintiff has suffered past and/or future loss of earnings and/or impairment of earning capacity.

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C. Each individually named plaintiff suffered and/or sustained pain and suffering and/or other general damage as a result of personal injury inflicted upon said plaintiff in a nature, scope, extent or degree according to proof.

D. Each individually named plaintiff suffered various other forms of injury and damage as a proximate result of and/or secondary to his or her personal injury.

E. With regard to each property listed in Exhibit 1, said properties were damaged as a result of environmental contamination, pollution and/or exposure to toxic substances. Substantial "clean up" and/or other remedial measures have and/or will be necessary. Further, the market value of all of these properties, and for that matter the area as a whole, has been substantially impaired and diminished. To the extent that plaintiffs are presently able to estimate, loss and damage to those properties listed in Exhibit 1, said properties collectively have been damaged in the amount of 100 million dollars, or other amount according to proof.

F. Other damages according to proof.

11. Plaintiffs have suffered injury and damage in the form of emotional distress, worry and concern caused by the acts and/or omissions of defendants. The various adult plaintiffs herein who are the parents and/or guardians of minor plaintiffs are very worried and concerned about the condition, manifested or otherwise, of said minor plaintiffs caused by the irresponsible acts and omissions of defendants.

12. Plaintiffs reserve the right to make claim damages for injury to their offspring, where applicable. Further, plaintiffs certainly make claim for emotional distress, worry and concern caused by the mere possibility that their offspring, where applicable, have been damaged.

13. Plaintiffs are entitled to exemplary and/or punitive damages as a result of the acts and/or omissions of defendants against whom this complaint is asserted. The specific facts supporting this request are set forth above, but suffice it to say that in a nutshell, defendants placed their own pecuniary interests on a much higher priority ladder than the health and safety of plaintiffs and other members of the general public. Defendants' refusal to abate the problems in question and their decision to conceal same from interested persons, including plaintiffs and

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other members of the general public constituted acts and omissions clearly done maliciously and/or with a conscious disregard for both the rights and/or the safety of plaintiffs.

WHEREFORE, Plaintiffs pray for judgment as follows:

(1) For compensatory, general, special, consequential, and incidental damages, in an amount according to proof;

(2) For costs of suit, including reasonable attorney's fee, where appropriate;

(3) For fines or fees associated with statutory violations;

(4) For pre-judgement and/or post-judgement interest at the legal rate;

(5) For abatement and injunctive relief;

(6) For exemplary/punitive damages pursuant to Civil Code §3294; and,

(7) For such other further relief that the court deems just and proper.

Date: December 8, 1997

STEVEN L. ZELIG & ASSOCIATES

By:_____
Steven L. Zelig
Attorney for Plaintiffs

Zurich0000451

CACTUS MINE LITIGATION
EXHIBIT 1

CLIENTS NAME	MAILING ADDRESS
(b) (6) [redacted]	(b) (6) [redacted]

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(b) (6)

(b) (6)

c:\wpwin60\client5.000\clients.000\gi

(b) (6)

(b) (6)

c:\wpwin60\client5.000\clientls.000\gi

(b) (6)

[redacted]

r.

(b) (6)

[redacted]

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SID. EY P. CHAPIN
Judge

THE SUPERIOR COURT
OF THE STATE OF CALIFORNIA
COUNTY OF KERN

TO: All Counsel

From: Judge Chapin, Department 11

SUBJECT: CourtCall Telephonic Appearances by Attorneys for Status Conference and Law & Motion Calendars (Department 11 only)

For appearances commencing on and after February 3, 1997, this Department now permits CourtCall Telephonic Appearances for Status Conferences and Law & Motion matters ("CourtCall Appearances"). CourtCall Appearances do not require consent of opposing counsel, however, they are fully voluntary and no attorney is required to make an appearance telephonically. CourtCall, LLC, is the Program Administrator for CourtCall Appearances.

Our goal in initiating CourtCall Appearances is to increase and improve access to the court, to reduce the overall cost of litigation, and to provide a means by which judges and attorneys are enabled to make more efficient use of their time.

CourtCall Appearances will be permitted in this Department for all Status Conferences and for all Law & Motion matters. Ex Parte matters and/or matters where oral testimony will be taken are excluded. Counsel may make a CourtCall Appearance by serving on all other parties, and delivering (via fax, mail, or personal delivery) to CourtCall, LLC, not less than five (5) court days prior to the hearing date, a Request for CourtCall Appearance Form and by paying a fee of $40.00 for each CourtCall Appearance. All delivery and payment procedures are set forth in the attached instruction sheet entitled "How to Use CourtCall." CourtCall Appearances are conducted in conformity with the CourtCall Telephonic Appearance Rule, which is available for pick-up in this Department or by calling CourtCall, LLC at (310) 914-7884 or (888) 88-COURT. For information about CourtCall, please call CourtCall, LLC, not this Department.

A CourtCall Appearance for a **STATUS CONFERENCE** is initiated on the hearing date by checking in with the Clerk at 7:55 a.m. by calling this department's dedicated toll free Status Conference number: 1-(800) 403-2017, and when prompted, the six-digit Access Code: 461285

A CourtCall appearance for a **LAW & MOTION** matter is initiated on the hearing date by checking in with the Clerk at 8:25 a.m. by calling this department's dedicated toll free Law & Motion number: 1-(800) 403-2006, and when prompted, the six-digit Access Code: 102934

1415 Truxtun Avenue Telephone (805) 861-2437 Bakersfield, California 93301

COURTCALL, LLC
Telephonic Court Appearances
11268 WEST WASHINGTON BOULEVARD
SUITE 200
CULVER CITY, CALIFORNIA 90230
(TEL) (310) 572-4670 (888) 88-COURT
(FAX) (310) 572-4679 (888) 88-FAXIN
HTTP://WWW.COURTCALL.COM

How To Use CourtCall!

Filling Out The Form

1. Serve: Not less than 5 Court Days Before The Hearing fill out the original of the Request for CourtCall Appearance (the "Form"). Retain the original form in your file. DO NOT FILE IT WITH THE COURT. Check the box indicating the method of payment of the fee;

2. Fax to CourtCall, LLC: Fax a copy of the first page of the Form to CourtCall, LLC not less than 5 Court days prior to the hearing. Do not fail to do so, as the CourtCall Calendar is set through these faxes!!;

3. Payment by Credit Card: Fill out credit card information *only* on the copy faxed to CourtCall, LLC, and have that copy SIGNED by the PERSON WHOSE NAME IS ON THE CREDIT CARD.

4. Payment by Check: Check made payable to Telephonic Hearing Account and a copy of the Form must be received by CourtCall, LLC not less than 5 court days prior to hearing! Late filings, if accepted, are subject to a Late Fee!!;

5. Proof of Payment/Calendar Confirmation: A copy of your Form stamped " Calendar Status Confirmed" is faxed to you not less than 3 court days prior to your hearing, and will indicate your teleconference number and access code (if any**). IF YOU DO NOT RECEIVE YOUR FAXED CONFIRMATION, CALL COURTCALL, LLC IMMEDIATELY TO VERIFY YOUR STATUS- WITHOUT CONFIRMATION YOU ARE NOT ON THE COURTCALL CALENDAR!

FOR INFORMATION AND QUESTIONS ABOUT A COURTCALL APPEARANCE, CALL COURTCALL LLC, NOT THE CLERK!

When You Make The Call

* Call the dedicated TOLL FREE number on your confirmation 5 minutes prior to the scheduled hearing time.. NEVER USE A CELLULAR OR PAY PHONE. If prompted, dial your 6-digit Access Code.** You will be advised whether you are joining the call in progress or if you are the first to call.

* If the call is in progress and you hear voices, wait until an opportunity to speak arises without interrupting others. The Clerk may be performing a check-in and will get to you.** If Court has commenced, DO NOT INTERRUPT! You will have an opportunity to speak.

* After check in wait until your case is called. Use your speakerphone while waiting if you are able to mute the microphone to eliminate ambient noise. When your case is called you MUST USE THE HANDSET. Identify yourself each time you speak and use common courtesy.

* If you are the first person on the call be patient, even if you experience silence, as the Clerk will join the call in due course. As others join you will hear a mild "beep-beep" indicating others are on the line. Until your case is called do not speak other than with the Clerk. ** If the Clerk does not join the call within 10 minutes after your scheduled hearing time, call CourtCall, LLC on our toll free Help Line and we will be happy to assist you.

**If the confirmation from CourtCall does not list an access code with your assigned teleconference number, your matter will be heard privately, not in open court. The 5 minute check-in period will be conducted by an AT&T Operator who will conduct the conference in accordance with the Court's instructions. You will be placed on "music-on-hold" while you wait for the Judge to call your matter. The rules regarding cell phones and use of handsets apply.

ATTORNEY OF RECORD (Name and Address): TELEPHONE NO:):	LEAVE THIS SPACE BLANK DO NOT FI I COURT
State Bar No. _____ ATTORNEY FOR (Name): _____	
KERN SUPERIOR COURT 1415 Truxtun Avenue Bakersfield, CA 93301-5216	
PLAINTIFF: DEFENDANT:	
REQUEST FOR COURTCALL TELEPHONIC APPEARANCE	CASE NUMBER: DEPARTMENT: DATE AND TIME: NATURE OF HEARING:

1. _____ (name of specific attorney appearing telephonically) requests a CourtCall telephonic calendar appearance at the above referenced proceeding and agrees to provisions of the Kern Superior Court Telephonic Hearing Calendar Rule.

2. Not less than five court days prior to hearing, a copy of this document was served on all other parties and faxed to CourtCall, LLC, Telephonic Appearance Program Administrator.

3. The non-refundable Telephonic Appearance Fee in the sum of $40 (plus additional fee of $20 if late filing is accepted) is paid as follows:

   ☐ Check (copy attached) payable to Telephonic Hearing Account and original mailed to CourtCall, LLC at 11268 W. Washington Blvd., Suite 200, Culver City, CA 90230; telephone (310) 572-4670 or (888) 88COURT.

   ☐ Charged to VISA, MasterCard or American Express:

TO BE COMPLETED ONLY ON THE COPY SUBMITTED TO CourtCall, LLC:
Credit Card: ☐ VISA ☐ MasterCard ☐ American Express Credit Card Number: _____ Expiration Date: _____ To pay by credit card, the copy of this form submitted to CourtCall, LLC, must be signed by the person whose card is to be charged and must be faxed to CourtCall, LLC at (310) 572-4679 or (888) 88FAXIN with the above credit card information completed. The signature below constitutes authorization to charge the above referenced credit card. The receipt faxed back by CourtCall, LLC, constitutes calendar confirmation. Date: _____ Name on Card: _____ _____ Type Name Signature

Dated: _____ _____
Signature

SPACE BELOW FOR USE OF COURT CLERK ONLY

ENDORSED
FILED
KERN COUNTY

DEC 1 6 1997

TERRY McNALLY, CLERK
BY_____ ___DEPUTY

SUPERIOR COURT OF CALIFORNIA COUNTY OF KERN

1415 TRUXTUN AVENUE, BAKERSFIELD, CA 93301

Plaintiff(s): GEORGE CREQUE, JR	)	NO. 235323-SPC
Defendant(s): CACTUS GOLD MINES COMPANY, INC, ET AL	)	ENTERED [ ]

NOTICE OF ASSIGNMENT TO JUDGE FOR ALL PURPOSES AND NOTICE OF STATUS CONFERENCE

By order of the presiding judge, the above entitled case is assigned to Judge SIDNEY P. CHAPIN for all purposes. It will be managed on the Direct Calendar Program in Department 11 until its conclusion. Peremptory challenges, if any, must be made within the times set out in CCP Section 170.6.

Please include the initials "SPC" after the case number on all future pleadings filed in this case.

TO EACH PARTY AND TO THE ATTORNEY OF RECORD FOR EACH PARTY IN THIS ACTION:

THIS CASE IS SET FOR STATUS CONFERENCE, BY THE HON. SIDNEY P. CHAPIN ON MONDAY MAY 26, 1998, AT 8:00 A.M. IN DEPARTMENT 11 OF THIS COURT.

APPEARANCE BY THE ATTORNEY RESPONSIBLE FOR THE TRIAL OF THIS ACTION IS MANDATORY.

TERRY McNALLY
CLERK OF THE SUPERIOR COURT

DATE: December 16, 1997

By _____Deputy
Y. L. JOHNSON

NOTICE TO PLAINTIFF'S COUNSEL

IMPORTANT: You are required to serve this notice of assignment and status conference date with the service of the summons and complaint.

NOTICE TO CROSS COMPLAINANT'S COUNSEL

IMPORTANT: If you are bringing a cross complaint against new parties, you are, likewise, required to serve this notice on the new cross defendants.

TERRY McNALLY
Court Executive Officer

RUSSELL C. GROVE
Building
Assistant Clerk of the Court

93301
PATRICIA M. CHANDLER
Asst. Chief Deputy Clerk
DIVISION

ROBERTA PAPION
Asst. Chief Deputy Clerk

JAN HOLT
Asst. Chief Deputy Clerk

THE SUPERIOR COURT
OF THE STATE OF CALIFORNIA
COUNTY OF KERN

SUPERIOR COURT
Telephone (805) 861-2621
FAX (805) 324-6348
Admin. & Courts

1415 Truxtun Avenue
Bakersfield, CA

JUVENILE

Telephone (805) 861-2069
FAX (805) 323-3759
Juvenile Justice Center
2100 College Avenue
Bakersfield, CA 93306

The clerk of the Superior Court's office has received a civil complaint from you for filing. Pursuant to the Trial Court Delay Reduction Act, your case has been assigned to the Honorable SIDNEY P. CHAPIN as monitoring judge.

Judge Chapin has instituted a direct calendaring system for all cases assigned to him as the monitoring judge.

All Law & Motion, Status & Trial Setting Conferences, Ex Parte matters & Trials will be scheduled before him in Department 11. This will involve all cases in which the clerk has assigned the initials "SPC" to the complaint at the time of filing. Counsel are expected to make the initials of the monitoring judge a part of the case number on all pleadings & papers.

Judge Chapin expects that all Law & Motion hearings to be heard by him to be set within five days of the earliest date they may be heard, given mail notice of hearing. LAW & MOTION MATTERS DO NOT HAVE TO BE PRE-CLEARED. You may calendar motions as scheduled below. EX PARTE MATTERS REQUIRE PRE-CLEARANCE.

At the time of filing the complaint, plaintiff's counsel will be given a Notice of Status Conference which sets a conference approximately 180 days after filing of the complaint. This notice must be served with the summons & complaint on all defendants. Defendants must serve the notice on all cross-defendants named. The notice must also be served on intervenors & lien claimants.

As of February 3, 1997, telephonic appearances for Status Conferences and Law & Motion hearings will be available through Court Call. Toll Free: (888) 88-COURT.

Another judge will hear settlement conferences in cases assigned to Judge Chapin. However, those cases that do not settle will be set for trial before him.

To confirm any hearing on calendar, check on tentative rulings, for general questions regarding cases assigned to Judge Chapin, or to pre-clear an Ex-Parte hearing, contact: Eileen Imgrund @ (805) 861-2621 ext 5400.

THE DEPARTMENT 11 CALENDAR WILL BE:

STATUS/TRIAL SETTING CONFERENCES	8:00 AM	DAILY
LAW & MOTION/DEFAULT/OSC HEARINGS	8:30 AM	DAILY
TRIALS	9:00 AM- 4:30PM	MON - THURS
SETTLEMENT CONFERENCES & PRETRIAL CONFERENCES	9:00 AM- 4:30PM	FRIDAYS
EX-PARTE	8:30 AM	MON - THURS

Very Truly Yours

TERRY McNALLY, Clerk of Superior Court

KERN COUNTY SUPERIOR COURT

SPECIAL RULES RELATING TO STATUS CONFERENCES

At least 15 days prior to the status conference, each party shall prepare, file, and serve on each other party a status conference report providing the court with the following information:

1. The "at-issue" status of the case including any new parties that may be contemplated.
2. A brief statement of the type of case and the general facts or contentions.
3. A description of the discovery done to date and that contemplated to be done.
4. Estimated time for trial and whether a jury is demanded.
5. Whether or not the case is entitled to priority in trial setting and if so, the legal authority therefor.
6. An evaluation of the case for alternative dispute resolution including arbitration (judicial or binding), mediation or private judge handling.
7. If a personal injury action, a description of the injuries sustained by each plaintiff and the elements of claim damage.
8. If a non-personal injury action, the elements of claimed damage and the amounts thereof.
9. A statement of any settlement negotiations undertaken thus far.
10. The name of the attorney primarily responsible for the case of behalf of the party filing the report.

More than one party may join in the filing of a single report.

The status conference shall be attended by the attorney primarily responsible for the case on behalf of each party or a member of his or her firm or counsel formally associated in the case. The attorney attending shall be thoroughly familiar with the case, and be able to engage in meaningful discussions with court and counsel, and to enter into agreements on behalf of his or her client on the following subjects.

1. The "at-issue" status of the case including the dismissal of the unnamed doe defendants or cross-defendants by agreement of all parties.
2. Discovery conducted and remaining to be done.
3. Amenability of the case to alternative dispute resolution including, but not limited to, arbitration (judicial or binding), mediation, and private judge handling.
4. Delineation of issues including stipulation of facts not in substantial controversy.
5. Settlement prospects.
6. Setting the matter for trial, pre-trial conferences, settlement conference or further status conference.
7. Any other matters relevant to the processing of the case to a final resolution.

Any violation of these rules shall result in the imposition of substantial sanctions which may include monetary, issue, termination, or other appropriate sanctions.

Plaintiff, GEORGE CREQUE, JR., hereby submits the following Statement of Damages to the above-captioned matter:

Each of the following figures are mere estimates and the submitting party reserves the right to amend, supplement and otherwise revise this pleading to reflect further investigation, discovery and/or proof:

1. GENERAL DAMAGES: $100,000,000.00
2. SPECIAL DAMAGES: $100,000,000.00
3. PUNITIVE DAMAGES $200,000,000.00

As this case progresses, it may become apparent that the estimates provided in this statement at this time are not completely accurate, and Plaintiffs therefore reserve the right to amend, supplement, or in any way modify this Statement of Damages to more accurately reflect the amount of damages suffered by Plaintiff herein.

In addition, it must be understood that it is extremely difficult to fix the amount of general damages and/or to predict the exact amount that a jury or trier of fact may award for this category of damages.

Date: October 16, 1998

STEVEN L. ZELIG & ASSOCIATES

By: _____
Steven L. Zelig, Esq.
Attorney for Plaintiff(s)

Zurich0000466

STEVEN L. ZELIG, State Bar No. 94654
LAW OFFICES OF STEVEN L. ZELIG & ASSOCIATES
10850 Wilshire Boulevard
Suite 530
Los Angeles, California 90024
(310) 470-1990

Attorneys for Plaintiff(s)

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF KERN

GEORGE CREQUE, JR. and those Plaintiffs listed on the attached document identified as Exhibit 1, and incorporated herein,, Plaintiff(s), vs. CACTUS GOLD MINES COMPANY, INC.; CACTUS GOLD MINES COMPANY, A JOINT VENTURE; CACTUS GOLD MINES, INC. OF KERN COUNTY; COCA MINES, INC.; COCA MINES, INC. OF DENVER; HECKLA MINING COMPANY, INC.; BROWN & ROOT, INC.; SHUMAKE OPERATIONS; MERRILL-CROWE; GOLDEN QUEEN MINING COMPANY COMPASS MINING, INC.; MBPL, A BUSINESS ENTITY, FORM UNKNOWN; SAINT MARY PARISH LAND COMPANY; MINVIN GOLD CORPORATION; CHARLES ASTON, SCOTT BENNETT, JIM BRADY, MICHEL FISHER; and DOES 1 through 2000, inclusive,, Defendant(s).	CASE NO.: 235323 SPC NOTICE OF STATUS CONFERENCE DATE: 10/23/98 TIME: 8:00 A.M. DEPT.: 11

TO ALL PARTIES HEREIN AND THEIR RESPECTIVE COUNSEL OF RECORD:

PLEASE TAKE NOTICE that this matter has been set for a STATUS CONFERENCE

Zurich0000467

on October 23, 1998 at 8:30 a.m. in Department 11 of the above listed court.

Dated: October 16, 1998

STEVEN L. ZELIG & ASSOCIATES

By: _____
Steven L. Zelig, Esq.
Attorney for Plaintiff(s)

Zurich0000468

STEVEN L. ZELIG, State Bar No.: 94654
LAW OFFICES OF STEVEN L. ZELIG
AND ASSOCIATES
10850 Wilshire Boulevard
Suite 530
Los Angeles, California 90024
(310) 470-1990

Attorneys for Plaintiff(s)

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF KERN

GEORGE CREQUE, JR. and those Plaintiffs listed on the attached document identified as Exhibit 1, and incorporated herein,, Plaintiff(s) vs. CACTUS GOLD MINES COMPANY, INC.; CACTUS GOLD MINES COMPANY, A JOINT VENTURE; CACTUS GOLD MINES, INC. OF KERN COUNTY; COCA MINES, INC.; COCA MINES, INC. OF DENVER; HECKLA MINING COMPANY, INC.; BROWN & ROOT, INC.; SHUMAKE OPERATIONS; MERRILL-CROWE; GOLDEN QUEEN MINING COMPANY COMPASS MINING, INC.; MBPL, A BUSINESS ENTITY, FORM UNKNOWN; SAINT MARY PARISH LAND COMPANY; MINVIN GOLD CORPORATION; CHARLES ASTON, SCOTT BENNETT, JIM BRADY, MICHEL FISHER; and DOES 1 through 2000, inclusive,, Defendants.	CASE NO.: 235323 SPC STATEMENT OF DAMAGES

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Zurich0000469

Plaintiff, JOHN M. WARD., hereby submits the following Statement of Damages to the above-captioned matter:

Each of the following figures are mere estimates and the submitting party reserves the right to amend, supplement and otherwise revise this pleading to reflect further investigation, discovery and/or proof:

1. GENERAL DAMAGES: $100,000,000.00
2. SPECIAL DAMAGES: $100,000,000.00
3. PUNITIVE DAMAGES $200,000,000.00

As this case progresses, it may become apparent that the estimates provided in this statement at this time are not completely accurate, and Plaintiffs therefore reserve the right to amend, supplement, or in any way modify this Statement of Damages to more accurately reflect the amount of damages suffered by Plaintiff herein.

In addition, it must be understood that it is extremely difficult to fix the amount of general damages and/or to predict the exact amount that a jury or trier of fact may award for this category of damages.

Date: October 16, 1998

STEVEN L. ZELIG & ASSOCIATES

By:_____
Steven L. Zelig, Esq.
Attorney for Plaintiff(s)

Zurich0000470

STEVEN L. ZELIG, State Bar No.: 94654
LAW OFFICES OF STEVEN L. ZELIG
AND ASSOCIATES
10850 Wilshire Boulevard
Suite 530
Los Angeles, California 90024
(310) 470-1990

Attorneys for Plaintiff(s)

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF KERN

GEORGE CREQUE, JR. and those Plaintiffs listed on the attached document identified as Exhibit 1, and incorporated herein,, Plaintiff(s) vs. CACTUS GOLD MINES COMPANY, INC.; CACTUS GOLD MINES COMPANY, A JOINT VENTURE; CACTUS GOLD MINES, INC. OF KERN COUNTY; COCA MINES, INC.; COCA MINES, INC. OF DENVER; HECKLA MINING COMPANY, INC.; BROWN & ROOT, INC.; SHUMAKE OPERATIONS; MERRILL-CROWE; GOLDEN QUEEN MINING COMPANY COMPASS MINING, INC.; MBPL, A BUSINESS ENTITY, FORM UNKNOWN; SAINT MARY PARISH LAND COMPANY; MINVIN GOLD CORPORATION; CHARLES ASTON, SCOTT BENNETT, JIM BRADY, MICHEL FISHER; and DOES 1 through 2000, inclusive,, Defendants.	CASE NO.: 235323 SPC STATEMENT OF DAMAGES

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Zurich0000471

Plaintiff, ANNA BELLE WOODY., hereby submits the following Statement of Damages to the above-captioned matter:

Each of the following figures are mere estimates and the submitting party reserves the right to amend, supplement and otherwise revise this pleading to reflect further investigation, discovery and/or proof:

1. GENERAL DAMAGES: $100,000,000.00
2. SPECIAL DAMAGES: $100,000,000.00
3. PUNITIVE DAMAGES $200,000,000.00

As this case progresses, it may become apparent that the estimates provided in this statement at this time are not completely accurate, and Plaintiffs therefore reserve the right to amend, supplement, or in any way modify this Statement of Damages to more accurately reflect the amount of damages suffered by Plaintiff herein.

In addition, it must be understood that it is extremely difficult to fix the amount of general damages and/or to predict the exact amount that a jury or trier of fact may award for this category of damages.

Date: October 16, 1998

STEVEN L. ZELIG & ASSOCIATES

By:_____
Steven L. Zelig, Esq.
Attorney for Plaintiff(s)

Zurich0000472

STEVEN L. ZELIG, State Bar No.: 94654
LAW OFFICES OF STEVEN L. ZELIG
AND ASSOCIATES
10850 Wilshire Boulevard
Suite 530
Los Angeles, California 90024
(310) 470-1990

Attorneys for Plaintiff(s)

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF KERN

GEORGE CREQUE, JR. and those Plaintiffs listed on the attached document identified as Exhibit 1, and incorporated herein,, Plaintiff(s) vs. CACTUS GOLD MINES COMPANY, INC.; CACTUS GOLD MINES COMPANY, A JOINT VENTURE; CACTUS GOLD MINES, INC. OF KERN COUNTY; COCA MINES, INC.; COCA MINES, INC. OF DENVER; HECKLA MINING COMPANY, INC.; BROWN & ROOT, INC.; SHUMAKE OPERATIONS; MERRILL-CROWE; GOLDEN QUEEN MINING COMPANY COMPASS MINING, INC.; MBPL, A BUSINESS ENTITY, FORM UNKNOWN; SAINT MARY PARISH LAND COMPANY; MINVIN GOLD CORPORATION; CHARLES ASTON, SCOTT BENNETT, JIM BRADY, MICHEL FISHER; and DOES 1 through 2000, inclusive,, Defendants.	CASE NO.: 235323 SPC STATEMENT OF DAMAGES

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Zurich0000473

Plaintiff, GWEN WOODY., hereby submits the following Statement of Damages to the above-captioned matter:

Each of the following figures are mere estimates and the submitting party reserves the right to amend, supplement and otherwise revise this pleading to reflect further investigation, discovery and/or proof:

1. GENERAL DAMAGES: $100,000,000.00
2. SPECIAL DAMAGES: $100,000,000.00
3. PUNITIVE DAMAGES $200,000,000.00

As this case progresses, it may become apparent that the estimates provided in this statement at this time are not completely accurate, and Plaintiffs therefore reserve the right to amend, supplement, or in any way modify this Statement of Damages to more accurately reflect the amount of damages suffered by Plaintiff herein.

In addition, it must be understood that it is extremely difficult to fix the amount of general damages and/or to predict the exact amount that a jury or trier of fact may award for this category of damages.

Date: October 16, 1998

STEVEN L. ZELIG & ASSOCIATES

By: _____
Steven L. Zelig, Esq.
Attorney for Plaintiff(s)

Zurich0000474

STEVEN L. ZELIG, State Bar No.: 94654
LAW OFFICES OF STEVEN L. ZELIG
AND ASSOCIATES
10850 Wilshire Boulevard
Suite 530
Los Angeles, California 90024
(310) 470-1990

Attorneys for Plaintiff(s)

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF KERN

GEORGE CREQUE, JR. and those Plaintiffs listed on the attached document identified as Exhibit 1, and incorporated herein,, Plaintiff(s) vs. CACTUS GOLD MINES COMPANY, INC.; CACTUS GOLD MINES COMPANY, A JOINT VENTURE; CACTUS GOLD MINES, INC. OF KERN COUNTY; COCA MINES, INC.; COCA MINES, INC. OF DENVER; HECKLA MINING COMPANY, INC.; BROWN & ROOT, INC.; SHUMAKE OPERATIONS; MERRILL-CROWE; GOLDEN QUEEN MINING COMPANY COMPASS MINING, INC.; MBPL, A BUSINESS ENTITY, FORM UNKNOWN; SAINT MARY PARISH LAND COMPANY; MINVIN GOLD CORPORATION; CHARLES ASTON, SCOTT BENNETT, JIM BRADY, MICHEL FISHER; and DOES 1 through 2000, inclusive,, Defendants.	CASE NO.: 235323 SPC STATEMENT OF DAMAGES

\\\\

Zurich0000475

NAME, ADDRESS AND TELEPHONE NUMBER OF ATTORNEY(S)
STEVEN J. SELIG & ASSOCIATES
10850 WILSHIRE BLVD. SUITE 530
LOS ANGELES, CA 90024
(310) 470-1990

ORIGINAL COPY

ENDORSED
FILE STAMP

FILED
KERN COUNTY
OCT - 9 1998
TERRY McNALLY, CLERK
BY_____DEPUTY

Attorney(s) For PLAINTIFFS

SUPERIOR COURT OF CALIFORNIA, KERN COUNTY

(TITLE OF ACTION)
GEORGE CREQUE, JR., etc., et al.,

vs.

CACTUS GOLD MINES COMPANY, INC., etc., et al.

CASE NUMBER
235323-3 EC

PETITION FOR APPOINTMENT OF GUARDIAN AD LITEM, AND ORDER

I. PETITION BY MINOR (if minor is 14 years or older).

I declare under penalty of perjury under the laws of the State of California that the following is true:

A. I am the ☒ plaintiff ☐ defendant in the above-entitled action.

B. I am a minor of the age of 16 years, having been born on 2-11-82 (BIRTHDATE).

C. Appointment of a guardian ad litem is necessary because I have no general guardian.

D. Pamela A. Ellis (NAME OF PROPOSED GUARDIAN) is my Parent (PARENT/RELATIVE/FRIEND).

E. Therefore, I request that Pamela A. Ellis (NAME OF PROPOSED GUARDIAN) be appointed guardian ad litem for me in this action.

F. This declaration is executed this date: 9-1, 19 98.

Becky Ellis
(SIGNATURE OF MINOR PETITIONER)

CONSENT OF PROPOSED GUARDIAN, for minor 14 or older.

I declare under penalty of perjury under the laws of the State of California that the following is true:

A. I consent to the appointment of myself as guardian ad litem for Becky A Ellis (NAME OF MINOR) in this action.

B. I have no interest adverse to the interest of the minor.

C. This declaration is executed this date: 9-1-, 19 98.

Pamela A Ellis
(SIGNATURE OF PROPOSED GUARDIAN)

—(OVER)—

Zurich0000476

NAME, ADDRESS AND TELEPHONE NUMBER OF ATTORNEY(S)
STEVEN L. ZELIG & ASSOCIATES
10850 WILSHIRE BLVD. SUITE 530
LOS ANGELES, CA 90024
(310) 470-1990

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FILE STAMP ENDORSED

FILED
KERN COUNTY

OCT - 9 1998

TERRY McNALLY, CLERK
BY_____DEPUTY

Attorney(s) For PLAINTIFFS

SUPERIOR COURT OF CALIFORNIA, KERN COUNTY

(TITLE OF ACTION)
GEORGE CREQUE, JR., etc., et al.,

vs.

CACTUS GOLD MINES COMPANY, INC., etc., et al.

CASE NUMBER
235323 SPC

PETITION FOR APPOINTMENT OF GUARDIAN AD LITEM, AND ORDER

I. PETITION BY MINOR (if minor is 14 years or older).

I declare under penalty of perjury under the laws of the State of California that the following is true:

A. I am the ☒ plaintiff ☐ defendant in the above-entitled action.

B. I am a minor of the age of 18 years, having been born on 8-9-80 (BIRTHDATE).

C. Appointment of a guardian ad litem is necessary because I have no general guardian.

D. Pamela A Ellis (NAME OF PROPOSED GUARDIAN) is my mother (PARENT/RELATIVE/FRIEND).

E. Therefore, I request that Pamela A Ellis (NAME OF PROPOSED GUARDIAN) be appointed guardian ad litem for me in this action.

F. This declaration is executed this date: Sept. 1, 19 98.

Daniel D. Ellis
(SIGNATURE OF MINOR PETITIONER)

CONSENT OF PROPOSED GUARDIAN, for minor 14 or older.

I declare under penalty of perjury under the laws of the State of California that the following is true:

A. I consent to the appointment of myself as guardian ad litem for Daniel D Ellis (NAME OF MINOR) in this action.

B. I have no interest adverse to the interest of the minor.

C. This declaration is executed this date: 9-1, 19 98.

Pamela A Ellis
(SIGNATURE OF PROPOSED GUARDIAN)

—(OVER)—

Zurich0000477

NAME, ADDRESS AND TELEPHONE NUMBER OF ATTORNEY(S)

STEVEN L. ZELIG & ASSOCIATES
10850 WILSHIRE BLVD. SUITE 530
LOS ANGELES, CA 90024
(310) 470-1990

Attorney(s) For PLAINTIFFS

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FILE STAMP ENDORSED
FILED
KERN COUNTY
OCT - 9 1998
TERRY McNALLY, CLERK
BY _____ DEPUTY

SUPERIOR COURT OF CALIFORNIA, KERN COUNTY

(TITLE OF ACTION)

GEORGE CREQUE, JR., etc., et al.,

vs.

CACTUS GOLD MINES COMPANY, INC., etc., et al.

CASE NUMBER

235323 SPC

PETITION FOR APPOINTMENT OF GUARDIAN AD LITEM, AND ORDER

I. PETITION BY MINOR (if minor is 14 years or older).

I declare under penalty of perjury under the laws of the State of California that the following is true:

A. I am the ☒ plaintiff ☐ defendant in the above-entitled action.

B. I am a minor ~~of~~ the age of 16 years, having been born on 2-13-82 (BIRTHDATE).

C. Appointment of a guardian ad litem is necessary because I have no general guardian.

D. ~~Amanda P. Faure~~ Anna Sue Burnett (NAME OF PROPOSED GUARDIAN) is my mother (PARENT/RELATIVE/FRIEND).

E. Therefore, I request that Anna Sue Burnett (NAME OF PROPOSED GUARDIAN) be appointed guardian ad litem for me in this action.

F. This declaration is executed this date: 9-2, 19 98.

Anna Sue Burnett
(SIGNATURE OF MINOR PETITIONER)

CONSENT OF PROPOSED GUARDIAN, for minor 14 or older.

I declare under penalty of perjury under the laws of the State of California that the following is true:

A. I consent to the appointment of myself as guardian ad litem for Amanda P. Faure (NAME OF MINOR) in this action.

B. I have no interest adverse to the interest of the minor.

C. This declaration is executed this date: 9-2, 19 98.

Anna Sue Burnett
(SIGNATURE OF PROPOSED GUARDIAN)

—(OVER)—

NAME, ADDRESS AND TELEPHONE NUMBER OF ATTORNEY(S)
STEVEN L. ZELIG & ASSOCIATES
10850 WILSHIRE BLVD. SUITE 530
LOS ANGELES, CA 90024
(310) 470-1990

Attorney(s) For PLAINTIFFS

ORIGINAL COPY

ENDORSED
FILE STAMP
FILED
KERN COUNTY
OCT - 9 1998
TERRY McNALLY, CLERK
BY_____DEPUTY

SUPERIOR COURT OF CALIFORNIA, KERN COUNTY

(TITLE OF ACTION)
GEORGE CREQUE, JR., etc., et al.,

vs.

CACTUS GOLD MINES COMPANY, INC., etc., et al.

235323 CASE NUMBER

PETITION FOR APPOINTMENT OF GUARDIAN AD LITEM, AND ORDER

I. **PETITION BY MINOR (if minor is 14 years or older).**

I declare under penalty of perjury under the laws of the State of California that the following is true:

A. I am the ☐ plaintiff ☐ defendant in the above-entitled action.

B. I am a minor of the age of _____ years, having been born on _____ (BIRTHDATE).

C. Appointment of a guardian ad litem is necessary because I have no general guardian.

D. _____ (NAME OF PROPOSED GUARDIAN) is my _____ (PARENT/RELATIVE/FRIEND).

E. Therefore, I request that _____ (NAME OF PROPOSED GUARDIAN) be appointed guardian ad litem for me in this action.

F. This declaration is executed this date: _____, 19_____.

_____
(SIGNATURE OF MINOR PETITIONER)

CONSENT OF PROPOSED GUARDIAN, for minor 14 or older.

I declare under penalty of perjury under the laws of the State of California that the following is true:

A. I consent to the appointment of myself as guardian ad litem for _____ (NAME OF MINOR) in this action.

B. I have no interest adverse to the interest of the minor.

C. This declaration is executed this date: _____, 19_____.

_____
(SIGNATURE OF PROPOSED GUARDIAN)

—(OVER)—

Zurich0000479

NAME, ADDRESS AND TELEPHONE NUMBER OF ATTORNEY(S)
STEVEN L. ZELIG & ASSOCIATES
10850 WILSHIRE BLVD. SUITE 530
LOS ANGELES, CA 90024
(310) 470-1990

ORIGINAL COPY

FILE STAMP ENDORSED

FILED
KERN COUNTY
OCT - 9 1998
TERRY McNALLY, CLERK
BY _____ DEPUTY

Attorney(s) For PLAINTIFFS

SUPERIOR COURT OF CALIFORNIA, KERN COUNTY

(TITLE OF ACTION)	CASE NUMBER
GEORGE CREQUE, JR., etc., et al.,	235323
vs.	
CACTUS GOLD MINES COMPANY, INC., etc., et al	**PETITION FOR APPOINTMENT OF GUARDIAN AD LITEM, AND ORDER**

I. PETITION BY MINOR (if minor is 14 years or older).

I declare under penalty of perjury under the laws of the State of California that the following is true:

A. I am the ☐ plaintiff ☐ defendant in the above-entitled action.

B. I am a minor of the age of _____ years, having been born on _____ (BIRTHDATE).

C. Appointment of a guardian ad litem is necessary because I have no general guardian.

D. _____ (NAME OF PROPOSED GUARDIAN) is my _____ (PARENT/RELATIVE/FRIEND).

E. Therefore, I request that _____ (NAME OF PROPOSED GUARDIAN) be appointed guardian ad litem for me in this action.

F. This declaration is executed this date: _____, 19_____.

_____
(SIGNATURE OF MINOR PETITIONER)

CONSENT OF PROPOSED GUARDIAN, for minor 14 or older.

I declare under penalty of perjury under the laws of the State of California that the following is true:

A. I consent to the appointment of myself as guardian ad litem for _____ (NAME OF MINOR) in this action.

B. I have no interest adverse to the interest of the minor.

C. This declaration is executed this date: _____, 19_____.

_____
(SIGNATURE OF PROPOSED GUARDIAN)

—(OVER)—

Zurich0000480

NAME, ADDRESS AND TELEPHONE NUMBER OF ATTORNEY(S)
STEVEN L. ZELIG & ASSOCIATES
10850 WILSHIRE BLVD. SUITE 530
LOS ANGELES, CA 90024
(310) 470-1990

ORIGINAL COPY

FILE STAMP ENDORSED

FILED
KERN COUNTY
OCT - 9 1998
TERRY McNALLY, CLERK
BY _____ DEPUTY

Attorney(s) For PLAINTIFFS

SUPERIOR COURT OF CALIFORNIA, KERN COUNTY

(TITLE OF ACTION)
GEORGE CREQUE, JR., etc., et al.,

vs.

CACTUS GOLD MINES COMPANY, INC., etc., et al.

CASE NUMBER
235323 SPC

PETITION FOR APPOINTMENT OF GUARDIAN AD LITEM, AND ORDER

1. **PETITION BY MINOR (if minor is 14 years or older).**

I declare under penalty of perjury under the laws of the State of California that the following is true:

A. I am the ☐ plaintiff ☐ defendant in the above-entitled action.

B. I am a minor of the age of _____ years, having been born on _____ (BIRTHDATE).

C. Appointment of a guardian ad litem is necessary because I have no general guardian.

D. _____ (NAME OF PROPOSED GUARDIAN) is my _____ (PARENT/RELATIVE/FRIEND).

E. Therefore, I request that _____ (NAME OF PROPOSED GUARDIAN) be appointed guardian ad litem for me in this action.

F. This declaration is executed this date: _____, 19_____.

_____
(SIGNATURE OF MINOR PETITIONER)

CONSENT OF PROPOSED GUARDIAN, for minor 14 or older.

I declare under penalty of perjury under the laws of the State of California that the following is true:

A. I consent to the appointment of myself as guardian ad litem for _____ (NAME OF MINOR) in this action.

B. I have no interest adverse to the interest of the minor.

C. This declaration is executed this date: _____, 19_____.

_____
(SIGNATURE OF PROPOSED GUARDIAN)

—(OVER)—

NAME, ADDRESS AND TELEPHONE NUMBER OF ATTORNEY(S)
STEVEN L. ZELIG & ASSOCIATES
10850 WILSHIRE BLVD. SUITE 530
LOS ANGELES, CA 90024
(310) 470-1990

Attorney(s) For PLAINTIFFS

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FILED
KERN COUNTY
OCT - 9 1998
TERRY McNALLY, CLERK
BY _____ DEPUTY

SUPERIOR COURT OF CALIFORNIA, KERN COUNTY

(TITLE OF ACTION)
GEORGE CREQUE, JR., etc., et al.,

vs.

CACTUS GOLD MINES COMPANY, INC., etc., et al.

CASE NUMBER
235323 SPC

PETITION FOR APPOINTMENT OF GUARDIAN AD LITEM, AND ORDER

I. PETITION BY MINOR (if minor is 14 years or older).

I declare under penalty of perjury under the laws of the State of California that the following is true:

A. I am the ☐ plaintiff ☐ defendant in the above-entitled action.

B. I am a minor of the age of _____ years, having been born on _____ (BIRTHDATE).

C. Appointment of a guardian ad litem is necessary because I have no general guardian.

D. _____ (NAME OF PROPOSED GUARDIAN) is my _____ (PARENT/RELATIVE/FRIEND).

E. Therefore, I request that _____ (NAME OF PROPOSED GUARDIAN) be appointed guardian ad litem for me in this action.

F. This declaration is executed this date: _____, 19_____.

_____
(SIGNATURE OF MINOR PETITIONER)

CONSENT OF PROPOSED GUARDIAN, for minor 14 or older.

I declare under penalty of perjury under the laws of the State of California that the following is true:

A. I consent to the appointment of myself as guardian ad litem for _____ (NAME OF MINOR) in this action.

B. I have no interest adverse to the interest of the minor.

C. This declaration is executed this date: _____, 19_____.

_____
(SIGNATURE OF PROPOSED GUARDIAN)

—(OVER)—

NAME, ADDRESS AND TELEPHONE NUMBER OF ATTORNEY(S)
STEVEN L. ZELIG & ASSOCIATES
10850 WILSHIRE BLVD. SUITE 530
LOS ANGELES, CA 90024
(310) 470-1990

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BY _____ DEPUTY

Attorney(s) For PLAINTIFFS

SUPERIOR COURT OF CALIFORNIA, KERN COUNTY

(TITLE OF ACTION)
GEORGE CREQUE, JR., etc., et al.,

vs.

CACTUS GOLD MINES COMPANY, INC., etc., et al.

CASE NUMBER
235323 SPC

PETITION FOR APPOINTMENT OF GUARDIAN AD LITEM, AND ORDER

I. **PETITION BY MINOR (if minor is 14 years or older).**

I declare under penalty of perjury under the laws of the State of California that the following is true:

A. I am the ☒ plaintiff ☐ defendant in the above-entitled action.

B. I am a minor of the age of 18 years, having been born on 12/15/79 (BIRTH DATE).

C. Appointment of a guardian ad litem is necessary because I have no general guardian.

D. James A. Hooper (NAME OF PROPOSED GUARDIAN) is my Father (PARENT/RELATIVE/FRIEND).

E. Therefore, I request that James A. Hooper (NAME OF PROPOSED GUARDIAN) be appointed guardian ad litem for me in this action.

F. This declaration is executed this date: 9th/14 September, 1998.

Brett Hooper
(SIGNATURE OF MINOR PETITIONER)

CONSENT OF PROPOSED GUARDIAN, for minor 14 or older.

I declare under penalty of perjury under the laws of the State of California that the following is true:

A. I consent to the appointment of myself as guardian ad litem for Brett Hooper (NAME OF MINOR) in this action.

B. I have no interest adverse to the interest of the minor.

C. This declaration is executed this date: 9th/14 September, 1998.

James A. Hooper
(SIGNATURE OF PROPOSED GUARDIAN)

—(OVER)—

STEVEN L. ZELIG, State Bar No.: 94654
LAW OFFICES OF STEVEN L. ZELIG
AND ASSOCIATES
10850 Wilshire Boulevard
Suite 530
Los Angeles, California 90024
(310) 470-1990

Attorneys for Plaintiff

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF KERN

GEORGE CREQUE, JR. and those Plaintiffs listed on the attached document identified as Exhibit 1, and incorporated herein,, Plaintiff(s) vs. CACTUS GOLD MINES COMPANY, INC.; CACTUS GOLD MINES COMPANY, A JOINT VENTURE; CACTUS GOLD MINES, INC. OF KERN COUNTY; COCA MINES, INC.; COCA MINES, INC. OF DENVER; HECKLA MINING COMPANY, INC.; BROWN & ROOT, INC.; SHUMAKE OPERATIONS; MERRILL-CROWE; GOLDEN QUEEN MINING COMPANY COMPASS MINING, INC.; MBPL, A BUSINESS ENTITY, FORM UNKNOWN; SAINT MARY PARISH LAND COMPANY; MINVIN GOLD CORPORATION; CHARLES ASTON, SCOTT BENNETT, JIM BRADY, MICHEL FISHER; and DOES 1 through 2000, inclusive,, Defendants.	CASE NO.: 235323 SPC STATEMENT OF DAMAGES

\\\\

Zurich0000484

NAME, ADDRESS AND TELEPHONE NUMBER OF ATTORNEY(S)
STEVEN L. ZELIG & ASSOCIATES
10850 WILSHIRE BLVD. SUITE 530
LOS ANGELES, CA 90024
(310) 470-1990

Attorney(s) For PLAINTIFFS

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OCT - 9 1998
TERRY McNALLY, CLERK
BY_____DEPUTY

SUPERIOR COURT OF CALIFORNIA, KERN COUNTY

(TITLE OF ACTION)
GEORGE CREQUE, JR., etc., et al.,
vs.
CACTUS GOLD MINES COMPANY, INC., etc., et al.

CASE NUMBER
235323 SPC

PETITION FOR APPOINTMENT OF GUARDIAN AD LITEM, AND ORDER

I. PETITION BY MINOR (if minor is 14 years or older).

I declare under penalty of perjury under the laws of the State of California that the following is true:

A. I am the ☒ plaintiff ☐ defendant in the above-entitled action.

B. I am a minor ~~of~~ the age of 16 years, having been born on 7-30-82 (BIRTHDATE).

C. Appointment of a guardian ad litem is necessary because I have no general guardian.

D. Joyce Ward (NAME OF PROPOSED GUARDIAN) is my mother (PARENT/RELATIVE/FRIEND).

E. Therefore, I request that Joyce Ward (NAME OF PROPOSED GUARDIAN) be appointed guardian ad litem for me in this action.

F. This declaration is executed this date: 8-2-98, 19____.

Jeremiah Ward
(SIGNATURE OF MINOR PETITIONER)

CONSENT OF PROPOSED GUARDIAN, for minor 14 or older.

I declare under penalty of perjury under the laws of the State of California that the following is true:

A. I consent to the appointment of myself as guardian ad litem for Jeremiah Ward (NAME OF MINOR) in this action.

B. I have no interest adverse to the interest of the minor.

C. This declaration is executed this date: 8-2, 19 98.

Joyce Ward
(SIGNATURE OF PROPOSED GUARDIAN)

—(OVER)—

NAME, ADDRESS AND TELEPHONE NUMBER OF ATTORNEY(S)
STEVEN L. ZELIG & ASSOCIATES
10850 WILSHIRE BLVD. SUITE 530
LOS ANGELES, CA 90024
(310) 470-1990

Attorney(s) For PLAINTIFFS

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BY _____ DEPUTY

SUPERIOR COURT OF CALIFORNIA, KERN COUNTY

(TITLE OF ACTION)	CASE NUMBER
GEORGE CREQUE, JR., etc., et al.,	235323 SPC
vs.	**PETITION FOR APPOINTMENT OF GUARDIAN AD LITEM, AND ORDER**
CACTUS GOLD MINES COMPANY, INC., etc., et al.	

1. **PETITION BY MINOR (if minor is 14 years or older).**

I declare under penalty of perjury under the laws of the State of California that the following is true:

A. I am the ☐ plaintiff ☐ defendant in the above-entitled action.

B. I am a minor of the age of _____ years, having been born on _____ (BIRTHDATE).

C. Appointment of a guardian ad litem is necessary because I have no general guardian.

D. _____ (NAME OF PROPOSED GUARDIAN) is my _____ (PARENT/RELATIVE/FRIEND).

E. Therefore, I request that _____ (NAME OF PROPOSED GUARDIAN) be appointed guardian ad litem for me in this action.

F. This declaration is executed this date: _____, 19_____.

_____
(SIGNATURE OF MINOR PETITIONER)

CONSENT OF PROPOSED GUARDIAN, for minor 14 or older.

I declare under penalty of perjury under the laws of the State of California that the following is true:

A. I consent to the appointment of myself as guardian ad litem for _____ (NAME OF MINOR) in this action.

B. I have no interest adverse to the interest of the minor.

C. This declaration is executed this date: _____, 19_____.

_____
(SIGNATURE OF PROPOSED GUARDIAN)

—(OVER)—

Zurich0000486

COPY

NAME, ADDRESS AND TELEPHONE NUMBER OF ATTORNEY(S)
STEVEN E. ZELIG & ASSOCIATES
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(310) 470-1990

Attorney(s) For PLAINTIFFS

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BY_____DEPUTY

SUPERIOR COURT OF CALIFORNIA, KERN COUNTY

(TITLE OF ACTION)
GEORGE CREQUE, JR., etc., et al.,

vs.

CACTUS GOLD MINES COMPANY, INC., etc., et al.

CASE NUMBER
235323-5

PETITION FOR APPOINTMENT OF GUARDIAN AD LITEM, AND ORDER

I. **PETITION BY MINOR (if minor is 14 years or older).**

I declare under penalty of perjury under the laws of the State of California that the following is true:

A. I am the ☐ plaintiff ☐ defendant in the above-entitled action.

B. I am a minor of the age of _____ years, having been born on _____ (BIRTHDATE).

C. Appointment of a guardian ad litem is necessary because I have no general guardian.

D. _____ (NAME OF PROPOSED GUARDIAN) is my _____ (PARENT/RELATIVE/FRIEND).

E. Therefore, I request that _____ (NAME OF PROPOSED GUARDIAN) be appointed guardian ad litem for me in this action.

F. This declaration is executed this date: _____, 19_____.

_____
(SIGNATURE OF MINOR PETITIONER)

CONSENT OF PROPOSED GUARDIAN, for minor 14 or older.

I declare under penalty of perjury under the laws of the State of California that the following is true:

A. I consent to the appointment of myself as guardian ad litem for _____ (NAME OF MINOR) in this action.

B. I have no interest adverse to the interest of the minor.

C. This declaration is executed this date: _____, 19_____.

_____
(SIGNATURE OF PROPOSED GUARDIAN)

—(OVER)—

NAME, ADDRESS AND TELEPHONE NUMBER OF ATTORNEY(S)
STEVEN L. ZELIG & ASSOCIATES
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LOS ANGELES, CA 90024
(310) 470-1990

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BY _____ DEPUTY

Attorney(s) For PLAINTIFFS

SUPERIOR COURT OF CALIFORNIA, KERN COUNTY

(TITLE OF ACTION)
GEORGE CREQUE, JR., etc., et al.,

vs.

CACTUS GOLD MINES COMPANY, INC., etc., et al.

CASE NUMBER
235323 SPC

PETITION FOR APPOINTMENT OF GUARDIAN AD LITEM, AND ORDER

I. PETITION BY MINOR (if minor is 14 years or older).

I declare under penalty of perjury under the laws of the State of California that the following is true:

A. I am the ☐ plaintiff ☐ defendant in the above-entitled action.

B. I am a minor of the age of _____ years, having been born on _____ (BIRTHDATE).

C. Appointment of a guardian ad litem is necessary because I have no general guardian.

D. _____ (NAME OF PROPOSED GUARDIAN) is my _____ (PARENT/RELATIVE/FRIEND).

E. Therefore, I request that _____ (NAME OF PROPOSED GUARDIAN) be appointed guardian ad litem for me in this action.

F. This declaration is executed this date: _____, 19_____.

_____
(SIGNATURE OF MINOR PETITIONER)

CONSENT OF PROPOSED GUARDIAN, for minor 14 or older.

I declare under penalty of perjury under the laws of the State of California that the following is true:

A. I consent to the appointment of myself as guardian ad litem for _____ (NAME OF MINOR) in this action.

B. I have no interest adverse to the interest of the minor.

C. This declaration is executed this date: _____, 19_____.

_____
(SIGNATURE OF PROPOSED GUARDIAN)

—(OVER)—

Zurich0000488

NAME, ADDRESS AND TELEPHONE NUMBER OF ATTORNEY(S)

STEVEN L. ZELIG & ASSOCIATES
10850 WILSHIRE BLVD. SUITE 530
LOS ANGELES, CA 90024
(310) 470-1990

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TERRY McNALLY, CLERK
BY _____ DEPUTY

Attorney(s) For PLAINTIFFS

SUPERIOR COURT OF CALIFORNIA, KERN COUNTY

(TITLE OF ACTION)	CASE NUMBER
GEORGE CREQUE, JR., etc., et al.,	235323 SPC
vs.	**PETITION FOR APPOINTMENT OF GUARDIAN AD LITEM, AND ORDER**
CACTUS GOLD MINES COMPANY, INC., etc., et al.	

I. PETITION BY MINOR (if minor is 14 years or older).

I declare under penalty of perjury under the laws of the State of California that the following is true:

A. I am the ☐ plaintiff ☐ defendant in the above-entitled action.

B. I am a minor of the age of _____ years, having been born on _____ (BIRTHDATE).

C. Appointment of a guardian ad litem is necessary because I have no general guardian.

D. _____ (NAME OF PROPOSED GUARDIAN) is my _____ (PARENT/RELATIVE/FRIEND).

E. Therefore, I request that _____ (NAME OF PROPOSED GUARDIAN) be appointed guardian ad litem for me in this action.

F. This declaration is executed this date: _____, 19_____.

_____
(SIGNATURE OF MINOR PETITIONER)

CONSENT OF PROPOSED GUARDIAN, for minor 14 or older.

I declare under penalty of perjury under the laws of the State of California that the following is true:

A. I consent to the appointment of myself as guardian ad litem for _____ (NAME OF MINOR) in this action.

B. I have no interest adverse to the interest of the minor.

C. This declaration is executed this date: _____, 19_____.

_____
(SIGNATURE OF PROPOSED GUARDIAN)

—(OVER)—

NAME, ADDRESS AND TELEPHONE NUMBER OF ATTORNEY(S)
STEVEN L. ZELIG & ASSOCIATES
10850 WILSHIRE BLVD. SUITE 530
LOS ANGELES, CA 90024
(310) 470-1990

Attorney(s) For PLAINTIFFS

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TERRY McNALLY, CLERK
BY _____ DEPUTY

SUPERIOR COURT OF CALIFORNIA, KERN COUNTY

(TITLE OF ACTION)	CASE NUMBER
GEORGE CREQUE, JR., etc., et al.,	235323 SPC
vs.	**PETITION FOR APPOINTMENT OF GUARDIAN AD LITEM, AND ORDER**
CACTUS GOLD MINES COMPANY, INC., etc., et al.	

I. PETITION BY MINOR (if minor is 14 years or older).

I declare under penalty of perjury under the laws of the State of California that the following is true:

A. I am the ☐ plaintiff ☐ defendant in the above-entitled action.

B. I am a minor ~~of~~ the age of _____ years, having been born on _____ (BIRTHDATE).

C. Appointment of a guardian ad litem is necessary because I have no general guardian.

D. _____ (NAME OF PROPOSED GUARDIAN) is my _____ (PARENT/RELATIVE/FRIEND).

E. Therefore, I request that _____ (NAME OF PROPOSED GUARDIAN) be appointed guardian ad litem for me in this action.

F. This declaration is executed this date: _____, 19_____.

_____
(SIGNATURE OF MINOR PETITIONER)

CONSENT OF PROPOSED GUARDIAN, for minor 14 or older.

I declare under penalty of perjury under the laws of the State of California that the following is true:

A. I consent to the appointment of myself as guardian ad litem for _____ (NAME OF MINOR) in this action.

B. I have no interest adverse to the interest of the minor.

C. This declaration is executed this date: _____, 19_____.

_____
(SIGNATURE OF PROPOSED GUARDIAN)

—(OVER)—

NAME, ADDRESS AND TELEPHONE NUMB OF ATTORNEY(S)

STEVEN L. ZELIG & ASSOCIATES
10850 WILSHIRE BLVD. SUITE 530
LOS ANGELES, CA 90024
(310) 470-1990

Attorney(s) For PLAINTIFFS

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KERN COUNTY
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TERRY McNALLY, CLERK
BY _____ DEPUTY

SUPERIOR COURT OF CALIFORNIA, KERN COUNTY

(TITLE OF ACTION)	CASE NUMBER
GEORGE CREQUE, JR., etc., et al.,	235323 SPC
vs.	**PETITION FOR APPOINTMENT OF GUARDIAN AD LITEM, AND ORDER**
CACTUS GOLD MINES COMPANY, INC., etc., et al.	

I. PETITION BY MINOR (if minor is 14 years or older).

I declare under penalty of perjury under the laws of the State of California that the following is true:

A. I am the ☐ plaintiff ☐ defendant in the above-entitled action.

B. I am a minor of the age of _____ years, having been born on _____ .
(BIRTHDATE)

C. Appointment of a guardian ad litem is necessary because I have no general guardian.

D. _____ is my _____ .
(NAME OF PROPOSED GUARDIAN) (PARENT/RELATIVE/FRIEND)

E. Therefore, I request that _____ be appointed guardian ad litem for me in this action.
(NAME OF PROPOSED GUARDIAN)

F. This declaration is executed this date: _____ , 19_____ .

_____
(SIGNATURE OF MINOR PETITIONER)

CONSENT OF PROPOSED GUARDIAN, for minor 14 or older.

I declare under penalty of perjury under the laws of the State of California that the following is true:

A. I consent to the appointment of myself as guardian ad litem for _____ in this action.
(NAME OF MINOR)

B. I have no interest adverse to the interest of the minor.

C. This declaration is executed this date: _____ , 19_____ .

_____
(SIGNATURE OF PROPOSED GUARDIAN)

—(OVER)—

NAME, ADDRESS AND TELEPHONE NUMBER OF ATTORNEY(S)

STEVEN L. ZELIG & ASSOCIATES
10850 WILSHIRE BLVD. SUITE 530
LOS ANGELES, CA 90024
(310) 470-1990

Attorney(s) For PLAINTIFFS

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KERN COUNTY
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TERRY McNALLY, CLERK
BY _____ DEPUTY

SUPERIOR COURT OF CALIFORNIA, KERN COUNTY

(TITLE OF ACTION)	CASE NUMBER
GEORGE CREQUE, JR., etc., et al.,	235323 SPC
vs.	**PETITION FOR APPOINTMENT OF GUARDIAN AD LITEM, AND ORDER**
CACTUS GOLD MINES COMPANY, INC., etc., et al.	

I. PETITION BY MINOR (if minor is 14 years or older).

I declare under penalty of perjury under the laws of the State of California that the following is true:

A. I am the ☐ plaintiff ☐ defendant in the above-entitled action.

B. I am a minor ~~of~~ the age of _____ years, having been born on _____ (BIRTHDATE).

C. Appointment of a guardian ad litem is necessary because I have no general guardian.

D. _____ (NAME OF PROPOSED GUARDIAN) is my _____ (PARENT/RELATIVE/FRIEND).

E. Therefore, I request that _____ (NAME OF PROPOSED GUARDIAN) be appointed guardian ad litem for me in this action.

F. This declaration is executed this date: _____, 19_____.

_____
(SIGNATURE OF MINOR PETITIONER)

CONSENT OF PROPOSED GUARDIAN, for minor 14 or older.

I declare under penalty of perjury under the laws of the State of California that the following is true:

A. I consent to the appointment of myself as guardian ad litem for _____ (NAME OF MINOR) in this action.

B. I have no interest adverse to the interest of the minor.

C. This declaration is executed this date: _____, 19_____.

_____
(SIGNATURE OF PROPOSED GUARDIAN)

—(OVER)—

Plaintiff, JAMES B. WOODY., hereby submits the following Statement of Damages to the above-captioned matter:

Each of the following figures are mere estimates and the submitting party reserves the right to amend, supplement and otherwise revise this pleading to reflect further investigation, discovery and/or proof:

1. GENERAL DAMAGES: $100,000,000.00
2. SPECIAL DAMAGES: $100,000,000.00
3. PUNITIVE DAMAGES $200,000,000.00

As this case progresses, it may become apparent that the estimates provided in this statement at this time are not completely accurate, and Plaintiffs therefore reserve the right to amend, supplement, or in any way modify this Statement of Damages to more accurately reflect the amount of damages suffered by Plaintiff herein.

In addition, it must be understood that it is extremely difficult to fix the amount of general damages and/or to predict the exact amount that a jury or trier of fact may award for this category of damages.

Date: October 16, 1998

STEVEN L. ZELIG & ASSOCIATES

By:_____
Steven L. Zelig, Esq.
Attorney for Plaintiff(s)

Zurich0000493

STEVEN L. ZELIG, State Bar No.: 94654
LAW OFFICES OF STEVEN L. ZELIG
AND ASSOCIATES
10850 Wilshire Boulevard
Suite 530
Los Angeles, California 90024
(310) 470-1990

Attorneys for Plaintiff(s)

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF KERN

GEORGE CREQUE, JR. and those Plaintiffs listed on the attached document identified as Exhibit 1, and incorporated herein,, *Plaintiff(s)* vs. CACTUS GOLD MINES COMPANY, INC.; CACTUS GOLD MINES COMPANY, A JOINT VENTURE; CACTUS GOLD MINES, INC. OF KERN COUNTY; COCA MINES, INC.; COCA MINES, INC. OF DENVER; HECKLA MINING COMPANY, INC.; BROWN & ROOT, INC.; SHUMAKE OPERATIONS; MERRILL-CROWE; GOLDEN QUEEN MINING COMPANY COMPASS MINING, INC.; MBPL, A BUSINESS ENTITY, FORM UNKNOWN; SAINT MARY PARISH LAND COMPANY; MINVIN GOLD CORPORATION; CHARLES ASTON, SCOTT BENNETT, JIM BRADY, MICHEL FISHER; and DOES 1 through 2000, inclusive,, Defendants.	CASE NO.: 235323 SPC STATEMENT OF DAMAGES

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Zurich0000494

Plaintiff, **BRIAN E. ELLIS**, hereby submits the following Statement of Damages to the above-captioned matter:

Each of the following figures are mere estimates and the submitting party reserves the right to amend, supplement and otherwise revise this pleading to reflect further investigation, discovery and/or proof:

1. GENERAL DAMAGES: $100,000,000.00
2. SPECIAL DAMAGES: $100,000,000.00
3. PUNITIVE DAMAGES $200,000,000.00

As this case progresses, it may become apparent that the estimates provided in this statement at this time are not completely accurate, and Plaintiffs therefore reserve the right to amend, supplement, or in any way modify this Statement of Damages to more accurately reflect the amount of damages suffered by Plaintiff herein.

In addition, it must be understood that it is extremely difficult to fix the amount of general damages and/or to predict the exact amount that a jury or trier of fact may award for this category of damages.

Date: October 16, 1998

STEVEN L. ZELIG & ASSOCIATES

By:_____
Steven L. Zelig, Esq.
Attorney for Plaintiff(s)

Zurich0000495

STEVEN L. ZELIG, State Bar No.: 94654
LAW OFFICES OF STEVEN L. ZELIG
AND ASSOCIATES
10850 Wilshire Boulevard
Suite 530
Los Angeles, California 90024
(310) 470-1990

Attorneys for Plaintiff(s)

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF KERN

GEORGE CREQUE, JR. and those Plaintiffs listed on the attached document identified as Exhibit 1, and incorporated herein,, Plaintiff(s) vs. CACTUS GOLD MINES COMPANY, INC.; CACTUS GOLD MINES COMPANY, A JOINT VENTURE; CACTUS GOLD MINES, INC. OF KERN COUNTY; COCA MINES, INC.; COCA MINES, INC. OF DENVER; HECKLA MINING COMPANY, INC.; BROWN & ROOT, INC.; SHUMAKE OPERATIONS; MERRILL-CROWE; GOLDEN QUEEN MINING COMPANY COMPASS MINING, INC.; MBPL, A BUSINESS ENTITY, FORM UNKNOWN; SAINT MARY PARISH LAND COMPANY; MINVIN GOLD CORPORATION; CHARLES ASTON, SCOTT BENNETT, JIM BRADY, MICHEL FISHER; and DOES 1 through 2000, inclusive,, Defendants.	CASE NO.: 235323 SPC STATEMENT OF DAMAGES

\\\\

Zurich0000496

Plaintiff, BRIAN M. ELLIS, hereby submits the following Statement of Damages to the above-captioned matter:

Each of the following figures are mere estimates and the submitting party reserves the right to amend, supplement and otherwise revise this pleading to reflect further investigation, discovery and/or proof:

1. GENERAL DAMAGES: $100,000,000.00
2. SPECIAL DAMAGES: $100,000,000.00
3. PUNITIVE DAMAGES $200,000,000.00

As this case progresses, it may become apparent that the estimates provided in this statement at this time are not completely accurate, and Plaintiffs therefore reserve the right to amend, supplement, or in any way modify this Statement of Damages to more accurately reflect the amount of damages suffered by Plaintiff herein.

In addition, it must be understood that it is extremely difficult to fix the amount of general damages and/or to predict the exact amount that a jury or trier of fact may award for this category of damages.

Date: October 16, 1998

STEVEN L. ZELIG & ASSOCIATES

By: _____
Steven L. Zelig, Esq.
Attorney for Plaintiff(s)

Zurich0000497

STEVEN L. ZELIG, State Bar No.: 94654
LAW OFFICES OF STEVEN L. ZELIG
AND ASSOCIATES
10850 Wilshire Boulevard
Suite 530
Los Angeles, California 90024
(310) 470-1990

Attorneys for Plaintiff(s)

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF KERN

GEORGE CREQUE, JR. and those Plaintiffs listed on the attached document identified as Exhibit 1, and incorporated herein,, Plaintiff(s) vs. CACTUS GOLD MINES COMPANY, INC.; CACTUS GOLD MINES COMPANY, A JOINT VENTURE; CACTUS GOLD MINES, INC. OF KERN COUNTY; COCA MINES, INC.; COCA MINES, INC. OF DENVER; HECKLA MINING COMPANY, INC.; BROWN & ROOT, INC.; SHUMAKE OPERATIONS; MERRILL-CROWE; GOLDEN QUEEN MINING COMPANY COMPASS MINING, INC.; MBPL, A BUSINESS ENTITY, FORM UNKNOWN; SAINT MARY PARISH LAND COMPANY; MINVIN GOLD CORPORATION; CHARLES ASTON, SCOTT BENNETT, JIM BRADY, MICHEL FISHER; and DOES 1 through 2000, inclusive,, Defendants.	CASE NO.: 235323 SPC STATEMENT OF DAMAGES

\\\\

Zurich0000498

Plaintiff, PAMELA A. ELLIS, hereby submits the following Statement of Damages to the above-captioned matter:

Each of the following figures are mere estimates and the submitting party reserves the right to amend, supplement and otherwise revise this pleading to reflect further investigation, discovery and/or proof:

1. GENERAL DAMAGES: $100,000,000.00
2. SPECIAL DAMAGES: $100,000,000.00
3. PUNITIVE DAMAGES $200,000,000.00

As this case progresses, it may become apparent that the estimates provided in this statement at this time are not completely accurate, and Plaintiffs therefore reserve the right to amend, supplement, or in any way modify this Statement of Damages to more accurately reflect the amount of damages suffered by Plaintiff herein.

In addition, it must be understood that it is extremely difficult to fix the amount of general damages and/or to predict the exact amount that a jury or trier of fact may award for this category of damages.

Date: October 16, 1998

STEVEN L. ZELIG & ASSOCIATES

By:_____
Steven L. Zelig, Esq.
Attorney for Plaintiff(s)

Zurich0000499

STEVEN L. ZELIG, State Bar No.: 94654
LAW OFFICES OF STEVEN L. ZELIG
AND ASSOCIATES
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Suite 530
Los Angeles, California 90024
(310) 470-1990

Attorneys for Plaintiff(s)

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF KERN

GEORGE CREQUE, JR. and those Plaintiffs listed on the attached document identified as Exhibit 1, and incorporated herein,, Plaintiff(s) vs. CACTUS GOLD MINES COMPANY, INC.; CACTUS GOLD MINES COMPANY, A JOINT VENTURE; CACTUS GOLD MINES, INC. OF KERN COUNTY; COCA MINES, INC.; COCA MINES, INC. OF DENVER; HECKLA MINING COMPANY, INC.; BROWN & ROOT, INC.; SHUMAKE OPERATIONS; MERRILL-CROWE; GOLDEN QUEEN MINING COMPANY COMPASS MINING, INC.; MBPL, A BUSINESS ENTITY, FORM UNKNOWN; SAINT MARY PARISH LAND COMPANY; MINVIN GOLD CORPORATION; CHARLES ASTON, SCOTT BENNETT, JIM BRADY, MICHEL FISHER; and DOES 1 through 2000, inclusive,, Defendants.	CASE NO.: 235323 SPC STATEMENT OF DAMAGES

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Zurich0000500

Plaintiff, BONNIE WARD, hereby submits the following Statement of Damages to the above-captioned matter:

Each of the following figures are mere estimates and the submitting party reserves the right to amend, supplement and otherwise revise this pleading to reflect further investigation, discovery and/or proof:

1. GENERAL DAMAGES: $100,000,000.00
2. SPECIAL DAMAGES: $100,000,000.00
3. PUNITIVE DAMAGES $200,000,000.00

As this case progresses, it may become apparent that the estimates provided in this statement at this time are not completely accurate, and Plaintiffs therefore reserve the right to amend, supplement, or in any way modify this Statement of Damages to more accurately reflect the amount of damages suffered by Plaintiff herein.

In addition, it must be understood that it is extremely difficult to fix the amount of general damages and/or to predict the exact amount that a jury or trier of fact may award for this category of damages.

Date: October 16, 1998

STEVEN L. ZELIG & ASSOCIATES

By:_____
Steven L. Zelig, Esq.
Attorney for Plaintiff(s)

Zurich0000501

STEVEN L. ZELIG, State Bar No.: 94654
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AND ASSOCIATES
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Los Angeles, California 90024
(310) 470-1990

Attorneys for Plaintiff(s)

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF KERN

GEORGE CREQUE, JR. and those Plaintiffs listed on the attached document identified as Exhibit 1, and incorporated herein,, Plaintiff(s) vs. CACTUS GOLD MINES COMPANY, INC.; CACTUS GOLD MINES COMPANY, A JOINT VENTURE; CACTUS GOLD MINES, INC. OF KERN COUNTY; COCA MINES, INC.; COCA MINES, INC. OF DENVER; HECKLA MINING COMPANY, INC.; BROWN & ROOT, INC.; SHUMAKE OPERATIONS; MERRILL-CROWE; GOLDEN QUEEN MINING COMPANY COMPASS MINING, INC.; MBPL, A BUSINESS ENTITY, FORM UNKNOWN; SAINT MARY PARISH LAND COMPANY; MINVIN GOLD CORPORATION; CHARLES ASTON, SCOTT BENNETT, JIM BRADY, MICHEL FISHER; and DOES 1 through 2000, inclusive,, Defendants.	CASE NO.: 235323 SPC STATEMENT OF DAMAGES

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Zurich0000502

Plaintiff, HEATHER EDMONDS, hereby submits the following Statement of Damages to the above-captioned matter:

Each of the following figures are mere estimates and the submitting party reserves the right to amend, supplement and otherwise revise this pleading to reflect further investigation, discovery and/or proof:

1. GENERAL DAMAGES: $100,000,000.00
2. SPECIAL DAMAGES: $100,000,000.00
3. PUNITIVE DAMAGES $200,000,000.00

As this case progresses, it may become apparent that the estimates provided in this statement at this time are not completely accurate, and Plaintiffs therefore reserve the right to amend, supplement, or in any way modify this Statement of Damages to more accurately reflect the amount of damages suffered by Plaintiff herein.

In addition, it must be understood that it is extremely difficult to fix the amount of general damages and/or to predict the exact amount that a jury or trier of fact may award for this category of damages.

Date: October 16, 1998

STEVEN L. ZELIG & ASSOCIATES

By:_____
Steven L. Zelig, Esq.
Attorney for Plaintiff(s)

Zurich0000503

STEVEN L. ZELIG, State Bar No.: 94654
LAW OFFICES OF STEVEN L. ZELIG
AND ASSOCIATES
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Suite 530
Los Angeles, California 90024
(310) 470-1990

Attorneys for Plaintiff(s)

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF KERN

GEORGE CREQUE, JR. and those Plaintiffs listed on the attached document identified as Exhibit 1, and incorporated herein,, Plaintiff(s) vs. CACTUS GOLD MINES COMPANY, INC.; CACTUS GOLD MINES COMPANY, A JOINT VENTURE; CACTUS GOLD MINES, INC. OF KERN COUNTY; COCA MINES, INC.; COCA MINES, INC. OF DENVER; HECKLA MINING COMPANY, INC.; BROWN & ROOT, INC.; SHUMAKE OPERATIONS; MERRILL-CROWE; GOLDEN QUEEN MINING COMPANY COMPASS MINING, INC.; MBPL, A BUSINESS ENTITY, FORM UNKNOWN; SAINT MARY PARISH LAND COMPANY; MINVIN GOLD CORPORATION; CHARLES ASTON, SCOTT BENNETT, JIM BRADY, MICHEL FISHER; and DOES 1 through 2000, inclusive,, Defendants.	CASE NO.: 235323 SPC STATEMENT OF DAMAGES

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Zurich0000504

Plaintiff, JOHN EDMONDS, hereby submits the following Statement of Damages to the above-captioned matter:

Each of the following figures are mere estimates and the submitting party reserves the right to amend, supplement and otherwise revise this pleading to reflect further investigation, discovery and/or proof:

1. GENERAL DAMAGES: $100,000,000.00
2. SPECIAL DAMAGES: $100,000,000.00
3. PUNITIVE DAMAGES $200,000,000.00

As this case progresses, it may become apparent that the estimates provided in this statement at this time are not completely accurate, and Plaintiffs therefore reserve the right to amend, supplement, or in any way modify this Statement of Damages to more accurately reflect the amount of damages suffered by Plaintiff herein.

In addition, it must be understood that it is extremely difficult to fix the amount of general damages and/or to predict the exact amount that a jury or trier of fact may award for this category of damages.

Date: October 16, 1998

STEVEN L. ZELIG & ASSOCIATES

By:_____
Steven L. Zelig, Esq.
Attorney for Plaintiff(s)

Zurich0000505

STEVEN L. ZELIG, State Bar No.: 94654
LAW OFFICES OF STEVEN L. ZELIG
AND ASSOCIATES
10850 Wilshire Boulevard
Suite 530
Los Angeles, California 90024
(310) 470-1990

Attorneys for Plaintiff(s)

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF KERN

GEORGE CREQUE, JR. and those Plaintiffs listed on the attached document identified as Exhibit 1, and incorporated herein,, Plaintiff(s) vs. CACTUS GOLD MINES COMPANY, INC.; CACTUS GOLD MINES COMPANY, A JOINT VENTURE; CACTUS GOLD MINES, INC. OF KERN COUNTY; COCA MINES, INC.; COCA MINES, INC. OF DENVER; HECKLA MINING COMPANY, INC.; BROWN & ROOT, INC.; SHUMAKE OPERATIONS; MERRILL-CROWE; GOLDEN QUEEN MINING COMPANY COMPASS MINING, INC.; MBPL, A BUSINESS *ENTITY, FORM UNKNOWN; SAINT* MARY PARISH LAND COMPANY; MINVIN GOLD CORPORATION; CHARLES ASTON, SCOTT BENNETT, JIM BRADY, MICHEL FISHER; and DOES 1 through 2000, inclusive,, Defendants.	CASE NO.: 235323 SPC STATEMENT OF DAMAGES

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Zurich0000506

Plaintiff, SHELLEY EDMONDS, hereby submits the following Statement of Damages to the above-captioned matter:

Each of the following figures are mere estimates and the submitting party reserves the right to amend, supplement and otherwise revise this pleading to reflect further investigation, discovery and/or proof:

1. GENERAL DAMAGES: $100,000,000.00
2. SPECIAL DAMAGES: $100,000,000.00
3. PUNITIVE DAMAGES $200,000,000.00

As this case progresses, it may become apparent that the estimates provided in this statement at this time are not completely accurate, and Plaintiffs therefore reserve the right to amend, supplement, or in any way modify this Statement of Damages to more accurately reflect the amount of damages suffered by Plaintiff herein.

In addition, it must be understood that it is extremely difficult to fix the amount of general damages and/or to predict the exact amount that a jury or trier of fact may award for this category of damages.

Date: October 16, 1998

STEVEN L. ZELIG & ASSOCIATES

By:_____
Steven L. Zelig, Esq.
Attorney for Plaintiff(s)

Zurich0000507

STEVEN L. ZELIG, State Bar No.: 94654
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(310) 470-1990

Attorneys for Plaintiff(s)

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF KERN

GEORGE CREQUE, JR. and those Plaintiffs listed on the attached document identified as Exhibit 1, and incorporated herein,, Plaintiff(s) vs. CACTUS GOLD MINES COMPANY, INC.; CACTUS GOLD MINES COMPANY, A JOINT VENTURE; CACTUS GOLD MINES, INC. OF KERN COUNTY; COCA MINES, INC.; COCA MINES, INC. OF DENVER; HECKLA MINING COMPANY, INC.; BROWN & ROOT, INC.; SHUMAKE OPERATIONS; MERRILL-CROWE; GOLDEN QUEEN MINING COMPANY COMPASS MINING, INC.; MBPL, A BUSINESS ENTITY, FORM UNKNOWN; SAINT MARY PARISH LAND COMPANY; MINVIN GOLD CORPORATION; CHARLES ASTON, SCOTT BENNETT, JIM BRADY, MICHEL FISHER; and DOES 1 through 2000, inclusive,, Defendants.	CASE NO.: 235323 SPC STATEMENT OF DAMAGES

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Zurich0000508

Plaintiff, RIKKI L. ALLEN., hereby submits the following Statement of Damages to the above-captioned matter:

Each of the following figures are mere estimates and the submitting party reserves the right to amend, supplement and otherwise revise this pleading to reflect further investigation, discovery and/or proof:

1. GENERAL DAMAGES: $100,000,000.00
2. SPECIAL DAMAGES: $100,000,000.00
3. PUNITIVE DAMAGES $200,000,000.00

As this case progresses, it may become apparent that the estimates provided in this statement at this time are not completely accurate, and Plaintiffs therefore reserve the right to amend, supplement, or in any way modify this Statement of Damages to more accurately reflect the amount of damages suffered by Plaintiff herein.

In addition, it must be understood that it is extremely difficult to fix the amount of general damages and/or to predict the exact amount that a jury or trier of fact may award for this category of damages.

Date: October 16, 1998

STEVEN L. ZELIG & ASSOCIATES

By:_____
Steven L. Zelig, Esq.
Attorney for Plaintiff(s)

Zurich0000509

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Los Angeles, California 90024
(310) 470-1990

Attorneys for Plaintiff(s)

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF KERN

GEORGE CREQUE, JR. and those Plaintiffs listed on the attached document identified as Exhibit 1, and incorporated herein,, Plaintiff(s) vs. CACTUS GOLD MINES COMPANY, INC.; CACTUS GOLD MINES COMPANY, A JOINT VENTURE; CACTUS GOLD MINES, INC. OF KERN COUNTY; COCA MINES, INC.; COCA MINES, INC. OF DENVER; HECKLA MINING COMPANY, INC.; BROWN & ROOT, INC.; SHUMAKE OPERATIONS; MERRILL-CROWE; GOLDEN QUEEN MINING COMPANY COMPASS MINING, INC.; MBPL, A BUSINESS ENTITY, FORM UNKNOWN; SAINT MARY PARISH LAND COMPANY; MINVIN GOLD CORPORATION; CHARLES ASTON, SCOTT BENNETT, JIM BRADY, MICHEL FISHER; and DOES 1 through 2000, inclusive,, Defendants.	CASE NO.: 235323 SPC STATEMENT OF DAMAGES

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Zurich0000510

Plaintiff, THOMAS EDMONDS, hereby submits the following Statement of Damages to the above-captioned matter:

Each of the following figures are mere estimates and the submitting party reserves the right to amend, supplement and otherwise revise this pleading to reflect further investigation, discovery and/or proof:

1. GENERAL DAMAGES: $100,000,000.00
2. SPECIAL DAMAGES: $100,000,000.00
3. PUNITIVE DAMAGES $200,000,000.00

As this case progresses, it may become apparent that the estimates provided in this statement at this time are not completely accurate, and Plaintiffs therefore reserve the right to amend, supplement, or in any way modify this Statement of Damages to more accurately reflect the amount of damages suffered by Plaintiff herein.

In addition, it must be understood that it is extremely difficult to fix the amount of general damages and/or to predict the exact amount that a jury or trier of fact may award for this category of damages.

Date: October 16, 1998

STEVEN L. ZELIG & ASSOCIATES

By:_____
Steven L. Zelig, Esq.
Attorney for Plaintiff(s)

Zurich0000511

STEVEN L. ZELIG, State Bar No.: 94654
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Los Angeles, California 90024
(310) 470-1990

Attorneys for Plaintiff(s)

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF KERN

GEORGE CREQUE, JR. and those Plaintiffs listed on the attached document identified as Exhibit 1, and incorporated herein,, Plaintiff(s) vs. CACTUS GOLD MINES COMPANY, INC.; CACTUS GOLD MINES COMPANY, A JOINT VENTURE; CACTUS GOLD MINES, INC. OF KERN COUNTY; COCA MINES, INC.; COCA MINES, INC. OF DENVER; HECKLA MINING COMPANY, INC.; BROWN & ROOT, INC.; SHUMAKE OPERATIONS; MERRILL-CROWE; GOLDEN QUEEN MINING COMPANY COMPASS MINING, INC.; MBPL, A BUSINESS ENTITY, FORM UNKNOWN; SAINT MARY PARISH LAND COMPANY; MINVIN GOLD CORPORATION; CHARLES ASTON, SCOTT BENNETT, JIM BRADY, MICHEL FISHER; and DOES 1 through 2000, inclusive,, Defendants.	CASE NO.: 235323 SPC STATEMENT OF DAMAGES

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Zurich0000512

Plaintiff, DAVINA R. FISHER, hereby submits the following Statement of Damages to the above-captioned matter:

Each of the following figures are mere estimates and the submitting party reserves the right to amend, supplement and otherwise revise this pleading to reflect further investigation, discovery and/or proof:

1. GENERAL DAMAGES: $100,000,000.00
2. SPECIAL DAMAGES: $100,000,000.00
3. PUNITIVE DAMAGES $200,000,000.00

As this case progresses, it may become apparent that the estimates provided in this statement at this time are not completely accurate, and Plaintiffs therefore reserve the right to amend, supplement, or in any way modify this Statement of Damages to more accurately reflect the amount of damages suffered by Plaintiff herein.

In addition, it must be understood that it is extremely difficult to fix the amount of general damages and/or to predict the exact amount that a jury or trier of fact may award for this category of damages.

Date: October 16, 1998

STEVEN L. ZELIG & ASSOCIATES

By:_____
Steven L. Zelig, Esq.
Attorney for Plaintiff(s)

Zurich0000513

Plaintiff, **KRYSTAL C. FISHER,** hereby submits the following Statement of Damages to the above-captioned matter:

Each of the following figures are mere estimates and the submitting party reserves the right to amend, supplement and otherwise revise this pleading to reflect further investigation, discovery and/or proof:

1. GENERAL DAMAGES: $100,000,000.00
2. SPECIAL DAMAGES: $100,000,000.00
3. PUNITIVE DAMAGES $200,000,000.00

As this case progresses, it may become apparent that the estimates provided in this statement at this time are not completely accurate, and Plaintiffs therefore reserve the right to amend, supplement, or in any way modify this Statement of Damages to more accurately reflect the amount of damages suffered by Plaintiff herein.

In addition, it must be understood that it is extremely difficult to fix the amount of general damages and/or to predict the exact amount that a jury or trier of fact may award for this category of damages.

Date: October 16, 1998

STEVEN L. ZELIG & ASSOCIATES

By:_____
Steven L. Zelig, Esq.
Attorney for Plaintiff(s)

Zurich0000514

STEVEN L. ZELIG, State Bar No.: 94654
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AND ASSOCIATES
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Los Angeles, California 90024
(310) 470-1990

Attorneys for Plaintiff(s)

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF KERN

GEORGE CREQUE, JR. and those Plaintiffs listed on the attached document identified as Exhibit 1, and incorporated herein,, Plaintiff(s) vs. CACTUS GOLD MINES COMPANY, INC.; CACTUS GOLD MINES COMPANY, A JOINT VENTURE; CACTUS GOLD MINES, INC. OF KERN COUNTY; COCA MINES, INC.; COCA MINES, INC. OF DENVER; HECKLA MINING COMPANY, INC.; BROWN & ROOT, INC.; SHUMAKE OPERATIONS; MERRILL-CROWE; GOLDEN QUEEN MINING COMPANY COMPASS MINING, INC.; MBPL, A BUSINESS ENTITY, FORM UNKNOWN; SAINT MARY PARISH LAND COMPANY; MINVIN GOLD CORPORATION; CHARLES ASTON, SCOTT BENNETT, JIM BRADY, MICHEL FISHER; and DOES 1 through 2000, inclusive,, Defendants.	CASE NO.: 235323 SPC STATEMENT OF DAMAGES

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Zurich0000515

STEVEN L. ZELIG, State Bar No.: 94654
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(310) 470-1990

Attorneys for Plaintiff(s)

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF KERN

GEORGE CREQUE, JR. and those Plaintiffs listed on the attached document identified as Exhibit 1, and incorporated herein,, Plaintiff(s) vs. CACTUS GOLD MINES COMPANY, INC.; CACTUS GOLD MINES COMPANY, A JOINT VENTURE; CACTUS GOLD MINES, INC. OF KERN COUNTY; COCA MINES, INC.; COCA MINES, INC. OF DENVER; HECKLA MINING COMPANY, INC.; BROWN & ROOT, INC.; SHUMAKE OPERATIONS; MERRILL-CROWE; GOLDEN QUEEN MINING COMPANY COMPASS MINING, INC.; MBPL, A BUSINESS ENTITY, FORM UNKNOWN; SAINT MARY PARISH LAND COMPANY; MINVIN GOLD CORPORATION; CHARLES ASTON, SCOTT BENNETT, JIM BRADY, MICHEL FISHER; and DOES 1 through 2000, inclusive,, Defendants.	CASE NO.: 235323 SPC STATEMENT OF DAMAGES

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Zurich0000516

Plaintiff, MICHAEL K. FISHER, hereby submits the following Statement of Damages to the above-captioned matter:

Each of the following figures are mere estimates and the submitting party reserves the right to amend, supplement and otherwise revise this pleading to reflect further investigation, discovery and/or proof:

1. GENERAL DAMAGES: $100,000,000.00
2. SPECIAL DAMAGES: $100,000,000.00
3. PUNITIVE DAMAGES $200,000,000.00

As this case progresses, it may become apparent that the estimates provided in this statement at this time are not completely accurate, and Plaintiffs therefore reserve the right to amend, supplement, or in any way modify this Statement of Damages to more accurately reflect the amount of damages suffered by Plaintiff herein.

In addition, it must be understood that it is extremely difficult to fix the amount of general damages and/or to predict the exact amount that a jury or trier of fact may award for this category of damages.

Date: October 16, 1998

STEVEN L. ZELIG & ASSOCIATES

By:_____
Steven L. Zelig, Esq.
Attorney for Plaintiff(s)

Zurich0000517

STEVEN L. ZELIG, State Bar No.: 94654
LAW OFFICES OF STEVEN L. ZELIG
AND ASSOCIATES
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Los Angeles, California 90024
(310) 470-1990

Attorneys for Plaintiff(s)

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF KERN

GEORGE CREQUE, JR. and those Plaintiffs listed on the attached document identified as Exhibit 1, and incorporated herein,, Plaintiff(s) vs. CACTUS GOLD MINES COMPANY, INC.; CACTUS GOLD MINES COMPANY, A JOINT VENTURE; CACTUS GOLD MINES, INC. OF KERN COUNTY; COCA MINES, INC.; COCA MINES, INC. OF DENVER; HECKLA MINING COMPANY, INC.; BROWN & ROOT, INC.; SHUMAKE OPERATIONS; MERRILL-CROWE; GOLDEN QUEEN MINING COMPANY COMPASS MINING, INC.; MBPL, A BUSINESS ENTITY, FORM UNKNOWN; SAINT MARY PARISH LAND COMPANY; MINVIN GOLD CORPORATION; CHARLES ASTON, SCOTT BENNETT, JIM BRADY, MICHEL FISHER; and DOES 1 through 2000, inclusive,, Defendants.	CASE NO.: 235323 SPC STATEMENT OF DAMAGES

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Zurich0000518

Plaintiff, NINA FOX, hereby submits the following Statement of Damages to the above-captioned matter:

Each of the following figures are mere estimates and the submitting party reserves the right to amend, supplement and otherwise revise this pleading to reflect further investigation, discovery and/or proof:

1. GENERAL DAMAGES: $100,000,000.00
2. SPECIAL DAMAGES: $100,000,000.00
3. PUNITIVE DAMAGES $200,000,000.00

As this case progresses, it may become apparent that the estimates provided in this statement at this time are not completely accurate, and Plaintiffs therefore reserve the right to amend, supplement, or in any way modify this Statement of Damages to more accurately reflect the amount of damages suffered by Plaintiff herein.

In addition, it must be understood that it is extremely difficult to fix the amount of general damages and/or to predict the exact amount that a jury or trier of fact may award for this category of damages.

Date: October 16, 1998

STEVEN L. ZELIG & ASSOCIATES

By:_____
Steven L. Zelig, Esq.
Attorney for Plaintiff(s)

Zurich0000519

STEVEN L. ZELIG, State Bar No.: 94654
LAW OFFICES OF STEVEN L. ZELIG
AND ASSOCIATES
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Suite 530
Los Angeles, California 90024
(310) 470-1990

Attorneys for Plaintiff(s)

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF KERN

GEORGE CREQUE, JR. and those Plaintiffs listed on the attached document identified as Exhibit 1, and incorporated herein,, Plaintiff(s) vs. CACTUS GOLD MINES COMPANY, INC.; CACTUS GOLD MINES COMPANY, A JOINT VENTURE; CACTUS GOLD MINES, INC. OF KERN COUNTY; COCA MINES, INC.; COCA MINES, INC. OF DENVER; HECKLA MINING COMPANY, INC.; BROWN & ROOT, INC.; SHUMAKE OPERATIONS; MERRILL-CROWE; GOLDEN QUEEN MINING COMPANY COMPASS MINING, INC.; MBPL, A BUSINESS ENTITY, FORM UNKNOWN; SAINT MARY PARISH LAND COMPANY; MINVIN GOLD CORPORATION; CHARLES ASTON, SCOTT BENNETT, JIM BRADY, MICHEL FISHER; and DOES 1 through 2000, inclusive,, Defendants.	CASE NO.: 235323 SPC STATEMENT OF DAMAGES

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Zurich0000520

Plaintiff, ALEXANDER C. LONGRIFLE, hereby submits the following Statement of Damages to the above-captioned matter:

Each of the following figures are mere estimates and the submitting party reserves the right to amend, supplement and otherwise revise this pleading to reflect further investigation, discovery and/or proof:

1. GENERAL DAMAGES: $100,000,000.00
2. SPECIAL DAMAGES: $100,000,000.00
3. PUNITIVE DAMAGES $200,000,000.00

As this case progresses, it may become apparent that the estimates provided in this statement at this time are not completely accurate, and Plaintiffs therefore reserve the right to amend, supplement, or in any way modify this Statement of Damages to more accurately reflect the amount of damages suffered by Plaintiff herein.

In addition, it must be understood that it is extremely difficult to fix the amount of general damages and/or to predict the exact amount that a jury or trier of fact may award for this category of damages.

Date: October 16, 1998

STEVEN L. ZELIG & ASSOCIATES

By:_____
Steven L. Zelig, Esq.
Attorney for Plaintiff(s)

Zurich0000521

STEVEN L. ZELIG, State Bar No.: 94654
LAW OFFICES OF STEVEN L. ZELIG
AND ASSOCIATES
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(310) 470-1990

Attorneys for Plaintiff(s)

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF KERN

GEORGE CREQUE, JR. and those Plaintiffs listed on the attached document identified as Exhibit 1, and incorporated herein,, Plaintiff(s) vs. CACTUS GOLD MINES COMPANY, INC.; CACTUS GOLD MINES COMPANY, A JOINT VENTURE; CACTUS GOLD MINES, INC. OF KERN COUNTY; COCA MINES, INC.; COCA MINES, INC. OF DENVER; HECKLA MINING COMPANY, INC.; BROWN & ROOT, INC.; SHUMAKE OPERATIONS; MERRILL-CROWE; GOLDEN QUEEN MINING COMPANY COMPASS MINING, INC.; MBPL, A BUSINESS ENTITY, FORM UNKNOWN; SAINT MARY PARISH LAND COMPANY; MINVIN GOLD CORPORATION; CHARLES ASTON, SCOTT BENNETT, JIM BRADY, MICHEL FISHER; and DOES 1 through 2000, inclusive,, Defendants.	CASE NO.: 235323 SPC STATEMENT OF DAMAGES

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Zurich0000522

Plaintiff, **NOLAN PAGE MILBURN, SR.**, hereby submits the following Statement of Damages to the above-captioned matter:

Each of the following figures are mere estimates and the submitting party reserves the right to amend, supplement and otherwise revise this pleading to reflect further investigation, discovery and/or proof:

1. GENERAL DAMAGES: $100,000,000.00
2. SPECIAL DAMAGES: $100,000,000.00
3. PUNITIVE DAMAGES $200,000,000.00

As this case progresses, it may become apparent that the estimates provided in this statement at this time are not completely accurate, and Plaintiffs therefore reserve the right to amend, supplement, or in any way modify this Statement of Damages to more accurately reflect the amount of damages suffered by Plaintiff herein.

In addition, it must be understood that it is extremely difficult to fix the amount of general damages and/or to predict the exact amount that a jury or trier of fact may award for this category of damages.

Date: October 16, 1998

STEVEN L. ZELIG & ASSOCIATES

By:_____
Steven L. Zelig, Esq.
Attorney for Plaintiff(s)

Zurich0000523

STEVEN L. ZELIG, State Bar No.: 94654
LAW OFFICES OF STEVEN L. ZELIG
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Suite 530
Los Angeles, California 90024
(310) 470-1990

Attorneys for Plaintiff(s)

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF KERN

GEORGE CREQUE, JR. and those Plaintiffs listed on the attached document identified as Exhibit 1, and incorporated herein,, Plaintiff(s) vs. CACTUS GOLD MINES COMPANY, INC.; CACTUS GOLD MINES COMPANY, A JOINT VENTURE; CACTUS GOLD MINES, INC. OF KERN COUNTY; COCA MINES, INC.; COCA MINES, INC. OF DENVER; HECKLA MINING COMPANY, INC.; BROWN & ROOT, INC.; SHUMAKE OPERATIONS; MERRILL-CROWE; GOLDEN QUEEN MINING COMPANY COMPASS MINING, INC.; MBPL, A BUSINESS ENTITY, FORM UNKNOWN; SAINT MARY PARISH LAND COMPANY; MINVIN GOLD CORPORATION; CHARLES ASTON, SCOTT BENNETT, JIM BRADY, MICHEL FISHER; and DOES 1 through 2000, inclusive,, Defendants.	CASE NO.: 235323 SPC STATEMENT OF DAMAGES

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Zurich0000524

Plaintiff, RITA ANN MILBURN, hereby submits the following Statement of Damages to the above-captioned matter:

Each of the following figures are mere estimates and the submitting party reserves the right to amend, supplement and otherwise revise this pleading to reflect further investigation, discovery and/or proof:

1. GENERAL DAMAGES: $100,000,000.00
2. SPECIAL DAMAGES: $100,000,000.00
3. PUNITIVE DAMAGES $200,000,000.00

As this case progresses, it may become apparent that the estimates provided in this statement at this time are not completely accurate, and Plaintiffs therefore reserve the right to amend, supplement, or in any way modify this Statement of Damages to more accurately reflect the amount of damages suffered by Plaintiff herein.

In addition, it must be understood that it is extremely difficult to fix the amount of general damages and/or to predict the exact amount that a jury or trier of fact may award for this category of damages.

Date: October 16, 1998

STEVEN L. ZELIG & ASSOCIATES

By:_____
Steven L. Zelig, Esq.
Attorney for Plaintiff(s)

Zurich0000525

STEVEN L. ZELIG, State Bar No.: 94654
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AND ASSOCIATES
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Los Angeles, California 90024
(310) 470-1990

Attorneys for Plaintiff(s)

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF KERN

GEORGE CREQUE, JR. and those Plaintiffs listed on the attached document identified as Exhibit 1, and incorporated herein,, Plaintiff(s) vs. CACTUS GOLD MINES COMPANY, INC.; CACTUS GOLD MINES COMPANY, A JOINT VENTURE; CACTUS GOLD MINES, INC. OF KERN COUNTY; COCA MINES, INC.; COCA MINES, INC. OF DENVER; HECKLA MINING COMPANY, INC.; BROWN & ROOT, INC.; SHUMAKE OPERATIONS; MERRILL-CROWE; GOLDEN QUEEN MINING COMPANY COMPASS MINING, INC.; MBPL, A BUSINESS ENTITY, FORM UNKNOWN; SAINT MARY PARISH LAND COMPANY; MINVIN GOLD CORPORATION; CHARLES ASTON, SCOTT BENNETT, JIM BRADY, MICHEL FISHER; and DOES 1 through 2000, inclusive,, Defendants.	CASE NO.: 235323 SPC STATEMENT OF DAMAGES

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Zurich0000526

Plaintiff, KATHY DALTON, hereby submits the following Statement of Damages to the above-captioned matter:

Each of the following figures are mere estimates and the submitting party reserves the right to amend, supplement and otherwise revise this pleading to reflect further investigation, discovery and/or proof:

1. GENERAL DAMAGES: $100,000,000.00
2. SPECIAL DAMAGES: $100,000,000.00
3. PUNITIVE DAMAGES $200,000,000.00

As this case progresses, it may become apparent that the estimates provided in this statement at this time are not completely accurate, and Plaintiffs therefore reserve the right to amend, supplement, or in any way modify this Statement of Damages to more accurately reflect the amount of damages suffered by Plaintiff herein.

In addition, it must be understood that it is extremely difficult to fix the amount of general damages and/or to predict the exact amount that a jury or trier of fact may award for this category of damages.

Date: October 16, 1998

STEVEN L. ZELIG & ASSOCIATES

By:_____
Steven L. Zelig, Esq.
Attorney for Plaintiff(s)

Zurich0000527

STEVEN L. ZELIG, State Bar No.: 94654
LAW OFFICES OF STEVEN L. ZELIG
AND ASSOCIATES
10850 Wilshire Boulevard
Suite 530
Los Angeles, California 90024
(310) 470-1990

Attorneys for Plaintiff(s)

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF KERN

GEORGE CREQUE, JR. and those Plaintiffs listed on the attached document identified as Exhibit 1, and incorporated herein,, Plaintiff(s) vs. CACTUS GOLD MINES COMPANY, INC.; CACTUS GOLD MINES COMPANY, A JOINT VENTURE; CACTUS GOLD MINES, INC. OF KERN COUNTY; COCA MINES, INC.; COCA MINES, INC. OF DENVER; HECKLA MINING COMPANY, INC.; BROWN & ROOT, INC.; SHUMAKE OPERATIONS; MERRILL-CROWE; GOLDEN QUEEN MINING COMPANY COMPASS MINING, INC.; MBPL, A BUSINESS ENTITY, FORM UNKNOWN; SAINT MARY PARISH LAND COMPANY; MINVIN GOLD CORPORATION; CHARLES ASTON, SCOTT BENNETT, JIM BRADY, MICHEL FISHER; and DOES 1 through 2000, inclusive,, Defendants.	CASE NO.: 235323 SPC STATEMENT OF DAMAGES

\\\\

Zurich0000528

Plaintiff, **NANCY DAVIDSON,** hereby submits the following Statement of Damages to the above-captioned matter:

Each of the following figures are mere estimates and the submitting party reserves the right to amend, supplement and otherwise revise this pleading to reflect further investigation, discovery and/or proof:

1. GENERAL DAMAGES: $100,000,000.00
2. SPECIAL DAMAGES: $100,000,000.00
3. PUNITIVE DAMAGES $200,000,000.00

As this case progresses, it may become apparent that the estimates provided in this statement at this time are not completely accurate, and Plaintiffs therefore reserve the right to amend, supplement, or in any way modify this Statement of Damages to more accurately reflect the amount of damages suffered by Plaintiff herein.

In addition, it must be understood that it is extremely difficult to fix the amount of general damages and/or to predict the exact amount that a jury or trier of fact may award for this category of damages.

Date: October 16, 1998

STEVEN L. ZELIG & ASSOCIATES

By:_____
Steven L. Zelig, Esq.
Attorney for Plaintiff(s)

Zurich0000529

STEVEN L. ZELIG, State Bar No.: 94654
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AND ASSOCIATES
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(310) 470-1990

Attorneys for Plaintiff(s)

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF KERN

GEORGE CREQUE, JR. and those Plaintiffs listed on the attached document identified as Exhibit 1, and incorporated herein,, Plaintiff(s) vs. CACTUS GOLD MINES COMPANY, INC.; CACTUS GOLD MINES COMPANY, A JOINT VENTURE; CACTUS GOLD MINES, INC. OF KERN COUNTY; COCA MINES, INC.; COCA MINES, INC. OF DENVER; HECKLA MINING COMPANY, INC.; BROWN & ROOT, INC.; SHUMAKE OPERATIONS; MERRILL-CROWE; GOLDEN QUEEN MINING COMPANY COMPASS MINING, INC.; MBPL, A BUSINESS ENTITY, FORM UNKNOWN; SAINT MARY PARISH LAND COMPANY; MINVIN GOLD CORPORATION; CHARLES ASTON, SCOTT BENNETT, JIM BRADY, MICHEL FISHER; and DOES 1 through 2000, inclusive,, Defendants.	CASE NO.: 235323 SPC STATEMENT OF DAMAGES

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Zurich0000530

Plaintiff, **KRYSTLE ADAMS.**, hereby submits the following Statement of Damages to the above-captioned matter:

Each of the following figures are mere estimates and the submitting party reserves the right to amend, supplement and otherwise revise this pleading to reflect further investigation, discovery and/or proof:

1. GENERAL DAMAGES: $100,000,000.00
2. SPECIAL DAMAGES: $100,000,000.00
3. PUNITIVE DAMAGES $200,000,000.00

As this case progresses, it may become apparent that the estimates provided in this statement at this time are not completely accurate, and Plaintiffs therefore reserve the right to amend, supplement, or in any way modify this Statement of Damages to more accurately reflect the amount of damages suffered by Plaintiff herein.

In addition, it must be understood that it is extremely difficult to fix the amount of general damages and/or to predict the exact amount that a jury or trier of fact may award for this category of damages.

Date: October 16, 1998

STEVEN L. ZELIG & ASSOCIATES

By:_____
Steven L. Zelig, Esq.
Attorney for Plaintiff(s)

Zurich0000531

STEVEN L. ZELIG, State Bar No.: 94654
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AND ASSOCIATES
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Attorneys for Plaintiff(s)

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF KERN

GEORGE CREQUE, JR. and those Plaintiffs listed on the attached document identified as Exhibit 1, and incorporated herein,, Plaintiff(s) vs. CACTUS GOLD MINES COMPANY, INC.; CACTUS GOLD MINES COMPANY, A JOINT VENTURE; CACTUS GOLD MINES, INC. OF KERN COUNTY; COCA MINES, INC.; COCA MINES, INC. OF DENVER; HECKLA MINING COMPANY, INC.; BROWN & ROOT, INC.; SHUMAKE OPERATIONS; MERRILL-CROWE; GOLDEN QUEEN MINING COMPANY COMPASS MINING, INC.; MBPL, A BUSINESS ENTITY, FORM UNKNOWN; SAINT MARY PARISH LAND COMPANY; MINVIN GOLD CORPORATION; CHARLES ASTON, SCOTT BENNETT, JIM BRADY, MICHEL FISHER; and DOES 1 through 2000, inclusive,, Defendants.	CASE NO.: 235323 SPC STATEMENT OF DAMAGES

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Zurich0000532

Plaintiff, **DONALD JONES,** hereby submits the following Statement of Damages to the above-captioned matter:

Each of the following figures are mere estimates and the submitting party reserves the right to amend, supplement and otherwise revise this pleading to reflect further investigation, discovery and/or proof:

1. GENERAL DAMAGES: $100,000,000.00
2. SPECIAL DAMAGES: $100,000,000.00
3. PUNITIVE DAMAGES $200,000,000.00

As this case progresses, it may become apparent that the estimates provided in this statement at this time are not completely accurate, and Plaintiffs therefore reserve the right to amend, supplement, or in any way modify this Statement of Damages to more accurately reflect the amount of damages suffered by Plaintiff herein.

In addition, it must be understood that it is extremely difficult to fix the amount of general damages and/or to predict the exact amount that a jury or trier of fact may award for this category of damages.

Date: October 16, 1998

STEVEN L. ZELIG & ASSOCIATES

By:_____
Steven L. Zelig, Esq.
Attorney for Plaintiff(s)

Zurich0000533

STEVEN L. ZELIG, State Bar No.: 94654
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AND ASSOCIATES
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Attorneys for Plaintiff(s)

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF KERN

GEORGE CREQUE, JR. and those Plaintiffs listed on the attached document identified as Exhibit 1, and incorporated herein,, Plaintiff(s) vs. CACTUS GOLD MINES COMPANY, INC.; CACTUS GOLD MINES COMPANY, A JOINT VENTURE; CACTUS GOLD MINES, INC. OF KERN COUNTY; COCA MINES, INC.; COCA MINES, INC. OF DENVER; HECKLA MINING COMPANY, INC.; BROWN & ROOT, INC.; SHUMAKE OPERATIONS; MERRILL-CROWE; GOLDEN QUEEN MINING COMPANY COMPASS MINING, INC.; MBPL, A BUSINESS ENTITY, FORM UNKNOWN; SAINT MARY PARISH LAND COMPANY; MINVIN GOLD CORPORATION; CHARLES ASTON, SCOTT BENNETT, JIM BRADY, MICHEL FISHER; and DOES 1 through 2000, inclusive,, Defendants.	CASE NO.: 235323 SPC STATEMENT OF DAMAGES

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Zurich0000534

Plaintiff, **MARGARET JONES,** hereby submits the following Statement of Damages to the above-captioned matter:

Each of the following figures are mere estimates and the submitting party reserves the right to amend, supplement and otherwise revise this pleading to reflect further investigation, discovery and/or proof:

1. GENERAL DAMAGES: $100,000,000.00
2. SPECIAL DAMAGES: $100,000,000.00
3. PUNITIVE DAMAGES $200,000,000.00

As this case progresses, it may become apparent that the estimates provided in this statement at this time are not completely accurate, and Plaintiffs therefore reserve the right to amend, supplement, or in any way modify this Statement of Damages to more accurately reflect the amount of damages suffered by Plaintiff herein.

In addition, it must be understood that it is extremely difficult to fix the amount of general damages and/or to predict the exact amount that a jury or trier of fact may award for this category of damages.

Date: October 16, 1998

STEVEN L. ZELIG & ASSOCIATES

By:_____
Steven L. Zelig, Esq.
Attorney for Plaintiff(s)

Zurich0000535

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Attorneys for Plaintiff(s)

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF KERN

GEORGE CREQUE, JR. and those Plaintiffs listed on the attached document identified as Exhibit 1, and incorporated herein,, Plaintiff(s) vs. CACTUS GOLD MINES COMPANY, INC.; CACTUS GOLD MINES COMPANY, A JOINT VENTURE; CACTUS GOLD MINES, INC. OF KERN COUNTY; COCA MINES, INC.; COCA MINES, INC. OF DENVER; HECKLA MINING COMPANY, INC.; BROWN & ROOT, INC.; SHUMAKE OPERATIONS; MERRILL-CROWE; GOLDEN QUEEN MINING COMPANY COMPASS MINING, INC.; MBPL, A BUSINESS ENTITY, FORM UNKNOWN; SAINT MARY PARISH LAND COMPANY; MINVIN GOLD CORPORATION; CHARLES ASTON, SCOTT BENNETT, JIM BRADY, MICHEL FISHER; and DOES 1 through 2000, inclusive,, Defendants.	CASE NO.: 235323 SPC STATEMENT OF DAMAGES

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Zurich0000536

Plaintiff, **JULIO SANCHEZ-ORSINI,** hereby submits the following Statement of Damages to the above-captioned matter:

Each of the following figures are mere estimates and the submitting party reserves the right to amend, supplement and otherwise revise this pleading to reflect further investigation, discovery and/or proof:

1. GENERAL DAMAGES: $100,000,000.00
2. SPECIAL DAMAGES: $100,000,000.00
3. PUNITIVE DAMAGES $200,000,000.00

As this case progresses, it may become apparent that the estimates provided in this statement at this time are not completely accurate, and Plaintiffs therefore reserve the right to amend, supplement, or in any way modify this Statement of Damages to more accurately reflect the amount of damages suffered by Plaintiff herein.

In addition, it must be understood that it is extremely difficult to fix the amount of general damages and/or to predict the exact amount that a jury or trier of fact may award for this category of damages.

Date: October 16, 1998

STEVEN L. ZELIG & ASSOCIATES

By:_____
Steven L. Zelig, Esq.
Attorney for Plaintiff(s)

Zurich0000537

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Attorneys for Plaintiff(s)

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF KERN

GEORGE CREQUE, JR. and those Plaintiffs listed on the attached document identified as Exhibit 1, and incorporated herein,, Plaintiff(s) vs. CACTUS GOLD MINES COMPANY, INC.; CACTUS GOLD MINES COMPANY, A JOINT VENTURE; CACTUS GOLD MINES, INC. OF KERN COUNTY; COCA MINES, INC.; COCA MINES, INC. OF DENVER; HECKLA MINING COMPANY, INC.; BROWN & ROOT, INC.; SHUMAKE OPERATIONS; MERRILL-CROWE; GOLDEN QUEEN MINING COMPANY COMPASS MINING, INC.; MBPL, A BUSINESS ENTITY, FORM UNKNOWN; SAINT MARY PARISH LAND COMPANY; MINVIN GOLD CORPORATION; CHARLES ASTON, SCOTT BENNETT, JIM BRADY, MICHEL FISHER; and DOES 1 through 2000, inclusive,, Defendants.	CASE NO.: 235323 SPC STATEMENT OF DAMAGES

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Zurich0000538

Plaintiff, **MIGNONNE SANCHEZ-ORSINI**, hereby submits the following Statement of Damages to the above-captioned matter:

Each of the following figures are mere estimates and the submitting party reserves the right to amend, supplement and otherwise revise this pleading to reflect further investigation, discovery and/or proof:

1. GENERAL DAMAGES: $100,000,000.00
2. SPECIAL DAMAGES: $100,000,000.00
3. PUNITIVE DAMAGES $200,000,000.00

As this case progresses, it may become apparent that the estimates provided in this statement at this time are not completely accurate, and Plaintiffs therefore reserve the right to amend, supplement, or in any way modify this Statement of Damages to more accurately reflect the amount of damages suffered by Plaintiff herein.

In addition, it must be understood that it is extremely difficult to fix the amount of general damages and/or to predict the exact amount that a jury or trier of fact may award for this category of damages.

Date: October 16, 1998

STEVEN L. ZELIG & ASSOCIATES

By:_____
Steven L. Zelig, Esq.
Attorney for Plaintiff(s)

Zurich0000539

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(310) 470-1990

Attorneys for Plaintiff(s)

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF KERN

GEORGE CREQUE, JR. and those Plaintiffs listed on the attached document identified as Exhibit 1, and incorporated herein,, Plaintiff(s) vs. CACTUS GOLD MINES COMPANY, INC.; CACTUS GOLD MINES COMPANY, A JOINT VENTURE; CACTUS GOLD MINES, INC. OF KERN COUNTY; COCA MINES, INC.; COCA MINES, INC. OF DENVER; HECKLA MINING COMPANY, INC.; BROWN & ROOT, INC.; SHUMAKE OPERATIONS; MERRILL-CROWE; GOLDEN QUEEN MINING COMPANY COMPASS MINING, INC.; MBPL, A BUSINESS ENTITY, FORM UNKNOWN; SAINT MARY PARISH LAND COMPANY; MINVIN GOLD CORPORATION; CHARLES ASTON, SCOTT BENNETT, JIM BRADY, MICHEL FISHER; and DOES 1 through 2000, inclusive,, Defendants.	CASE NO.: 235323 SPC STATEMENT OF DAMAGES

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Zurich0000540

Plaintiff, **ALFONSO SANCHEZ,** hereby submits the following Statement of Damages to the above-captioned matter:

Each of the following figures are mere estimates and the submitting party reserves the right to amend, supplement and otherwise revise this pleading to reflect further investigation, discovery and/or proof:

1. GENERAL DAMAGES: $100,000,000.00
2. SPECIAL DAMAGES: $100,000,000.00
3. PUNITIVE DAMAGES $200,000,000.00

As this case progresses, it may become apparent that the estimates provided in this statement at this time are not completely accurate, and Plaintiffs therefore reserve the right to amend, supplement, or in any way modify this Statement of Damages to more accurately reflect the amount of damages suffered by Plaintiff herein.

In addition, it must be understood that it is extremely difficult to fix the amount of general damages and/or to predict the exact amount that a jury or trier of fact may award for this category of damages.

Date: October 16, 1998

STEVEN L. ZELIG & ASSOCIATES

By:_____
Steven L. Zelig, Esq.
Attorney for Plaintiff(s)

Zurich0000541

STEVEN L. ZELIG, State Bar No.: 94654
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(310) 470-1990

Attorneys for Plaintiff(s)

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF KERN

GEORGE CREQUE, JR. and those Plaintiffs listed on the attached document identified as Exhibit 1, and incorporated herein,, Plaintiff(s) vs. CACTUS GOLD MINES COMPANY, INC.; CACTUS GOLD MINES COMPANY, A JOINT VENTURE; CACTUS GOLD MINES, INC. OF KERN COUNTY; COCA MINES, INC.; COCA MINES, INC. OF DENVER; HECKLA MINING COMPANY, INC.; BROWN & ROOT, INC.; SHUMAKE OPERATIONS; MERRILL-CROWE; GOLDEN QUEEN MINING COMPANY COMPASS MINING, INC.; MBPL, A BUSINESS ENTITY, FORM UNKNOWN; SAINT MARY PARISH LAND COMPANY; . MINVIN GOLD CORPORATION; CHARLES ASTON, SCOTT BENNETT, JIM BRADY, MICHEL FISHER; and DOES 1 through 2000, inclusive,, Defendants.	CASE NO.: 235323 SPC STATEMENT OF DAMAGES

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Zurich0000542

Plaintiff, **ROBIN BREIDING,** hereby submits the following Statement of Damages to the above-captioned matter:

Each of the following figures are mere estimates and the submitting party reserves the right to amend, supplement and otherwise revise this pleading to reflect further investigation, discovery and/or proof:

1. GENERAL DAMAGES: $100,000,000.00
2. SPECIAL DAMAGES: $100,000,000.00
3. PUNITIVE DAMAGES $200,000,000.00

As this case progresses, it may become apparent that the estimates provided in this statement at this time are not completely accurate, and Plaintiffs therefore reserve the right to amend, supplement, or in any way modify this Statement of Damages to more accurately reflect the amount of damages suffered by Plaintiff herein.

In addition, it must be understood that it is extremely difficult to fix the amount of general damages and/or to predict the exact amount that a jury or trier of fact may award for this category of damages.

Date: October 16, 1998

STEVEN L. ZELIG & ASSOCIATES

By:_____
Steven L. Zelig, Esq.
Attorney for Plaintiff(s)

Zurich0000543

STEVEN L. ZELIG, State Bar No.: 94654
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Los Angeles, California 90024
(310) 470-1990

Attorneys for Plaintiff(s)

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF KERN

GEORGE CREQUE, JR. and those Plaintiffs listed on the attached document identified as Exhibit 1, and incorporated herein,, Plaintiff(s) vs. CACTUS GOLD MINES COMPANY, INC.; CACTUS GOLD MINES COMPANY, A JOINT VENTURE; CACTUS GOLD MINES, INC. OF KERN COUNTY; COCA MINES, INC.; COCA MINES, INC. OF DENVER; HECKLA MINING COMPANY, INC.; BROWN & ROOT, INC.; SHUMAKE OPERATIONS; MERRILL-CROWE; GOLDEN QUEEN MINING COMPANY COMPASS MINING, INC.; MBPL, A BUSINESS ENTITY, FORM UNKNOWN; SAINT MARY PARISH LAND COMPANY; MINVIN GOLD CORPORATION; CHARLES ASTON, SCOTT BENNETT, JIM BRADY, MICHEL FISHER; and DOES 1 through 2000, inclusive,, Defendants.	CASE NO.: 235323 SPC STATEMENT OF DAMAGES

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Zurich0000544

Plaintiff, **TONI SANCHEZ,** hereby submits the following Statement of Damages to the above-captioned matter:

Each of the following figures are mere estimates and the submitting party reserves the right to amend, supplement and otherwise revise this pleading to reflect further investigation, discovery and/or proof:

1. GENERAL DAMAGES: $100,000,000.00
2. SPECIAL DAMAGES: $100,000,000.00
3. PUNITIVE DAMAGES $200,000,000.00

As this case progresses, it may become apparent that the estimates provided in this statement at this time are not completely accurate, and Plaintiffs therefore reserve the right to amend, supplement, or in any way modify this Statement of Damages to more accurately reflect the amount of damages suffered by Plaintiff herein.

In addition, it must be understood that it is extremely difficult to fix the amount of general damages and/or to predict the exact amount that a jury or trier of fact may award for this category of damages.

Date: October 16, 1998

STEVEN L. ZELIG & ASSOCIATES

By:_____
Steven L. Zelig, Esq.
Attorney for Plaintiff(s)

Zurich0000545

STEVEN L. ZELIG, State Bar No.: 94654
LAW OFFICES OF STEVEN L. ZELIG
AND ASSOCIATES
10850 Wilshire Boulevard
Suite 530
Los Angeles, California 90024
(310) 470-1990

Attorneys for Plaintiff(s)

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF KERN

GEORGE CREQUE, JR. and those Plaintiffs listed on the attached document identified as Exhibit 1, and incorporated herein,, Plaintiff(s) vs. CACTUS GOLD MINES COMPANY, INC.; CACTUS GOLD MINES COMPANY, A JOINT VENTURE; CACTUS GOLD MINES, INC. OF KERN COUNTY; COCA MINES, INC.; COCA MINES, INC. OF DENVER; HECKLA MINING COMPANY, INC.; BROWN & ROOT, INC.; SHUMAKE OPERATIONS; MERRILL-CROWE; GOLDEN QUEEN MINING COMPANY COMPASS MINING, INC.; MBPL, A BUSINESS ENTITY, FORM UNKNOWN; SAINT MARY PARISH LAND COMPANY; MINVIN GOLD CORPORATION; CHARLES ASTON, SCOTT BENNETT, JIM BRADY, MICHEL FISHER; and DOES 1 through 2000, inclusive,, Defendants.	CASE NO.: 235323 SPC STATEMENT OF DAMAGES

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Zurich0000546

Plaintiff, **ANNA SUE BURNETT,** hereby submits the following Statement of Damages to the above-captioned matter:

Each of the following figures are mere estimates and the submitting party reserves the right to amend, supplement and otherwise revise this pleading to reflect further investigation, discovery and/or proof:

1. GENERAL DAMAGES: $100,000,000.00
2. SPECIAL DAMAGES: $100,000,000.00
3. PUNITIVE DAMAGES $200,000,000.00

As this case progresses, it may become apparent that the estimates provided in this statement at this time are not completely accurate, and Plaintiffs therefore reserve the right to amend, supplement, or in any way modify this Statement of Damages to more accurately reflect the amount of damages suffered by Plaintiff herein.

In addition, it must be understood that it is extremely difficult to fix the amount of general damages and/or to predict the exact amount that a jury or trier of fact may award for this category of damages.

Date: October 16, 1998

STEVEN L. ZELIG & ASSOCIATES

By:_____
Steven L. Zelig, Esq.
Attorney for Plaintiff(s)

Zurich0000547

STEVEN L. ZELIG, State Bar No.: 94654
LAW OFFICES OF STEVEN L. ZELIG
AND ASSOCIATES
10850 Wilshire Boulevard
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Los Angeles, California 90024
(310) 470-1990

Attorneys for Plaintiff(s)

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF KERN

GEORGE CREQUE, JR. and those Plaintiffs listed on the attached document identified as Exhibit 1, and incorporated herein,, Plaintiff(s) vs. CACTUS GOLD MINES COMPANY, INC.; CACTUS GOLD MINES COMPANY, A JOINT VENTURE; CACTUS GOLD MINES, INC. OF KERN COUNTY; COCA MINES, INC.; COCA MINES, INC. OF DENVER; HECKLA MINING COMPANY, INC.; BROWN & ROOT, INC.; SHUMAKE OPERATIONS; MERRILL-CROWE; GOLDEN QUEEN MINING COMPANY COMPASS MINING, INC.; MBPL, A BUSINESS ENTITY, FORM UNKNOWN; SAINT MARY PARISH LAND COMPANY; MINVIN GOLD CORPORATION; CHARLES ASTON, SCOTT BENNETT, JIM BRADY, MICHEL FISHER; and DOES 1 through 2000, inclusive,, Defendants.	CASE NO.: 235323 SPC STATEMENT OF DAMAGES

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Zurich0000548

Plaintiff, **GEORGE M. BURNETT,** hereby submits the following Statement of Damages to the above-captioned matter:

Each of the following figures are mere estimates and the submitting party reserves the right to amend, supplement and otherwise revise this pleading to reflect further investigation, discovery and/or proof:

1. GENERAL DAMAGES: $100,000,000.00
2. SPECIAL DAMAGES: $100,000,000.00
3. PUNITIVE DAMAGES $200,000,000.00

As this case progresses, it may become apparent that the estimates provided in this statement at this time are not completely accurate, and Plaintiffs therefore reserve the right to amend, supplement, or in any way modify this Statement of Damages to more accurately reflect the amount of damages suffered by Plaintiff herein.

In addition, it must be understood that it is extremely difficult to fix the amount of general damages and/or to predict the exact amount that a jury or trier of fact may award for this category of damages.

Date: October 16, 1998

STEVEN L. ZELIG & ASSOCIATES

By:_____
Steven L. Zelig, Esq.
Attorney for Plaintiff(s)

Zurich0000549

STEVEN L. ZELIG, State Bar No.: 94654
LAW OFFICES OF STEVEN L. ZELIG
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Los Angeles, California 90024
(310) 470-1990

Attorneys for Plaintiff(s)

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF KERN

GEORGE CREQUE, JR. and those Plaintiffs listed on the attached document identified as Exhibit 1, and incorporated herein,, Plaintiff(s) vs. CACTUS GOLD MINES COMPANY, INC.; CACTUS GOLD MINES COMPANY, A JOINT VENTURE; CACTUS GOLD MINES, INC. OF KERN COUNTY; COCA MINES, INC.; COCA MINES, INC. OF DENVER; HECKLA MINING COMPANY, INC.; BROWN & ROOT, INC.; SHUMAKE OPERATIONS; MERRILL-CROWE; GOLDEN QUEEN MINING COMPANY COMPASS MINING, INC.; MBPL, A BUSINESS ENTITY, FORM UNKNOWN; SAINT MARY PARISH LAND COMPANY; MINVIN GOLD CORPORATION; CHARLES ASTON, SCOTT BENNETT, JIM BRADY, MICHEL FISHER; and DOES 1 through 2000, inclusive,, Defendants.	CASE NO.: 235323 SPC STATEMENT OF DAMAGES

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Zurich0000550

Plaintiff, **DEBRA D. SCHERER,** hereby submits the following Statement of Damages to the above-captioned matter:

Each of the following figures are mere estimates and the submitting party reserves the right to amend, supplement and otherwise revise this pleading to reflect further investigation, discovery and/or proof:

1. GENERAL DAMAGES: $100,000,000.00
2. SPECIAL DAMAGES: $100,000,000.00
3. PUNITIVE DAMAGES $200,000,000.00

As this case progresses, it may become apparent that the estimates provided in this statement at this time are not completely accurate, and Plaintiffs therefore reserve the right to amend, supplement, or in any way modify this Statement of Damages to more accurately reflect the amount of damages suffered by Plaintiff herein.

In addition, it must be understood that it is extremely difficult to fix the amount of general damages and/or to predict the exact amount that a jury or trier of fact may award for this category of damages.

Date: October 16, 1998

STEVEN L. ZELIG & ASSOCIATES

By:_____
Steven L. Zelig, Esq.
Attorney for Plaintiff(s)

Zurich0000551

STEVEN L. ZELIG, State Bar No.: 94654
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AND ASSOCIATES
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Los Angeles, California 90024
(310) 470-1990

Attorneys for Plaintiff(s)

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF KERN

GEORGE CREQUE, JR. and those Plaintiffs listed on the attached document identified as Exhibit 1, and incorporated herein,, Plaintiff(s) vs. CACTUS GOLD MINES COMPANY, INC.; CACTUS GOLD MINES COMPANY, A JOINT VENTURE; CACTUS GOLD MINES, INC. OF KERN COUNTY; COCA MINES, INC.; COCA MINES, INC. OF DENVER; HECKLA MINING COMPANY, INC.; BROWN & ROOT, INC.; SHUMAKE OPERATIONS; MERRILL-CROWE; GOLDEN QUEEN MINING COMPANY COMPASS MINING, INC.; MBPL, A BUSINESS ENTITY, FORM UNKNOWN; SAINT MARY PARISH LAND COMPANY; MINVIN GOLD CORPORATION; CHARLES ASTON, SCOTT BENNETT, JIM BRADY, MICHEL FISHER; and DOES 1 through 2000, inclusive,, Defendants.	CASE NO.: 235323 SPC STATEMENT OF DAMAGES

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Zurich0000552

Plaintiff, MILTON ALVISO, hereby submits the following Statement of Damages to the above-captioned matter:

Each of the following figures are mere estimates and the submitting party reserves the right to amend, supplement and otherwise revise this pleading to reflect further investigation, discovery and/or proof:

1. GENERAL DAMAGES: $100,000,000.00
2. SPECIAL DAMAGES: $100,000,000.00
3. PUNITIVE DAMAGES $200,000,000.00

As this case progresses, it may become apparent that the estimates provided in this statement at this time are not completely accurate, and Plaintiffs therefore reserve the right to amend, supplement, or in any way modify this Statement of Damages to more accurately reflect the amount of damages suffered by Plaintiff herein.

In addition, it must be understood that it is extremely difficult to fix the amount of general damages and/or to predict the exact amount that a jury or trier of fact may award for this category of damages.

Date: October 16, 1998

STEVEN L. ZELIG & ASSOCIATES

By: _____
Steven L. Zelig, Esq.
Attorney for Plaintiff(s)

Zurich0000553

STEVEN L. ZELIG, State Bar No.: 94654
LAW OFFICES OF STEVEN L. ZELIG
AND ASSOCIATES
10850 Wilshire Boulevard
Suite 530
Los Angeles, California 90024
(310) 470-1990

Attorneys for Plaintiff(s)

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF KERN

GEORGE CREQUE, JR. and those Plaintiffs listed on the attached document identified as Exhibit 1, and incorporated herein,, Plaintiff(s) vs. CACTUS GOLD MINES COMPANY, INC.; CACTUS GOLD MINES COMPANY, A JOINT VENTURE; CACTUS GOLD MINES, INC. OF KERN COUNTY; COCA MINES, INC.; COCA MINES, INC. OF DENVER; HECKLA MINING COMPANY, INC.; BROWN & ROOT, INC.; SHUMAKE OPERATIONS; MERRILL-CROWE; GOLDEN QUEEN MINING COMPANY COMPASS MINING, INC.; MBPL, A BUSINESS ENTITY, FORM UNKNOWN; SAINT MARY PARISH LAND COMPANY; MINVIN GOLD CORPORATION; CHARLES ASTON, SCOTT BENNETT, JIM BRADY, MICHEL FISHER; and DOES 1 through 2000, inclusive,, Defendants.	CASE NO.: 235323 SPC STATEMENT OF DAMAGES

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Zurich0000554

Plaintiff, TIMOTHY L. SCHERER, hereby submits the following Statement of Damages to the above-captioned matter:

Each of the following figures are mere estimates and the submitting party reserves the right to amend, supplement and otherwise revise this pleading to reflect further investigation, discovery and/or proof:

1. GENERAL DAMAGES: $100,000,000.00
2. SPECIAL DAMAGES: $100,000,000.00
3. PUNITIVE DAMAGES $200,000,000.00

As this case progresses, it may become apparent that the estimates provided in this statement at this time are not completely accurate, and Plaintiffs therefore reserve the right to amend, supplement, or in any way modify this Statement of Damages to more accurately reflect the amount of damages suffered by Plaintiff herein.

In addition, it must be understood that it is extremely difficult to fix the amount of general damages and/or to predict the exact amount that a jury or trier of fact may award for this category of damages.

Date: October 16, 1998

STEVEN L. ZELIG & ASSOCIATES

By:_____
Steven L. Zelig, Esq.
Attorney for Plaintiff(s)

Zurich0000555

STEVEN L. ZELIG, State Bar No.: 94654
LAW OFFICES OF STEVEN L. ZELIG
AND ASSOCIATES
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Los Angeles, California 90024
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Attorneys for Plaintiff(s)

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF KERN

GEORGE CREQUE, JR. and those Plaintiffs listed on the attached document identified as Exhibit 1, and incorporated herein,, Plaintiff(s) vs. CACTUS GOLD MINES COMPANY, INC.; CACTUS GOLD MINES COMPANY, A JOINT VENTURE; CACTUS GOLD MINES, INC. OF KERN COUNTY; COCA MINES, INC.; COCA MINES, INC. OF DENVER; HECKLA MINING COMPANY, INC.; BROWN & ROOT, INC.; SHUMAKE OPERATIONS; MERRILL-CROWE; GOLDEN QUEEN MINING COMPANY COMPASS MINING, INC.; MBPL, A BUSINESS ENTITY, FORM UNKNOWN; SAINT MARY PARISH LAND COMPANY; MINVIN GOLD CORPORATION; CHARLES ASTON, SCOTT BENNETT, JIM BRADY, MICHEL FISHER; and DOES 1 through 2000, inclusive,, Defendants.	CASE NO.: 235323 SPC STATEMENT OF DAMAGES

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Zurich0000556

Plaintiff, **GEARY LEE COOK, JR.**, hereby submits the following Statement of Damages to the above-captioned matter:

Each of the following figures are mere estimates and the submitting party reserves the right to amend, supplement and otherwise revise this pleading to reflect further investigation, discovery and/or proof:

1. GENERAL DAMAGES: $100,000,000.00
2. SPECIAL DAMAGES: $100,000,000.00
3. PUNITIVE DAMAGES $200,000,000.00

As this case progresses, it may become apparent that the estimates provided in this statement at this time are not completely accurate, and Plaintiffs therefore reserve the right to amend, supplement, or in any way modify this Statement of Damages to more accurately reflect the amount of damages suffered by Plaintiff herein.

In addition, it must be understood that it is extremely difficult to fix the amount of general damages and/or to predict the exact amount that a jury or trier of fact may award for this category of damages.

Date: October 16, 1998

STEVEN L. ZELIG & ASSOCIATES

By:_____
Steven L. Zelig, Esq.
Attorney for Plaintiff(s)

Zurich0000557

STEVEN L. ZELIG, State Bar No.: 94654
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AND ASSOCIATES
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Attorneys for Plaintiff(s)

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF KERN

GEORGE CREQUE, JR. and those Plaintiffs listed on the attached document identified as Exhibit 1, and incorporated herein,, Plaintiff(s) vs. CACTUS GOLD MINES COMPANY, INC.; CACTUS GOLD MINES COMPANY, A JOINT VENTURE; CACTUS GOLD MINES, INC. OF KERN COUNTY; COCA MINES, INC.; COCA MINES, INC. OF DENVER; HECKLA MINING COMPANY, INC.; BROWN & ROOT, INC.; SHUMAKE OPERATIONS; MERRILL-CROWE; GOLDEN QUEEN MINING COMPANY COMPASS MINING, INC.; MBPL, A BUSINESS ENTITY, FORM UNKNOWN; SAINT MARY PARISH LAND COMPANY; MINVIN GOLD CORPORATION; CHARLES ASTON, SCOTT BENNETT, JIM BRADY, MICHEL FISHER; and DOES 1 through 2000, inclusive,, Defendants.	CASE NO.: 235323 SPC STATEMENT OF DAMAGES

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Zurich0000558

Plaintiff, **PATRICIA ANN COOK,** hereby submits the following Statement of Damages to the above-captioned matter:

Each of the following figures are mere estimates and the submitting party reserves the right to amend, supplement and otherwise revise this pleading to reflect further investigation, discovery and/or proof:

1. GENERAL DAMAGES: $100,000,000.00
2. SPECIAL DAMAGES: $100,000,000.00
3. PUNITIVE DAMAGES $200,000,000.00

As this case progresses, it may become apparent that the estimates provided in this statement at this time are not completely accurate, and Plaintiffs therefore reserve the right to amend, supplement, or in any way modify this Statement of Damages to more accurately reflect the amount of damages suffered by Plaintiff herein.

In addition, it must be understood that it is extremely difficult to fix the amount of general damages and/or to predict the exact amount that a jury or trier of fact may award for this category of damages.

Date: October 16, 1998

STEVEN L. ZELIG & ASSOCIATES

By:_____
Steven L. Zelig, Esq.
Attorney for Plaintiff(s)

Zurich0000559

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Attorneys for Plaintiff(s)

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF KERN

GEORGE CREQUE, JR. and those Plaintiffs listed on the attached document identified as Exhibit 1, and incorporated herein,, Plaintiff(s) vs. CACTUS GOLD MINES COMPANY, INC.; CACTUS GOLD MINES COMPANY, A JOINT VENTURE; CACTUS GOLD MINES, INC. OF KERN COUNTY; COCA MINES, INC.; COCA MINES, INC. OF DENVER; HECKLA MINING COMPANY, INC.; BROWN & ROOT, INC.; SHUMAKE OPERATIONS; MERRILL-CROWE; GOLDEN QUEEN MINING COMPANY COMPASS MINING, INC.; MBPL, A BUSINESS ENTITY, FORM UNKNOWN; SAINT MARY PARISH LAND COMPANY; MINVIN GOLD CORPORATION; CHARLES ASTON, SCOTT BENNETT, JIM BRADY, MICHEL FISHER; and DOES 1 through 2000, inclusive,, Defendants.	CASE NO.: 235323 SPC STATEMENT OF DAMAGES

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Zurich0000560

Plaintiff, **JOHN V. BREIDING,** hereby submits the following Statement of Damages to the above-captioned matter:

Each of the following figures are mere estimates and the submitting party reserves the right to amend, supplement and otherwise revise this pleading to reflect further investigation, discovery and/or proof:

1. GENERAL DAMAGES: $100,000,000.00
2. SPECIAL DAMAGES: $100,000,000.00
3. PUNITIVE DAMAGES $200,000,000.00

As this case progresses, it may become apparent that the estimates provided in this statement at this time are not completely accurate, and Plaintiffs therefore reserve the right to amend, supplement, or in any way modify this Statement of Damages to more accurately reflect the amount of damages suffered by Plaintiff herein.

In addition, it must be understood that it is extremely difficult to fix the amount of general damages and/or to predict the exact amount that a jury or trier of fact may award for this category of damages.

Date: October 16, 1998

STEVEN L. ZELIG & ASSOCIATES

By:_____
Steven L. Zelig, Esq.
Attorney for Plaintiff(s)

Zurich0000561

STEVEN L. ZELIG, State Bar No.: 94654
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Attorneys for Plaintiff(s)

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF KERN

GEORGE CREQUE, JR. and those Plaintiffs listed on the attached document identified as Exhibit 1, and incorporated herein,, Plaintiff(s) vs. CACTUS GOLD MINES COMPANY, INC.; CACTUS GOLD MINES COMPANY, A JOINT VENTURE; CACTUS GOLD MINES, INC. OF KERN COUNTY; COCA MINES, INC.; COCA MINES, INC. OF DENVER; HECKLA MINING COMPANY, INC.; BROWN & ROOT, INC.; SHUMAKE OPERATIONS; MERRILL-CROWE; GOLDEN QUEEN MINING COMPANY COMPASS MINING, INC.; MBPL, A BUSINESS ENTITY, FORM UNKNOWN; SAINT MARY PARISH LAND COMPANY; MINVIN GOLD CORPORATION; CHARLES ASTON, SCOTT BENNETT, JIM BRADY, MICHEL FISHER; and DOES 1 through 2000, inclusive,, Defendants.	CASE NO.: 235323 SPC STATEMENT OF DAMAGES

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Zurich0000562

Plaintiff, **MONA LANGAARD,** hereby submits the following Statement of Damages to the above-captioned matter:

Each of the following figures are mere estimates and the submitting party reserves the right to amend, supplement and otherwise revise this pleading to reflect further investigation, discovery and/or proof:

1. GENERAL DAMAGES: $100,000,000.00
2. SPECIAL DAMAGES: $100,000,000.00
3. PUNITIVE DAMAGES $200,000,000.00

As this case progresses, it may become apparent that the estimates provided in this statement at this time are not completely accurate, and Plaintiffs therefore reserve the right to amend, supplement, or in any way modify this Statement of Damages to more accurately reflect the amount of damages suffered by Plaintiff herein.

In addition, it must be understood that it is extremely difficult to fix the amount of general damages and/or to predict the exact amount that a jury or trier of fact may award for this category of damages.

Date: October 16, 1998

STEVEN L. ZELIG & ASSOCIATES

By:_____
Steven L. Zelig, Esq.
Attorney for Plaintiff(s)

Zurich0000563

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Attorneys for Plaintiff(s)

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF KERN

GEORGE CREQUE, JR. and those Plaintiffs listed on the attached document identified as Exhibit 1, and incorporated herein,, Plaintiff(s) vs. CACTUS GOLD MINES COMPANY, INC.; CACTUS GOLD MINES COMPANY, A JOINT VENTURE; CACTUS GOLD MINES, INC. OF KERN COUNTY; COCA MINES, INC.; COCA MINES, INC. OF DENVER; HECKLA MINING COMPANY, INC.; BROWN & ROOT, INC.; SHUMAKE OPERATIONS; MERRILL-CROWE; GOLDEN QUEEN MINING COMPANY COMPASS MINING, INC.; MBPL, A BUSINESS ENTITY, FORM UNKNOWN; SAINT MARY PARISH LAND COMPANY; MINVIN GOLD CORPORATION; CHARLES ASTON, SCOTT BENNETT, JIM BRADY, MICHEL FISHER; and DOES 1 through 2000, inclusive,, Defendants.	CASE NO.: 235323 SPC STATEMENT OF DAMAGES

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Zurich0000564

Plaintiff, **JAMES C. STIDHAM,** hereby submits the following Statement of Damages to the above-captioned matter:

Each of the following figures are mere estimates and the submitting party reserves the right to amend, supplement and otherwise revise this pleading to reflect further investigation, discovery and/or proof:

1. GENERAL DAMAGES: $100,000,000.00
2. SPECIAL DAMAGES: $100,000,000.00
3. PUNITIVE DAMAGES $200,000,000.00

As this case progresses, it may become apparent that the estimates provided in this statement at this time are not completely accurate, and Plaintiffs therefore reserve the right to amend, supplement, or in any way modify this Statement of Damages to more accurately reflect the amount of damages suffered by Plaintiff herein.

In addition, it must be understood that it is extremely difficult to fix the amount of general damages and/or to predict the exact amount that a jury or trier of fact may award for this category of damages.

Date: October 16, 1998

STEVEN L. ZELIG & ASSOCIATES

By:_____
Steven L. Zelig, Esq.
Attorney for Plaintiff(s)

Zurich0000565

STEVEN L. ZELIG, State Bar No.: 94654
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Los Angeles, California 90024
(310) 470-1990

Attorneys for Plaintiff(s)

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF KERN

GEORGE CREQUE, JR. and those Plaintiffs listed on the attached document identified as Exhibit 1, and incorporated herein,, Plaintiff(s) vs. CACTUS GOLD MINES COMPANY, INC.; CACTUS GOLD MINES COMPANY, A JOINT VENTURE; CACTUS GOLD MINES, INC. OF KERN COUNTY; COCA MINES, INC.; COCA MINES, INC. OF DENVER; HECKLA MINING COMPANY, INC.; BROWN & ROOT, INC.; SHUMAKE OPERATIONS; MERRILL-CROWE; GOLDEN QUEEN MINING COMPANY COMPASS MINING, INC.; MBPL, A BUSINESS ENTITY, FORM UNKNOWN; SAINT MARY PARISH LAND COMPANY; MINVIN GOLD CORPORATION; CHARLES ASTON, SCOTT BENNETT, JIM BRADY, MICHEL FISHER; and DOES 1 through 2000, inclusive,, Defendants.	CASE NO.: 235323 SPC STATEMENT OF DAMAGES

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Zurich0000566

Plaintiff, **JOYCE WARD**, hereby submits the following Statement of Damages to the above-captioned matter:

Each of the following figures are mere estimates and the submitting party reserves the right to amend, supplement and otherwise revise this pleading to reflect further investigation, discovery and/or proof:

1. GENERAL DAMAGES: $100,000,000.00
2. SPECIAL DAMAGES: $100,000,000.00
3. PUNITIVE DAMAGES $200,000,000.00

As this case progresses, it may become apparent that the estimates provided in this statement at this time are not completely accurate, and Plaintiffs therefore reserve the right to amend, supplement, or in any way modify this Statement of Damages to more accurately reflect the amount of damages suffered by Plaintiff herein.

In addition, it must be understood that it is extremely difficult to fix the amount of general damages and/or to predict the exact amount that a jury or trier of fact may award for this category of damages.

Date: October 16, 1998

STEVEN L. ZELIG & ASSOCIATES

By:_____
Steven L. Zelig, Esq.
Attorney for Plaintiff(s)

Zurich0000567

STEVEN L. ZELIG, State Bar No.: 94654
LAW OFFICES OF STEVEN L. ZELIG
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Los Angeles, California 90024
(310) 470-1990

Attorneys for Plaintiff(s)

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF KERN

GEORGE CREQUE, JR. and those Plaintiffs listed on the attached document identified as Exhibit 1, and incorporated herein,, Plaintiff(s) vs. CACTUS GOLD MINES COMPANY, INC.; CACTUS GOLD MINES COMPANY, A JOINT VENTURE; CACTUS GOLD MINES, INC. OF KERN COUNTY; COCA MINES, INC.; COCA MINES, INC. OF DENVER; HECKLA MINING COMPANY, INC.; BROWN & ROOT, INC.; SHUMAKE OPERATIONS; MERRILL-CROWE; GOLDEN QUEEN MINING COMPANY COMPASS MINING, INC.; MBPL, A BUSINESS ENTITY, FORM UNKNOWN; SAINT MARY PARISH LAND COMPANY; MINVIN GOLD CORPORATION; CHARLES ASTON, SCOTT BENNETT, JIM BRADY, MICHEL FISHER; and DOES 1 through 2000, inclusive,, Defendants.	CASE NO.: 235323 SPC STATEMENT OF DAMAGES

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Zurich0000568

Plaintiff, **JAMES HOOPER,** hereby submits the following Statement of Damages to the above-captioned matter:

Each of the following figures are mere estimates and the submitting party reserves the right to amend, supplement and otherwise revise this pleading to reflect further investigation, discovery and/or proof:

1. GENERAL DAMAGES: $100,000,000.00
2. SPECIAL DAMAGES: $100,000,000.00
3. PUNITIVE DAMAGES $200,000,000.00

As this case progresses, it may become apparent that the estimates provided in this statement at this time are not completely accurate, and Plaintiffs therefore reserve the right to amend, supplement, or in any way modify this Statement of Damages to more accurately reflect the amount of damages suffered by Plaintiff herein.

In addition, it must be understood that it is extremely difficult to fix the amount of general damages and/or to predict the exact amount that a jury or trier of fact may award for this category of damages.

Date: October 16, 1998

STEVEN L. ZELIG & ASSOCIATES

By:_____
Steven L. Zelig, Esq.
Attorney for Plaintiff(s)

Zurich0000569

STEVEN L. ZELIG, State Bar No.: 94654
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AND ASSOCIATES
10850 Wilshire Boulevard
Suite 530
Los Angeles, California 90024
(310) 470-1990

Attorneys for Plaintiff(s)

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF KERN

GEORGE CREQUE, JR. and those Plaintiffs listed on the attached document identified as Exhibit 1, and incorporated herein,, Plaintiff(s) vs. CACTUS GOLD MINES COMPANY, INC.; CACTUS GOLD MINES COMPANY, A JOINT VENTURE; CACTUS GOLD MINES, INC. OF KERN COUNTY; COCA MINES, INC.; COCA MINES, INC. OF DENVER; HECKLA MINING COMPANY, INC.; BROWN & ROOT, INC.; SHUMAKE OPERATIONS; MERRILL-CROWE; GOLDEN QUEEN MINING COMPANY COMPASS MINING, INC.; MBPL, A BUSINESS ENTITY, FORM UNKNOWN; SAINT MARY PARISH LAND COMPANY; MINVIN GOLD CORPORATION; CHARLES ASTON, SCOTT BENNETT, JIM BRADY, MICHEL FISHER; and DOES 1 through 2000, inclusive,, Defendants.	CASE NO.: 235323 SPC STATEMENT OF DAMAGES

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Zurich0000570

Plaintiff, **MARLENE HOOPER,** hereby submits the following Statement of Damages to the above-captioned matter:

Each of the following figures are mere estimates and the submitting party reserves the right to amend, supplement and otherwise revise this pleading to reflect further investigation, discovery and/or proof:

1. GENERAL DAMAGES: $100,000,000.00
2. SPECIAL DAMAGES: $100,000,000.00
3. PUNITIVE DAMAGES $200,000,000.00

As this case progresses, it may become apparent that the estimates provided in this statement at this time are not completely accurate, and Plaintiffs therefore reserve the right to amend, supplement, or in any way modify this Statement of Damages to more accurately reflect the amount of damages suffered by Plaintiff herein.

In addition, it must be understood that it is extremely difficult to fix the amount of general damages and/or to predict the exact amount that a jury or trier of fact may award for this category of damages.

Date: October 16, 1998

STEVEN L. ZELIG & ASSOCIATES

By:_____
Steven L. Zelig, Esq.
Attorney for Plaintiff(s)

Zurich0000571

STEVEN L. ZELIG, State Bar No.: 94654
LAW OFFICES OF STEVEN L. ZELIG
AND ASSOCIATES
10850 Wilshire Boulevard
Suite 530
Los Angeles, California 90024
(310) 470-1990

Attorneys for Plaintiff(s)

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF KERN

GEORGE CREQUE, JR. and those Plaintiffs listed on the attached document identified as Exhibit 1, and incorporated herein,, Plaintiff(s) vs. CACTUS GOLD MINES COMPANY, INC.; CACTUS GOLD MINES COMPANY, A JOINT VENTURE; CACTUS GOLD MINES, INC. OF KERN COUNTY; COCA MINES, INC.; COCA MINES, INC. OF DENVER; HECKLA MINING COMPANY, INC.; BROWN & ROOT, INC.; SHUMAKE OPERATIONS; MERRILL-CROWE; GOLDEN QUEEN MINING COMPANY COMPASS MINING, INC.; MBPL, A BUSINESS ENTITY, FORM UNKNOWN; SAINT MARY PARISH LAND COMPANY; MINVIN GOLD CORPORATION; CHARLES ASTON, SCOTT BENNETT, JIM BRADY, MICHEL FISHER; and DOES 1 through 2000, inclusive,, Defendants.	CASE NO.: 235323 SPC STATEMENT OF DAMAGES

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Zurich0000572

Plaintiff, **PETER D. FERRANTE,** hereby submits the following Statement of Damages to the above-captioned matter:

Each of the following figures are mere estimates and the submitting party reserves the right to amend, supplement and otherwise revise this pleading to reflect further investigation, discovery and/or proof:

1. GENERAL DAMAGES: $100,000,000.00
2. SPECIAL DAMAGES: $100,000,000.00
3. PUNITIVE DAMAGES $200,000,000.00

As this case progresses, it may become apparent that the estimates provided in this statement at this time are not completely accurate, and Plaintiffs therefore reserve the right to amend, supplement, or in any way modify this Statement of Damages to more accurately reflect the amount of damages suffered by Plaintiff herein.

In addition, it must be understood that it is extremely difficult to fix the amount of general damages and/or to predict the exact amount that a jury or trier of fact may award for this category of damages.

Date: October 16, 1998

STEVEN L. ZELIG & ASSOCIATES

By:_____
Steven L. Zelig, Esq.
Attorney for Plaintiff(s)

Zurich0000573

Plaintiff, **VERA B. ALVISO**, hereby submits the following Statement of Damages to the above-captioned matter:

Each of the following figures are mere estimates and the submitting party reserves the right to amend, supplement and otherwise revise this pleading to reflect further investigation, discovery and/or proof:

1. GENERAL DAMAGES: $100,000,000.00
2. SPECIAL DAMAGES: $100,000,000.00
3. PUNITIVE DAMAGES $200,000,000.00

As this case progresses, it may become apparent that the estimates provided in this statement at this time are not completely accurate, and Plaintiffs therefore reserve the right to amend, supplement, or in any way modify this Statement of Damages to more accurately reflect the amount of damages suffered by Plaintiff herein.

In addition, it must be understood that it is extremely difficult to fix the amount of general damages and/or to predict the exact amount that a jury or trier of fact may award for this category of damages.

Date: October 16, 1998

STEVEN L. ZELIG & ASSOCIATES

By:_____
Steven L. Zelig, Esq.
Attorney for Plaintiff(s)

Zurich0000574

STEVEN L. ZELIG, State Bar No.: 94654
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AND ASSOCIATES
10850 Wilshire Boulevard
Suite 530
Los Angeles, California 90024
(310) 470-1990

Attorneys for Plaintiff(s)

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF KERN

GEORGE CREQUE, JR. and those Plaintiffs listed on the attached document identified as Exhibit 1, and incorporated herein,, Plaintiff(s) vs. CACTUS GOLD MINES COMPANY, INC.; CACTUS GOLD MINES COMPANY, A JOINT VENTURE; CACTUS GOLD MINES, INC. OF KERN COUNTY; COCA MINES, INC.; COCA MINES, INC. OF DENVER; HECKLA MINING COMPANY, INC.; BROWN & ROOT, INC.; SHUMAKE OPERATIONS; MERRILL-CROWE; GOLDEN QUEEN MINING COMPANY COMPASS MINING, INC.; MBPL, A BUSINESS ENTITY, FORM UNKNOWN; SAINT MARY PARISH LAND COMPANY; MINVIN GOLD CORPORATION; CHARLES ASTON, SCOTT BENNETT, JIM BRADY, MICHEL FISHER; and DOES 1 through 2000, inclusive,, Defendants.	CASE NO.: 235323 SPC STATEMENT OF DAMAGES

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Zurich0000575

Plaintiff, **RUTH E. FERRANTE,** hereby submits the following Statement of Damages to the above-captioned matter:

Each of the following figures are mere estimates and the submitting party reserves the right to amend, supplement and otherwise revise this pleading to reflect further investigation, discovery and/or proof:

1. GENERAL DAMAGES: $100,000,000.00
2. SPECIAL DAMAGES: $100,000,000.00
3. PUNITIVE DAMAGES $200,000,000.00

As this case progresses, it may become apparent that the estimates provided in this statement at this time are not completely accurate, and Plaintiffs therefore reserve the right to amend, supplement, or in any way modify this Statement of Damages to more accurately reflect the amount of damages suffered by Plaintiff herein.

In addition, it must be understood that it is extremely difficult to fix the amount of general damages and/or to predict the exact amount that a jury or trier of fact may award for this category of damages.

Date: October 16, 1998

STEVEN L. ZELIG & ASSOCIATES

By:_____
Steven L. Zelig, Esq.
Attorney for Plaintiff(s)

Zurich0000576

STEVEN L. ZELIG, State Bar No.: 94654
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Attorneys for Plaintiff(s)

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF KERN

GEORGE CREQUE, JR. and those Plaintiffs listed on the attached document identified as Exhibit 1, and incorporated herein,, Plaintiff(s) vs. CACTUS GOLD MINES COMPANY, INC.; CACTUS GOLD MINES COMPANY, A JOINT VENTURE; CACTUS GOLD MINES, INC. OF KERN COUNTY; COCA MINES, INC.; COCA MINES, INC. OF DENVER; HECKLA MINING COMPANY, INC.; BROWN & ROOT, INC.; SHUMAKE OPERATIONS; MERRILL-CROWE; GOLDEN QUEEN MINING COMPANY COMPASS MINING, INC.; MBPL, A BUSINESS ENTITY, FORM UNKNOWN; SAINT MARY PARISH LAND COMPANY; MINVIN GOLD CORPORATION; CHARLES ASTON, SCOTT BENNETT, JIM BRADY, MICHEL FISHER; and DOES 1 through 2000, inclusive,, Defendants.	CASE NO.: 235323 SPC STATEMENT OF DAMAGES

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Zurich0000577

Plaintiff, JOAN M. JOHNSON, hereby submits the following Statement of Damages to the above-captioned matter:

Each of the following figures are mere estimates and the submitting party reserves the right to amend, supplement and otherwise revise this pleading to reflect further investigation, discovery and/or proof:

1. GENERAL DAMAGES: $100,000,000.00
2. SPECIAL DAMAGES: $100,000,000.00
3. PUNITIVE DAMAGES $200,000,000.00

As this case progresses, it may become apparent that the estimates provided in this statement at this time are not completely accurate, and Plaintiffs therefore reserve the right to amend, supplement, or in any way modify this Statement of Damages to more accurately reflect the amount of damages suffered by Plaintiff herein.

In addition, it must be understood that it is extremely difficult to fix the amount of general damages and/or to predict the exact amount that a jury or trier of fact may award for this category of damages.

Date: October 16, 1998

STEVEN L. ZELIG & ASSOCIATES

By:_____
Steven L. Zelig, Esq.
Attorney for Plaintiff(s)

Zurich0000578

STEVEN L. ZELIG, State Bar No.: 94654
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Attorneys for Plaintiff(s)

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF KERN

GEORGE CREQUE, JR. and those Plaintiffs listed on the attached document identified as Exhibit 1, and incorporated herein,, Plaintiff(s) vs. CACTUS GOLD MINES COMPANY, INC.; CACTUS GOLD MINES COMPANY, A JOINT VENTURE; CACTUS GOLD MINES, INC. OF KERN COUNTY; COCA MINES, INC.; COCA MINES, INC. OF DENVER; HECKLA MINING COMPANY, INC.; BROWN & ROOT, INC.; SHUMAKE OPERATIONS; MERRILL-CROWE; GOLDEN QUEEN MINING COMPANY COMPASS MINING, INC.; MBPL, A BUSINESS ENTITY, FORM UNKNOWN; SAINT MARY PARISH LAND COMPANY; MINVIN GOLD CORPORATION; CHARLES ASTON, SCOTT BENNETT, JIM BRADY, MICHEL FISHER; and DOES 1 through 2000, inclusive,, Defendants.	CASE NO.: 235323 SPC STATEMENT OF DAMAGES

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Zurich0000579

Plaintiff, **ROBERT W. JOHNSON,** hereby submits the following Statement of Damages to the above-captioned matter:

Each of the following figures are mere estimates and the submitting party reserves the right to amend, supplement and otherwise revise this pleading to reflect further investigation, discovery and/or proof:

1. GENERAL DAMAGES: $100,000,000.00
2. SPECIAL DAMAGES: $100,000,000.00
3. PUNITIVE DAMAGES $200,000,000.00

As this case progresses, it may become apparent that the estimates provided in this statement at this time are not completely accurate, and Plaintiffs therefore reserve the right to amend, supplement, or in any way modify this Statement of Damages to more accurately reflect the amount of damages suffered by Plaintiff herein.

In addition, it must be understood that it is extremely difficult to fix the amount of general damages and/or to predict the exact amount that a jury or trier of fact may award for this category of damages.

Date: October 16, 1998

STEVEN L. ZELIG & ASSOCIATES

By:_____
Steven L. Zelig, Esq.
Attorney for Plaintiff(s)

Zurich0000580

STEVEN L. ZELIG, State Bar No.: 94654
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AND ASSOCIATES
10850 Wilshire Boulevard
Suite 530
Los Angeles, California 90024
(310) 470-1990

Attorneys for Plaintiff(s)

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF KERN

GEORGE CREQUE, JR. and those Plaintiffs listed on the attached document identified as Exhibit 1, and incorporated herein,, Plaintiff(s) vs. CACTUS GOLD MINES COMPANY, INC.; CACTUS GOLD MINES COMPANY, A JOINT VENTURE; CACTUS GOLD MINES, INC. OF KERN COUNTY; COCA MINES, INC.; COCA MINES, INC. OF DENVER; HECKLA MINING COMPANY, INC.; BROWN & ROOT, INC.; SHUMAKE OPERATIONS; MERRILL-CROWE; GOLDEN QUEEN MINING COMPANY COMPASS MINING, INC.; MBPL, A BUSINESS ENTITY, FORM UNKNOWN; SAINT MARY PARISH LAND COMPANY; MINVIN GOLD CORPORATION; CHARLES ASTON, SCOTT BENNETT, JIM BRADY, MICHEL FISHER; and DOES 1 through 2000, inclusive,, Defendants.	CASE NO.: 235323 SPC STATEMENT OF DAMAGES

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Zurich0000581

Plaintiff, **EMILY MIERS,** hereby submits the following Statement of Damages to the above-captioned matter:

Each of the following figures are mere estimates and the submitting party reserves the right to amend, supplement and otherwise revise this pleading to reflect further investigation, discovery and/or proof:

1. GENERAL DAMAGES: $100,000,000.00
2. SPECIAL DAMAGES: $100,000,000.00
3. PUNITIVE DAMAGES $200,000,000.00

As this case progresses, it may become apparent that the estimates provided in this statement at this time are not completely accurate, and Plaintiffs therefore reserve the right to amend, supplement, or in any way modify this Statement of Damages to more accurately reflect the amount of damages suffered by Plaintiff herein.

In addition, it must be understood that it is extremely difficult to fix the amount of general damages and/or to predict the exact amount that a jury or trier of fact may award for this category of damages.

Date: October 16, 1998

STEVEN L. ZELIG & ASSOCIATES

By:_____
Steven L. Zelig, Esq.
Attorney for Plaintiff(s)

Zurich0000582

STEVEN L. ZELIG, State Bar No.: 94654
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AND ASSOCIATES
10850 Wilshire Boulevard
Suite 530
Los Angeles, California 90024
(310) 470-1990

Attorneys for Plaintiff(s)

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF KERN

GEORGE CREQUE, JR. and those Plaintiffs listed on the attached document identified as Exhibit 1, and incorporated herein,, Plaintiff(s) vs. CACTUS GOLD MINES COMPANY, INC.; CACTUS GOLD MINES COMPANY, A JOINT VENTURE; CACTUS GOLD MINES, INC. OF KERN COUNTY; COCA MINES, INC.; COCA MINES, INC. OF DENVER; HECKLA MINING COMPANY, INC.; BROWN & ROOT, INC.; SHUMAKE OPERATIONS; MERRILL-CROWE; GOLDEN QUEEN MINING COMPANY COMPASS MINING, INC.; MBPL, A BUSINESS ENTITY, FORM UNKNOWN; SAINT MARY PARISH LAND COMPANY; MINVIN GOLD CORPORATION; CHARLES ASTON, SCOTT BENNETT, JIM BRADY, MICHEL FISHER; and DOES 1 through 2000, inclusive,, Defendants.	CASE NO.: 235323 SPC STATEMENT OF DAMAGES

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Zurich0000583

Plaintiff, **ROBERT MIERS,** hereby submits the following Statement of Damages to the above-captioned matter:

Each of the following figures are mere estimates and the submitting party reserves the right to amend, supplement and otherwise revise this pleading to reflect further investigation, discovery and/or proof:

1. GENERAL DAMAGES: $100,000,000.00
2. SPECIAL DAMAGES: $100,000,000.00
3. PUNITIVE DAMAGES $200,000,000.00

As this case progresses, it may become apparent that the estimates provided in this statement at this time are not completely accurate, and Plaintiffs therefore reserve the right to amend, supplement, or in any way modify this Statement of Damages to more accurately reflect the amount of damages suffered by Plaintiff herein.

In addition, it must be understood that it is extremely difficult to fix the amount of general damages and/or to predict the exact amount that a jury or trier of fact may award for this category of damages.

Date: October 16, 1998

STEVEN L. ZELIG & ASSOCIATES

By:_____
Steven L. Zelig, Esq.
Attorney for Plaintiff(s)

Zurich0000584

STEVEN L. ZELIG, State Bar No.: 94654
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Los Angeles, California 90024
(310) 470-1990

Attorneys for Plaintiff(s)

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF KERN

GEORGE CREQUE, JR. and those Plaintiffs listed on the attached document identified as Exhibit 1, and incorporated herein,, Plaintiff(s) vs. CACTUS GOLD MINES COMPANY, INC.; CACTUS GOLD MINES COMPANY, A JOINT VENTURE; CACTUS GOLD MINES, INC. OF KERN COUNTY; COCA MINES, INC.; COCA MINES, INC. OF DENVER; HECKLA MINING COMPANY, INC.; BROWN & ROOT, INC.; SHUMAKE OPERATIONS; MERRILL-CROWE; GOLDEN QUEEN MINING COMPANY COMPASS MINING, INC.; MBPL, A BUSINESS ENTITY, FORM UNKNOWN; SAINT MARY PARISH LAND COMPANY; MINVIN GOLD CORPORATION; CHARLES ASTON, SCOTT BENNETT, JIM BRADY, MICHEL FISHER; and DOES 1 through 2000, inclusive,, Defendants.	CASE NO.: 235323 SPC STATEMENT OF DAMAGES

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Zurich0000585

Plaintiff, **STEPHANIE L. ABRAHAMSON,** hereby submits the following Statement of Damages to the above-captioned matter:

Each of the following figures are mere estimates and the submitting party reserves the right to amend, supplement and otherwise revise this pleading to reflect further investigation, discovery and/or proof:

1. GENERAL DAMAGES: $100,000,000.00
2. SPECIAL DAMAGES: $100,000,000.00
3. PUNITIVE DAMAGES $200,000,000.00

As this case progresses, it may become apparent that the estimates provided in this statement at this time are not completely accurate, and Plaintiffs therefore reserve the right to amend, supplement, or in any way modify this Statement of Damages to more accurately reflect the amount of damages suffered by Plaintiff herein.

In addition, it must be understood that it is extremely difficult to fix the amount of general damages and/or to predict the exact amount that a jury or trier of fact may award for this category of damages.

Date: October 16, 1998

STEVEN L. ZELIG & ASSOCIATES

By:_____
Steven L. Zelig, Esq.
Attorney for Plaintiff(s)

Zurich0000586

STEVEN L. ZELIG, State Bar No.: 94654
LAW OFFICES OF STEVEN L. ZELIG
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Los Angeles, California 90024
(310) 470-1990

Attorneys for Plaintiff(s)

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF KERN

GEORGE CREQUE, JR. and those Plaintiffs listed on the attached document identified as Exhibit 1, and incorporated herein,, Plaintiff(s) vs. CACTUS GOLD MINES COMPANY, INC.; CACTUS GOLD MINES COMPANY, A JOINT VENTURE; CACTUS GOLD MINES, INC. OF KERN COUNTY; COCA MINES, INC.; COCA MINES, INC. OF DENVER; HECKLA MINING COMPANY, INC.; BROWN & ROOT, INC.; SHUMAKE OPERATIONS; MERRILL-CROWE; GOLDEN QUEEN MINING COMPANY COMPASS MINING, INC.; MBPL, A BUSINESS ENTITY, FORM UNKNOWN; SAINT MARY PARISH LAND COMPANY; MINVIN GOLD CORPORATION; CHARLES ASTON, SCOTT BENNETT, JIM BRADY, MICHEL FISHER; and DOES 1 through 2000, inclusive,, Defendants.	CASE NO.: 235323 SPC STATEMENT OF DAMAGES

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Zurich0000587

Plaintiff, DANIEL D. ELLIS by and through his guardian ad litem Brian E. Ellis, hereby submits the following Statement of Damages to the above-captioned matter:

Each of the following figures are mere estimates and the submitting party reserves the right to amend, supplement and otherwise revise this pleading to reflect further investigation, discovery and/or proof:

1. GENERAL DAMAGES: $100,000,000.00
2. SPECIAL DAMAGES: $100,000,000.00
3. PUNITIVE DAMAGES $200,000,000.00

As this case progresses, it may become apparent that the estimates provided in this statement at this time are not completely accurate, and Plaintiffs therefore reserve the right to amend, supplement, or in any way modify this Statement of Damages to more accurately reflect the amount of damages suffered by Plaintiff herein.

In addition, it must be understood that it is extremely difficult to fix the amount of general damages and/or to predict the exact amount that a jury or trier of fact may award for this category of damages.

Date: October 16, 1998

STEVEN L. ZELIG & ASSOCIATES

By:_____
Steven L. Zelig, Esq.
Attorney for Plaintiff(s)

Zurich0000588

STEVEN L. ZELIG, State Bar No.: 94654
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AND ASSOCIATES
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Los Angeles, California 90024
(310) 470-1990

Attorneys for Plaintiff(s)

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF KERN

GEORGE CREQUE, JR. and those Plaintiffs listed on the attached document identified as Exhibit 1, and incorporated herein,, Plaintiff(s) vs. CACTUS GOLD MINES COMPANY, INC.; CACTUS GOLD MINES COMPANY, A JOINT VENTURE; CACTUS GOLD MINES, INC. OF KERN COUNTY; COCA MINES, INC.; COCA MINES, INC. OF DENVER; HECKLA MINING COMPANY, INC.; BROWN & ROOT, INC.; SHUMAKE OPERATIONS; MERRILL-CROWE; GOLDEN QUEEN MINING COMPANY COMPASS MINING, INC.; MBPL, A BUSINESS ENTITY, FORM UNKNOWN; SAINT MARY PARISH LAND COMPANY; MINVIN GOLD CORPORATION; CHARLES ASTON, SCOTT BENNETT, JIM BRADY, MICHEL FISHER; and DOES 1 through 2000, inclusive,, Defendants.	CASE NO.: 235323 SPC STATEMENT OF DAMAGES

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Zurich0000589

Plaintiff, **REBECCA ELLIS** by and through her guardian ad litem Brian E. Ellis, hereby submits the following Statement of Damages to the above-captioned matter:

Each of the following figures are mere estimates and the submitting party reserves the right to amend, supplement and otherwise revise this pleading to reflect further investigation, discovery and/or proof:

1. GENERAL DAMAGES: $100,000,000.00
2. SPECIAL DAMAGES: $100,000,000.00
3. PUNITIVE DAMAGES $200,000,000.00

As this case progresses, it may become apparent that the estimates provided in this statement at this time are not completely accurate, and Plaintiffs therefore reserve the right to amend, supplement, or in any way modify this Statement of Damages to more accurately reflect the amount of damages suffered by Plaintiff herein.

In addition, it must be understood that it is extremely difficult to fix the amount of general damages and/or to predict the exact amount that a jury or trier of fact may award for this category of damages.

Date: October 16, 1998

STEVEN L. ZELIG & ASSOCIATES

By:_____
Steven L. Zelig, Esq.
Attorney for Plaintiff(s)

Zurich0000590

STEVEN L. ZELIG, State Bar No.: 94654
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Attorneys for Plaintiff(s)

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF KERN

GEORGE CREQUE, JR. and those Plaintiffs listed on the attached document identified as Exhibit 1, and incorporated herein,, Plaintiff(s) vs. CACTUS GOLD MINES COMPANY, INC.; CACTUS GOLD MINES COMPANY, A JOINT VENTURE; CACTUS GOLD MINES, INC. OF KERN COUNTY; COCA MINES, INC.; COCA MINES, INC. OF DENVER; HECKLA MINING COMPANY, INC.; BROWN & ROOT, INC.; SHUMAKE OPERATIONS; MERRILL-CROWE; GOLDEN QUEEN MINING COMPANY COMPASS MINING, INC.; MBPL, A BUSINESS ENTITY, FORM UNKNOWN; SAINT MARY PARISH LAND COMPANY; MINVIN GOLD CORPORATION; CHARLES ASTON, SCOTT BENNETT, JIM BRADY, MICHEL FISHER; and DOES 1 through 2000, inclusive,, Defendants.	CASE NO.: 235323 SPC STATEMENT OF DAMAGES

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Zurich0000591

Plaintiff, ERIC EDMONDS by and through his guardian ad litem John Edmonds, hereby submits the following Statement of Damages to the above-captioned matter:

Each of the following figures are mere estimates and the submitting party reserves the right to amend, supplement and otherwise revise this pleading to reflect further investigation, discovery and/or proof:

1. GENERAL DAMAGES: $100,000,000.00
2. SPECIAL DAMAGES: $100,000,000.00
3. PUNITIVE DAMAGES $200,000,000.00

As this case progresses, it may become apparent that the estimates provided in this statement at this time are not completely accurate, and Plaintiffs therefore reserve the right to amend, supplement, or in any way modify this Statement of Damages to more accurately reflect the amount of damages suffered by Plaintiff herein.

In addition, it must be understood that it is extremely difficult to fix the amount of general damages and/or to predict the exact amount that a jury or trier of fact may award for this category of damages.

Date: October 16, 1998

STEVEN L. ZELIG & ASSOCIATES

By:_____
Steven L. Zelig, Esq.
Attorney for Plaintiff(s)

Zurich0000592

STEVEN L. ZELIG, State Bar No.: 94654
LAW OFFICES OF STEVEN L. ZELIG
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Attorneys for Plaintiff(s)

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF KERN

GEORGE CREQUE, JR. and those Plaintiffs listed on the attached document identified as Exhibit 1, and incorporated herein,, Plaintiff(s) vs. CACTUS GOLD MINES COMPANY, INC.; CACTUS GOLD MINES COMPANY, A JOINT VENTURE; CACTUS GOLD MINES, INC. OF KERN COUNTY; COCA MINES, INC.; COCA MINES, INC. OF DENVER; HECKLA MINING COMPANY, INC.; BROWN & ROOT, INC.; SHUMAKE OPERATIONS; MERRILL-CROWE; GOLDEN QUEEN MINING COMPANY COMPASS MINING, INC.; MBPL, A BUSINESS ENTITY, FORM UNKNOWN; SAINT MARY PARISH LAND COMPANY; MINVIN GOLD CORPORATION; CHARLES ASTON, SCOTT BENNETT, JIM BRADY, MICHEL FISHER; and DOES 1 through 2000, inclusive,, Defendants.	CASE NO.: 235323 SPC STATEMENT OF DAMAGES

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Zurich0000593

Plaintiff, **AMANDA M. FISHER** by and through her guardian ad litem Davina Fisher, hereby submits the following Statement of Damages to the above-captioned matter:

Each of the following figures are mere estimates and the submitting party reserves the right to amend, supplement and otherwise revise this pleading to reflect further investigation, discovery and/or proof:

1. GENERAL DAMAGES: $100,000,000.00
2. SPECIAL DAMAGES: $100,000,000.00
3. PUNITIVE DAMAGES $200,000,000.00

As this case progresses, it may become apparent that the estimates provided in this statement at this time are not completely accurate, and Plaintiffs therefore reserve the right to amend, supplement, or in any way modify this Statement of Damages to more accurately reflect the amount of damages suffered by Plaintiff herein.

In addition, it must be understood that it is extremely difficult to fix the amount of general damages and/or to predict the exact amount that a jury or trier of fact may award for this category of damages.

Date: October 16, 1998

STEVEN L. ZELIG & ASSOCIATES

By: _____
Steven L. Zelig, Esq.
Attorney for Plaintiff(s)

Zurich0000594

STEVEN L. ZELIG, State Bar No.: 94654
LAW OFFICES OF STEVEN L. ZELIG
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Los Angeles, California 90024
(310) 470-1990

Attorneys for Plaintiff(s)

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF KERN

GEORGE CREQUE, JR. and those Plaintiffs listed on the attached document identified as Exhibit 1, and incorporated herein,, Plaintiff(s) vs. CACTUS GOLD MINES COMPANY, INC.; CACTUS GOLD MINES COMPANY, A JOINT VENTURE; CACTUS GOLD MINES, INC. OF KERN COUNTY; COCA MINES, INC.; COCA MINES, INC. OF DENVER; HECKLA MINING COMPANY, INC.; BROWN & ROOT, INC.; SHUMAKE OPERATIONS; MERRILL-CROWE; GOLDEN QUEEN MINING COMPANY COMPASS MINING, INC.; MBPL, A BUSINESS ENTITY, FORM UNKNOWN; SAINT MARY PARISH LAND COMPANY; MINVIN GOLD CORPORATION; CHARLES ASTON, SCOTT BENNETT, JIM BRADY, MICHEL FISHER; and DOES 1 through 2000, inclusive,, Defendants.	CASE NO.: 235323 SPC STATEMENT OF DAMAGES

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Zurich0000595

Plaintiff, **DAVID LANGAARD**, hereby submits the following Statement of Damages to the above-captioned matter:

Each of the following figures are mere estimates and the submitting party reserves the right to amend, supplement and otherwise revise this pleading to reflect further investigation, discovery and/or proof:

1. GENERAL DAMAGES: $100,000,000.00
2. SPECIAL DAMAGES: $100,000,000.00
3. PUNITIVE DAMAGES $200,000,000.00

As this case progresses, it may become apparent that the estimates provided in this statement at this time are not completely accurate, and Plaintiffs therefore reserve the right to amend, supplement, or in any way modify this Statement of Damages to more accurately reflect the amount of damages suffered by Plaintiff herein.

In addition, it must be understood that it is extremely difficult to fix the amount of general damages and/or to predict the exact amount that a jury or trier of fact may award for this category of damages.

Date: October 16, 1998

STEVEN L. ZELIG & ASSOCIATES

By: _____
Steven L. Zelig, Esq.
Attorney for Plaintiff(s)

Zurich0000596

STEVEN L. ZELIG, State Bar No.: 94654
LAW OFFICES OF STEVEN L. ZELIG
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Los Angeles, California 90024
(310) 470-1990

Attorneys for Plaintiff(s)

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF KERN

GEORGE CREQUE, JR. and those Plaintiffs listed on the attached document identified as Exhibit 1, and incorporated herein,, Plaintiff(s) vs. CACTUS GOLD MINES COMPANY, INC.; CACTUS GOLD MINES COMPANY, A JOINT VENTURE; CACTUS GOLD MINES, INC. OF KERN COUNTY; COCA MINES, INC.; COCA MINES, INC. OF DENVER; HECKLA MINING COMPANY, INC.; BROWN & ROOT, INC.; SHUMAKE OPERATIONS; MERRILL-CROWE; GOLDEN QUEEN MINING COMPANY COMPASS MINING, INC.; MBPL, A BUSINESS ENTITY, FORM UNKNOWN; SAINT MARY PARISH LAND COMPANY; MINVIN GOLD CORPORATION; CHARLES ASTON, SCOTT BENNETT, JIM BRADY, MICHEL FISHER; and DOES 1 through 2000, inclusive,, Defendants.	CASE NO.: 235323 SPC STATEMENT OF DAMAGES

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Zurich0000597

Plaintiff, TARA DAYNE HUFFORD by and through her guardian ad litem Kathy Dalton, hereby submits the following Statement of Damages to the above-captioned matter:

Each of the following figures are mere estimates and the submitting party reserves the right to amend, supplement and otherwise revise this pleading to reflect further investigation, discovery and/or proof:

1. GENERAL DAMAGES: $100,000,000.00
2. SPECIAL DAMAGES: $100,000,000.00
3. PUNITIVE DAMAGES $200,000,000.00

As this case progresses, it may become apparent that the estimates provided in this statement at this time are not completely accurate, and Plaintiffs therefore reserve the right to amend, supplement, or in any way modify this Statement of Damages to more accurately reflect the amount of damages suffered by Plaintiff herein.

In addition, it must be understood that it is extremely difficult to fix the amount of general damages and/or to predict the exact amount that a jury or trier of fact may award for this category of damages.

Date: October 16, 1998

STEVEN L. ZELIG & ASSOCIATES

By: _____
Steven L. Zelig, Esq.
Attorney for Plaintiff(s)

Zurich0000598

STEVEN L. ZELIG, State Bar No.: 94654
LAW OFFICES OF STEVEN L. ZELIG
AND ASSOCIATES
10850 Wilshire Boulevard
Suite 530
Los Angeles, California 90024
(310) 470-1990

Attorneys for Plaintiff(s)

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF KERN

GEORGE CREQUE, JR. and those Plaintiffs listed on the attached document identified as Exhibit 1, and incorporated herein,, Plaintiff(s) vs. CACTUS GOLD MINES COMPANY, INC.; CACTUS GOLD MINES COMPANY, A JOINT VENTURE; CACTUS GOLD MINES, INC. OF KERN COUNTY; COCA MINES, INC.; COCA MINES, INC. OF DENVER; HECKLA MINING COMPANY, INC.; BROWN & ROOT, INC.; SHUMAKE OPERATIONS; MERRILL-CROWE; GOLDEN QUEEN MINING COMPANY COMPASS MINING, INC.; MBPL, A BUSINESS ENTITY, FORM UNKNOWN; SAINT MARY PARISH LAND COMPANY; MINVIN GOLD CORPORATION; CHARLES ASTON, SCOTT BENNETT, JIM BRADY, MICHEL FISHER; and DOES 1 through 2000, inclusive,, Defendants.	CASE NO.: 235323 SPC STATEMENT OF DAMAGES

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Zurich0000599

Plaintiff, HILARY SANCHEZ by and through her guardian ad litem Toni Sanchez, hereby submits the following Statement of Damages to the above-captioned matter:

Each of the following figures are mere estimates and the submitting party reserves the right to amend, supplement and otherwise revise this pleading to reflect further investigation, discovery and/or proof:

1. GENERAL DAMAGES: $100,000,000.00
2. SPECIAL DAMAGES: $100,000,000.00
3. PUNITIVE DAMAGES $200,000,000.00

As this case progresses, it may become apparent that the estimates provided in this statement at this time are not completely accurate, and Plaintiffs therefore reserve the right to amend, supplement, or in any way modify this Statement of Damages to more accurately reflect the amount of damages suffered by Plaintiff herein.

In addition, it must be understood that it is extremely difficult to fix the amount of general damages and/or to predict the exact amount that a jury or trier of fact may award for this category of damages.

Date: October 16, 1998

STEVEN L. ZELIG & ASSOCIATES

By: _____
Steven L. Zelig, Esq.
Attorney for Plaintiff(s)

Zurich0000600

STEVEN L. ZELIG, State Bar No.: 94654
LAW OFFICES OF STEVEN L. ZELIG
AND ASSOCIATES
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Los Angeles, California 90024
(310) 470-1990

Attorneys for Plaintiff(s)

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF KERN

GEORGE CREQUE, JR. and those Plaintiffs listed on the attached document identified as Exhibit 1, and incorporated herein,, Plaintiff(s) vs. CACTUS GOLD MINES COMPANY, INC.; CACTUS GOLD MINES COMPANY, A JOINT VENTURE; CACTUS GOLD MINES, INC. OF KERN COUNTY; COCA MINES, INC.; COCA MINES, INC. OF DENVER; HECKLA MINING COMPANY, INC.; BROWN & ROOT, INC.; SHUMAKE OPERATIONS; MERRILL-CROWE; GOLDEN-QUEEN MINING COMPANY COMPASS MINING, INC.; MBPL, A BUSINESS ENTITY, FORM UNKNOWN; SAINT MARY PARISH LAND COMPANY; MINVIN GOLD CORPORATION; CHARLES ASTON, SCOTT BENNETT, JIM BRADY, MICHEL FISHER; and DOES 1 through 2000, inclusive,, Defendants.	CASE NO.: 235323 SPC STATEMENT OF DAMAGES

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Zurich0000601

Plaintiff, JOSEPH SANCHEZ by and through his guardian ad litem Toni Sanchez, hereby submits the following Statement of Damages to the above-captioned matter:

Each of the following figures are mere estimates and the submitting party reserves the right to amend, supplement and otherwise revise this pleading to reflect further investigation, discovery and/or proof:

1. GENERAL DAMAGES: $100,000,000.00
2. SPECIAL DAMAGES: $100,000,000.00
3. PUNITIVE DAMAGES $200,000,000.00

As this case progresses, it may become apparent that the estimates provided in this statement at this time are not completely accurate, and Plaintiffs therefore reserve the right to amend, supplement, or in any way modify this Statement of Damages to more accurately reflect the amount of damages suffered by Plaintiff herein.

In addition, it must be understood that it is extremely difficult to fix the amount of general damages and/or to predict the exact amount that a jury or trier of fact may award for this category of damages.

Date: October 16, 1998

STEVEN L. ZELIG & ASSOCIATES

By:_____
Steven L. Zelig, Esq.
Attorney for Plaintiff(s)

Zurich0000602

STEVEN L. ZELIG, State Bar No.: 94654
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Los Angeles, California 90024
(310) 470-1990

Attorneys for Plaintiff(s)

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF KERN

GEORGE CREQUE, JR. and those Plaintiffs listed on the attached document identified as Exhibit 1, and incorporated herein,, Plaintiff(s) vs. CACTUS GOLD MINES COMPANY, INC.; CACTUS GOLD MINES COMPANY, A JOINT VENTURE; CACTUS GOLD MINES, INC. OF KERN COUNTY; COCA MINES, INC.; COCA MINES, INC. OF DENVER; HECKLA MINING COMPANY, INC.; BROWN & ROOT, INC.; SHUMAKE OPERATIONS; MERRILL-CROWE; GOLDEN QUEEN MINING COMPANY COMPASS MINING, INC.; MBPL, A BUSINESS ENTITY, FORM UNKNOWN; SAINT MARY PARISH LAND COMPANY; MINVIN GOLD CORPORATION; CHARLES ASTON, SCOTT BENNETT, JIM BRADY, MICHEL FISHER; and DOES 1 through 2000, inclusive,, Defendants.	CASE NO.: 235323 SPC STATEMENT OF DAMAGES

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Zurich0000603

Plaintiff, **KAYLA SANCHEZ by and through her guardian ad litem Toni Sanchez,** hereby submits the following Statement of Damages to the above-captioned matter:

Each of the following figures are mere estimates and the submitting party reserves the right to amend, supplement and otherwise revise this pleading to reflect further investigation, discovery and/or proof:

1. GENERAL DAMAGES: $100,000,000.00
2. SPECIAL DAMAGES: $100,000,000.00
3. PUNITIVE DAMAGES $200,000,000.00

As this case progresses, it may become apparent that the estimates provided in this statement at this time are not completely accurate, and Plaintiffs therefore reserve the right to amend, supplement, or in any way modify this Statement of Damages to more accurately reflect the amount of damages suffered by Plaintiff herein.

In addition, it must be understood that it is extremely difficult to fix the amount of general damages and/or to predict the exact amount that a jury or trier of fact may award for this category of damages.

Date: October 16, 1998

STEVEN L. ZELIG & ASSOCIATES

By:_____
Steven L. Zelig, Esq.
Attorney for Plaintiff(s)

Zurich0000604

STEVEN L. ZELIG, State Bar No.: 94654
LAW OFFICES OF STEVEN L. ZELIG
AND ASSOCIATES
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Los Angeles, California 90024
(310) 470-1990

Attorneys for Plaintiff(s)

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF KERN

GEORGE CREQUE, JR. and those Plaintiffs listed on the attached document identified as Exhibit 1, and incorporated herein,, Plaintiff(s) vs. CACTUS GOLD MINES COMPANY, INC.; CACTUS GOLD MINES COMPANY, A JOINT VENTURE; CACTUS GOLD MINES, INC. OF KERN COUNTY; COCA MINES, INC.; COCA MINES, INC. OF DENVER; HECKLA MINING COMPANY, INC.; BROWN & ROOT, INC.; SHUMAKE OPERATIONS; MERRILL-CROWE; GOLDEN QUEEN MINING COMPANY COMPASS MINING, INC.; MBPL, A BUSINESS ENTITY, FORM UNKNOWN; SAINT MARY PARISH LAND COMPANY; MINVIN GOLD CORPORATION; CHARLES ASTON, SCOTT BENNETT, JIM BRADY, MICHEL FISHER; and DOES 1 through 2000, inclusive,, Defendants.	CASE NO.: 235323 SPC STATEMENT OF DAMAGES

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Zurich0000605

Plaintiff, **ANDREW P. BURNETT by and through her guardian ad litem Anna Sue Burnett,** hereby submits the following Statement of Damages to the above-captioned matter:

Each of the following figures are mere estimates and the submitting party reserves the right to amend, supplement and otherwise revise this pleading to reflect further investigation, discovery and/or proof:

1. GENERAL DAMAGES: $100,000,000.00
2. SPECIAL DAMAGES: $100,000,000.00
3. PUNITIVE DAMAGES $200,000,000.00

As this case progresses, it may become apparent that the estimates provided in this statement at this time are not completely accurate, and Plaintiffs therefore reserve the right to amend, supplement, or in any way modify this Statement of Damages to more accurately reflect the amount of damages suffered by Plaintiff herein.

In addition, it must be understood that it is extremely difficult to fix the amount of general damages and/or to predict the exact amount that a jury or trier of fact may award for this category of damages.

Date: October 16, 1998

STEVEN L. ZELIG & ASSOCIATES

By:_____
Steven L. Zelig, Esq.
Attorney for Plaintiff(s)

Zurich0000606

STEVEN L. ZELIG, State Bar No.: 94654
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AND ASSOCIATES
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Los Angeles, California 90024
(310) 470-1990

Attorneys for Plaintiff(s)

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF KERN

GEORGE CREQUE, JR. and those Plaintiffs listed on the attached document identified as Exhibit 1, and incorporated herein,, Plaintiff(s) vs. CACTUS GOLD MINES COMPANY, INC.; CACTUS GOLD MINES COMPANY, A JOINT VENTURE; CACTUS GOLD MINES, INC. OF KERN COUNTY; COCA MINES, INC.; COCA MINES, INC. OF DENVER; HECKLA MINING COMPANY, INC.; BROWN & ROOT, INC.; SHUMAKE OPERATIONS; MERRILL-CROWE; GOLDEN QUEEN MINING COMPANY COMPASS MINING, INC.; MBPL, A BUSINESS ENTITY, FORM UNKNOWN; SAINT MARY PARISH LAND COMPANY; MINVIN GOLD CORPORATION; CHARLES ASTON, SCOTT BENNETT, JIM BRADY, MICHEL FISHER; and DOES 1 through 2000, inclusive,, Defendants.	CASE NO.: 235323 SPC STATEMENT OF DAMAGES

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Zurich0000607

Plaintiff, **AMANDA P. FAIVRE by and through her guardian ad litem Anna Sue Burnett,** hereby submits the following Statement of Damages to the above-captioned matter:

Each of the following figures are mere estimates and the submitting party reserves the right to amend, supplement and otherwise revise this pleading to reflect further investigation, discovery and/or proof:

1. GENERAL DAMAGES: $100,000,000.00
2. SPECIAL DAMAGES: $100,000,000.00
3. PUNITIVE DAMAGES $200,000,000.00

As this case progresses, it may become apparent that the estimates provided in this statement at this time are not completely accurate, and Plaintiffs therefore reserve the right to amend, supplement, or in any way modify this Statement of Damages to more accurately reflect the amount of damages suffered by Plaintiff herein.

In addition, it must be understood that it is extremely difficult to fix the amount of general damages and/or to predict the exact amount that a jury or trier of fact may award for this category of damages.

Date: October 16, 1998

STEVEN L. ZELIG & ASSOCIATES

By:_____
Steven L. Zelig, Esq.
Attorney for Plaintiff(s)

Zurich0000608

STEVEN L. ZELIG, State Bar No.: 94654
LAW OFFICES OF STEVEN L. ZELIG
AND ASSOCIATES
10850 Wilshire Boulevard
Suite 530
Los Angeles, California 90024
(310) 470-1990

Attorneys for Plaintiff(s)

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF KERN

GEORGE CREQUE, JR. and those Plaintiffs listed on the attached document identified as Exhibit 1, and incorporated herein,, Plaintiff(s) vs. CACTUS GOLD MINES COMPANY, INC.; CACTUS GOLD MINES COMPANY, A JOINT VENTURE; CACTUS GOLD MINES, INC. OF KERN COUNTY; COCA MINES, INC.; COCA MINES, INC. OF DENVER; HECKLA MINING COMPANY, INC.; BROWN & ROOT, INC.; SHUMAKE OPERATIONS; MERRILL-CROWE; GOLDEN QUEEN MINING COMPANY COMPASS MINING, INC.; MBPL, A BUSINESS ENTITY, FORM UNKNOWN; SAINT MARY PARISH LAND COMPANY; MINVIN GOLD CORPORATION; CHARLES ASTON, SCOTT BENNETT, JIM BRADY, MICHEL FISHER; and DOES 1 through 2000, inclusive,, Defendants.	CASE NO.: 235323 SPC STATEMENT OF DAMAGES

\\\\

Zurich0000609

Plaintiff, CARL M. SATTON by and through her guardian ad litem Debra D. Scherer, hereby submits the following Statement of Damages to the above-captioned matter:

Each of the following figures are mere estimates and the submitting party reserves the right to amend, supplement and otherwise revise this pleading to reflect further investigation, discovery and/or proof:

1. GENERAL DAMAGES: $100,000,000.00
2. SPECIAL DAMAGES: $100,000,000.00
3. PUNITIVE DAMAGES $200,000,000.00

As this case progresses, it may become apparent that the estimates provided in this statement at this time are not completely accurate, and Plaintiffs therefore reserve the right to amend, supplement, or in any way modify this Statement of Damages to more accurately reflect the amount of damages suffered by Plaintiff herein.

In addition, it must be understood that it is extremely difficult to fix the amount of general damages and/or to predict the exact amount that a jury or trier of fact may award for this category of damages.

Date: October 16, 1998

STEVEN L. ZELIG & ASSOCIATES

By: _____
Steven L. Zelig, Esq.
Attorney for Plaintiff(s)

Zurich0000610

STEVEN L. ZELIG, State Bar No.: 94654
LAW OFFICES OF STEVEN L. ZELIG
AND ASSOCIATES
10850 Wilshire Boulevard
Suite 530
Los Angeles, California 90024
(310) 470-1990

Attorneys for Plaintiff(s)

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF KERN

GEORGE CREQUE, JR. and those Plaintiffs listed on the attached document identified as Exhibit 1, and incorporated herein,, Plaintiff(s) vs. CACTUS GOLD MINES COMPANY, INC.; CACTUS GOLD MINES COMPANY, A JOINT VENTURE; CACTUS GOLD MINES, INC. OF KERN COUNTY; COCA MINES, INC.; COCA MINES, INC. OF DENVER; HECKLA MINING COMPANY, INC.; BROWN & ROOT, INC.; SHUMAKE OPERATIONS; MERRILL-CROWE; GOLDEN QUEEN MINING COMPANY COMPASS MINING, INC.; MBPL, A BUSINESS ENTITY, FORM UNKNOWN; SAINT MARY PARISH LAND COMPANY; MINVIN GOLD CORPORATION; CHARLES ASTON, SCOTT BENNETT, JIM BRADY, MICHEL FISHER; and DOES 1 through 2000, inclusive,, Defendants.	CASE NO.: 235323 SPC STATEMENT OF DAMAGES

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Zurich0000611

Plaintiff, **RICKI L. SCHERER by and through his guardian ad litem Debra D. Scherer,** hereby submits the following Statement of Damages to the above-captioned matter:

Each of the following figures are mere estimates and the submitting party reserves the right to amend, supplement and otherwise revise this pleading to reflect further investigation, discovery and/or proof:

1. GENERAL DAMAGES: $100,000,000.00
2. SPECIAL DAMAGES: $100,000,000.00
3. PUNITIVE DAMAGES $200,000,000.00

As this case progresses, it may become apparent that the estimates provided in this statement at this time are not completely accurate, and Plaintiffs therefore reserve the right to amend, supplement, or in any way modify this Statement of Damages to more accurately reflect the amount of damages suffered by Plaintiff herein.

In addition, it must be understood that it is extremely difficult to fix the amount of general damages and/or to predict the exact amount that a jury or trier of fact may award for this category of damages.

Date: October 16, 1998

STEVEN L. ZELIG & ASSOCIATES

By:_____
Steven L. Zelig, Esq.
Attorney for Plaintiff(s)

Zurich0000612

STEVEN L. ZELIG, State Bar No.: 94654
LAW OFFICES OF STEVEN L. ZELIG
AND ASSOCIATES
10850 Wilshire Boulevard
Suite 530
Los Angeles, California 90024
(310) 470-1990

Attorneys for Plaintiff(s)

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF KERN

GEORGE CREQUE, JR. and those Plaintiffs listed on the attached document identified as Exhibit 1, and incorporated herein,, Plaintiff(s) vs. CACTUS GOLD MINES COMPANY, INC.; CACTUS GOLD MINES COMPANY, A JOINT VENTURE; CACTUS GOLD MINES, INC. OF KERN COUNTY; COCA MINES, INC.; COCA MINES, INC. OF DENVER; HECKLA MINING COMPANY, INC.; BROWN & ROOT, INC.; SHUMAKE OPERATIONS; MERRILL-CROWE; GOLDEN QUEEN MINING COMPANY COMPASS MINING, INC.; MBPL, A BUSINESS ENTITY, FORM UNKNOWN; SAINT MARY PARISH LAND COMPANY; MINVIN GOLD CORPORATION; CHARLES ASTON, SCOTT BENNETT, JIM BRADY, MICHEL FISHER; and DOES 1 through 2000, inclusive,, Defendants.	CASE NO.: 235323 SPC STATEMENT OF DAMAGES

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Zurich0000613

Plaintiff, **RYAN M. SCHERER by and through his guardian ad litem Debra D. Scherer,** hereby submits the following Statement of Damages to the above-captioned matter:

Each of the following figures are mere estimates and the submitting party reserves the right to amend, supplement and otherwise revise this pleading to reflect further investigation, discovery and/or proof:

1. GENERAL DAMAGES: $100,000,000.00
2. SPECIAL DAMAGES: $100,000,000.00
3. PUNITIVE DAMAGES $200,000,000.00

As this case progresses, it may become apparent that the estimates provided in this statement at this time are not completely accurate, and Plaintiffs therefore reserve the right to amend, supplement, or in any way modify this Statement of Damages to more accurately reflect the amount of damages suffered by Plaintiff herein.

In addition, it must be understood that it is extremely difficult to fix the amount of general damages and/or to predict the exact amount that a jury or trier of fact may award for this category of damages.

Date: October 16, 1998

STEVEN L. ZELIG & ASSOCIATES

By:_____
Steven L. Zelig, Esq.
Attorney for Plaintiff(s)

Zurich0000614

STEVEN L. ZELIG, State Bar No.: 94654
LAW OFFICES OF STEVEN L. ZELIG
AND ASSOCIATES
10850 Wilshire Boulevard
Suite 530
Los Angeles, California 90024
(310) 470-1990

Attorneys for Plaintiff(s)

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF KERN

GEORGE CREQUE, JR. and those Plaintiffs listed on the attached document identified as Exhibit 1, and incorporated herein,, Plaintiff(s) vs. CACTUS GOLD MINES COMPANY, INC.; CACTUS GOLD MINES COMPANY, A JOINT VENTURE; CACTUS GOLD MINES, INC. OF KERN COUNTY; COCA MINES, INC.; COCA MINES, INC. OF DENVER; HECKLA MINING COMPANY, INC.; BROWN & ROOT, INC.; SHUMAKE OPERATIONS; MERRILL-CROWE; GOLDEN QUEEN MINING COMPANY COMPASS MINING, INC.; MBPL, A BUSINESS ENTITY, FORM UNKNOWN; SAINT MARY PARISH LAND COMPANY; MINVIN GOLD CORPORATION; CHARLES ASTON, SCOTT BENNETT, JIM BRADY, MICHEL FISHER; and DOES 1 through 2000, inclusive,, Defendants.	CASE NO.: 235323 SPC STATEMENT OF DAMAGES

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Zurich0000615

Plaintiff, **JEREMIAH WARD** by and through his guardian ad litem Joyce Ward, hereby submits the following Statement of Damages to the above-captioned matter:

Each of the following figures are mere estimates and the submitting party reserves the right to amend, supplement and otherwise revise this pleading to reflect further investigation, discovery and/or proof:

1. GENERAL DAMAGES: $100,000,000.00
2. SPECIAL DAMAGES: $100,000,000.00
3. PUNITIVE DAMAGES $200,000,000.00

As this case progresses, it may become apparent that the estimates provided in this statement at this time are not completely accurate, and Plaintiffs therefore reserve the right to amend, supplement, or in any way modify this Statement of Damages to more accurately reflect the amount of damages suffered by Plaintiff herein.

In addition, it must be understood that it is extremely difficult to fix the amount of general damages and/or to predict the exact amount that a jury or trier of fact may award for this category of damages.

Date: October 16, 1998

STEVEN L. ZELIG & ASSOCIATES

By:_____
Steven L. Zelig, Esq.
Attorney for Plaintiff(s)

Zurich0000616

STEVEN L. ZELIG, State Bar No.: 94654
LAW OFFICES OF STEVEN L. ZELIG
AND ASSOCIATES
10850 Wilshire Boulevard
Suite 530
Los Angeles, California 90024
(310) 470-1990

Attorneys for Plaintiff(s)

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF KERN

GEORGE CREQUE, JR. and those Plaintiffs listed on the attached document identified as Exhibit 1, and incorporated herein,, Plaintiff(s) vs. CACTUS GOLD MINES COMPANY, INC.; CACTUS GOLD MINES COMPANY, A JOINT VENTURE; CACTUS GOLD MINES, INC. OF KERN COUNTY; COCA MINES, INC.; COCA MINES, INC. OF DENVER; HECKLA MINING COMPANY, INC.; BROWN & ROOT, INC.; SHUMAKE OPERATIONS; MERRILL-CROWE; GOLDEN QUEEN MINING COMPANY COMPASS MINING, INC.; MBPL, A BUSINESS ENTITY, FORM UNKNOWN; SAINT MARY PARISH LAND COMPANY; MINVIN GOLD CORPORATION; CHARLES ASTON, SCOTT BENNETT, JIM BRADY, MICHEL FISHER; and DOES 1 through 2000, inclusive,, Defendants.	CASE NO.: 235323 SPC STATEMENT OF DAMAGES

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Zurich0000617

Plaintiff, **SANDRA JEAN LOPEZ**, hereby submits the following Statement of Damages to the above-captioned matter:

Each of the following figures are mere estimates and the submitting party reserves the right to amend, supplement and otherwise revise this pleading to reflect further investigation, discovery and/or proof:

1. GENERAL DAMAGES: $100,000,000.00
2. SPECIAL DAMAGES: $100,000,000.00
3. PUNITIVE DAMAGES $200,000,000.00

As this case progresses, it may become apparent that the estimates provided in this statement at this time are not completely accurate, and Plaintiffs therefore reserve the right to amend, supplement, or in any way modify this Statement of Damages to more accurately reflect the amount of damages suffered by Plaintiff herein.

In addition, it must be understood that it is extremely difficult to fix the amount of general damages and/or to predict the exact amount that a jury or trier of fact may award for this category of damages.

Date: October 16, 1998

STEVEN L. ZELIG & ASSOCIATES

By:_____
Steven L. Zelig, Esq.
Attorney for Plaintiff(s)

Zurich0000618

STEVEN L. ZELIG, State Bar No.: 94654
LAW OFFICES OF STEVEN L. ZELIG
AND ASSOCIATES
10850 Wilshire Boulevard
Suite 530
Los Angeles, California 90024
(310) 470-1990

Attorneys for Plaintiff(s)

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF KERN

GEORGE CREQUE, JR. and those Plaintiffs listed on the attached document identified as Exhibit 1, and incorporated herein,, Plaintiff(s) vs. CACTUS GOLD MINES COMPANY, INC.; CACTUS GOLD MINES COMPANY, A JOINT VENTURE; CACTUS GOLD MINES, INC. OF KERN COUNTY; COCA MINES, INC.; COCA MINES, INC. OF DENVER; HECKLA MINING COMPANY, INC.; BROWN & ROOT, INC.; SHUMAKE OPERATIONS; MERRILL-CROWE; GOLDEN QUEEN MINING COMPANY COMPASS MINING, INC.; MBPL, A BUSINESS ENTITY, FORM UNKNOWN; SAINT MARY PARISH LAND COMPANY; MINVIN GOLD CORPORATION; CHARLES ASTON, SCOTT BENNETT, JIM BRADY, MICHEL FISHER; and DOES 1 through 2000, inclusive,, Defendants.	CASE NO.: 235323 SPC STATEMENT OF DAMAGES

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Zurich0000619

Plaintiff, MEAGHAN WARD by and through her guardian ad litem Joyce Ward, hereby submits the following Statement of Damages to the above-captioned matter:

Each of the following figures are mere estimates and the submitting party reserves the right to amend, supplement and otherwise revise this pleading to reflect further investigation, discovery and/or proof:

1. GENERAL DAMAGES: $100,000,000.00
2. SPECIAL DAMAGES: $100,000,000.00
3. PUNITIVE DAMAGES $200,000,000.00

As this case progresses, it may become apparent that the estimates provided in this statement at this time are not completely accurate, and Plaintiffs therefore reserve the right to amend, supplement, or in any way modify this Statement of Damages to more accurately reflect the amount of damages suffered by Plaintiff herein.

In addition, it must be understood that it is extremely difficult to fix the amount of general damages and/or to predict the exact amount that a jury or trier of fact may award for this category of damages.

Date: October 16, 1998

STEVEN L. ZELIG & ASSOCIATES

By:_____
Steven L. Zelig, Esq.
Attorney for Plaintiff(s)

Zurich0000620

STEVEN L. ZELIG, State Bar No.: 94654
LAW OFFICES OF STEVEN L. ZELIG
AND ASSOCIATES
10850 Wilshire Boulevard
Suite 530
Los Angeles, California 90024
(310) 470-1990

Attorneys for Plaintiff(s)

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF KERN

GEORGE CREQUE, JR. and those Plaintiffs listed on the attached document identified as Exhibit 1, and incorporated herein,, Plaintiff(s) vs. CACTUS GOLD MINES COMPANY, INC.; CACTUS GOLD MINES COMPANY, A JOINT VENTURE; CACTUS GOLD MINES, INC. OF KERN COUNTY; COCA MINES, INC.; COCA MINES, INC. OF DENVER; HECKLA MINING COMPANY, INC.; BROWN & ROOT, INC.; SHUMAKE OPERATIONS; MERRILL-CROWE; GOLDEN QUEEN MINING COMPANY COMPASS MINING, INC.; MBPL, A BUSINESS ENTITY, FORM UNKNOWN; SAINT MARY PARISH LAND COMPANY; MINVIN GOLD CORPORATION; CHARLES ASTON, SCOTT BENNETT, JIM BRADY, MICHEL FISHER; and DOES 1 through 2000, inclusive,, Defendants.	CASE NO.: 235323 SPC STATEMENT OF DAMAGES

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Zurich0000621

Plaintiff, BRETT J. HOOPER by and through his guardian ad litem James A. Hooper, hereby submits the following Statement of Damages to the above-captioned matter:

Each of the following figures are mere estimates and the submitting party reserves the right to amend, supplement and otherwise revise this pleading to reflect further investigation, discovery and/or proof:

1. GENERAL DAMAGES: $100,000,000.00
2. SPECIAL DAMAGES: $100,000,000.00
3. PUNITIVE DAMAGES $200,000,000.00

As this case progresses, it may become apparent that the estimates provided in this statement at this time are not completely accurate, and Plaintiffs therefore reserve the right to amend, supplement, or in any way modify this Statement of Damages to more accurately reflect the amount of damages suffered by Plaintiff herein.

In addition, it must be understood that it is extremely difficult to fix the amount of general damages and/or to predict the exact amount that a jury or trier of fact may award for this category of damages.

Date: October 16, 1998

STEVEN L. ZELIG & ASSOCIATES

By:_____
Steven L. Zelig, Esq.
Attorney for Plaintiff(s)

Zurich0000622

STEVEN L. ZELIG, State Bar No.: 94654
LAW OFFICES OF STEVEN L. ZELIG
AND ASSOCIATES
10850 Wilshire Boulevard
Suite 530
Los Angeles, California 90024
(310) 470-1990

Attorneys for Plaintiff(s)

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF KERN

GEORGE CREQUE, JR. and those Plaintiffs listed on the attached document identified as Exhibit 1, and incorporated herein,, Plaintiff(s) vs. CACTUS GOLD MINES COMPANY, INC.; CACTUS GOLD MINES COMPANY, A JOINT VENTURE; CACTUS GOLD MINES, INC. OF KERN COUNTY; COCA MINES, INC.; COCA MINES, INC. OF DENVER; HECKLA MINING COMPANY, INC.; BROWN & ROOT, INC.; SHUMAKE OPERATIONS; MERRILL-CROWE; GOLDEN QUEEN MINING COMPANY COMPASS MINING, INC.; MBPL, A BUSINESS ENTITY, FORM UNKNOWN; SAINT MARY PARISH LAND COMPANY; MINVIN GOLD CORPORATION; CHARLES ASTON, SCOTT BENNETT, JIM BRADY, MICHEL FISHER; and DOES 1 through 2000, inclusive,, Defendants.	CASE NO.: 235323 SPC STATEMENT OF DAMAGES

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Zurich0000623

Plaintiff, **KATHLEEN BOWEN,** hereby submits the following Statement of Damages to the above-captioned matter:

Each of the following figures are mere estimates and the submitting party reserves the right to amend, supplement and otherwise revise this pleading to reflect further investigation, discovery and/or proof:

1. GENERAL DAMAGES: $100,000,000.00
2. SPECIAL DAMAGES: $100,000,000.00
3. PUNITIVE DAMAGES $200,000,000.00

As this case progresses, it may become apparent that the estimates provided in this statement at this time are not completely accurate, and Plaintiffs therefore reserve the right to amend, supplement, or in any way modify this Statement of Damages to more accurately reflect the amount of damages suffered by Plaintiff herein.

In addition, it must be understood that it is extremely difficult to fix the amount of general damages and/or to predict the exact amount that a jury or trier of fact may award for this category of damages.

Date: October 16, 1998

STEVEN L. ZELIG & ASSOCIATES

By: _____
Steven L. Zelig, Esq.
Attorney for Plaintiff(s)

Zurich0000624

STEVEN L. ZELIG, State Bar No.: 94654
LAW OFFICES OF STEVEN L. ZELIG
AND ASSOCIATES
10850 Wilshire Boulevard
Suite 530
Los Angeles, California 90024
(310) 470-1990

Attorneys for Plaintiff(s)

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF KERN

GEORGE CREQUE, JR. and those Plaintiffs listed on the attached document identified as Exhibit 1, and incorporated herein,, Plaintiff(s) vs. CACTUS GOLD MINES COMPANY, INC.; CACTUS GOLD MINES COMPANY, A JOINT VENTURE; CACTUS GOLD MINES, INC. OF KERN COUNTY; COCA MINES, INC.; COCA MINES, INC. OF DENVER; HECKLA MINING COMPANY, INC.; BROWN & ROOT, INC.; SHUMAKE OPERATIONS; MERRILL-CROWE; GOLDEN QUEEN MINING COMPANY COMPASS MINING, INC.; MBPL, A BUSINESS ENTITY, FORM UNKNOWN; SAINT MARY PARISH LAND COMPANY; MINVIN GOLD CORPORATION; CHARLES ASTON, SCOTT BENNETT, JIM BRADY, MICHEL FISHER; and DOES 1 through 2000, inclusive,, Defendants.	CASE NO.: 235323 SPC STATEMENT OF DAMAGES

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Zurich0000625

Plaintiff, **LEE BOWEN,** hereby submits the following Statement of Damages to the above-captioned matter:

Each of the following figures are mere estimates and the submitting party reserves the right to amend, supplement and otherwise revise this pleading to reflect further investigation, discovery and/or proof:

1. GENERAL DAMAGES: $100,000,000.00
2. SPECIAL DAMAGES: $100,000,000.00
3. PUNITIVE DAMAGES $200,000,000.00

As this case progresses, it may become apparent that the estimates provided in this statement at this time are not completely accurate, and Plaintiffs therefore reserve the right to amend, supplement, or in any way modify this Statement of Damages to more accurately reflect the amount of damages suffered by Plaintiff herein.

In addition, it must be understood that it is extremely difficult to fix the amount of general damages and/or to predict the exact amount that a jury or trier of fact may award for this category of damages.

Date: October 16, 1998

STEVEN L. ZELIG & ASSOCIATES

By:_____
Steven L. Zelig, Esq.
Attorney for Plaintiff(s)

Zurich0000626

STEVEN L. ZELIG, State Bar No.: 94654
LAW OFFICES OF STEVEN L. ZELIG
AND ASSOCIATES
10850 Wilshire Boulevard
Suite 530
Los Angeles, California 90024
(310) 470-1990

Attorneys for Plaintiff(s)

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF KERN

GEORGE CREQUE, JR. and those Plaintiffs listed on the attached document identified as Exhibit 1, and incorporated herein,, Plaintiff(s) vs. CACTUS GOLD MINES COMPANY, INC.; CACTUS GOLD MINES COMPANY, A JOINT VENTURE; CACTUS GOLD MINES, INC. OF KERN COUNTY; COCA MINES, INC.; COCA MINES, INC. OF DENVER; HECKLA MINING COMPANY, INC.; BROWN & ROOT, INC.; SHUMAKE OPERATIONS; MERRILL-CROWE; GOLDEN QUEEN MINING COMPANY COMPASS MINING, INC.; MBPL, A BUSINESS ENTITY, FORM UNKNOWN; SAINT MARY PARISH LAND COMPANY; MINVIN GOLD CORPORATION; CHARLES ASTON, SCOTT BENNETT, JIM BRADY, MICHEL FISHER; and DOES 1 through 2000, inclusive,, Defendants.	CASE NO.: 235323 SPC STATEMENT OF DAMAGES

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Zurich0000627

Plaintiff, **RUSTY D. NESS**, hereby submits the following Statement of Damages to the above-captioned matter:

Each of the following figures are mere estimates and the submitting party reserves the right to amend, supplement and otherwise revise this pleading to reflect further investigation, discovery and/or proof:

1. GENERAL DAMAGES: $100,000,000.00
2. SPECIAL DAMAGES: $100,000,000.00
3. PUNITIVE DAMAGES $200,000,000.00

As this case progresses, it may become apparent that the estimates provided in this statement at this time are not completely accurate, and Plaintiffs therefore reserve the right to amend, supplement, or in any way modify this Statement of Damages to more accurately reflect the amount of damages suffered by Plaintiff herein.

In addition, it must be understood that it is extremely difficult to fix the amount of general damages and/or to predict the exact amount that a jury or trier of fact may award for this category of damages.

Date: October 16, 1998

STEVEN L. ZELIG & ASSOCIATES

By:_____
Steven L. Zelig, Esq.
Attorney for Plaintiff(s)

Zurich0000628

STEVEN L. ZELIG, State Bar No.: 94654
LAW OFFICES OF STEVEN L. ZELIG
AND ASSOCIATES
10850 Wilshire Boulevard
Suite 530
Los Angeles, California 90024
(310) 470-1990

Attorneys for Plaintiff(s)

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF KERN

GEORGE CREQUE, JR. and those Plaintiffs listed on the attached document identified as Exhibit 1, and incorporated herein,, Plaintiff(s) vs. CACTUS GOLD MINES COMPANY, INC.; CACTUS GOLD MINES COMPANY, A JOINT VENTURE; CACTUS GOLD MINES, INC. OF KERN COUNTY; COCA MINES, INC.; COCA MINES, INC. OF DENVER; HECKLA MINING COMPANY, INC.; BROWN & ROOT, INC.; SHUMAKE OPERATIONS; MERRILL-CROWE; GOLDEN QUEEN MINING COMPANY COMPASS MINING, INC.; MBPL, A BUSINESS ENTITY, FORM UNKNOWN; SAINT MARY PARISH LAND COMPANY; MINVIN GOLD CORPORATION; CHARLES ASTON, SCOTT BENNETT, JIM BRADY, MICHEL FISHER; and DOES 1 through 2000, inclusive,, Defendants.	CASE NO.: 235323 SPC STATEMENT OF DAMAGES

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Zurich0000629

Plaintiff, GEORGE A. CREQUE, ESQ., hereby submits the following Statement of Damages to the above-captioned matter:

Each of the following figures are mere estimates and the submitting party reserves the right to amend, supplement and otherwise revise this pleading to reflect further investigation, discovery and/or proof:

1. GENERAL DAMAGES: $100,000,000.00
2. SPECIAL DAMAGES: $100,000,000.00
3. PUNITIVE DAMAGES $200,000,000.00

As this case progresses, it may become apparent that the estimates provided in this statement at this time are not completely accurate, and Plaintiffs therefore reserve the right to amend, supplement, or in any way modify this Statement of Damages to more accurately reflect the amount of damages suffered by Plaintiff herein.

In addition, it must be understood that it is extremely difficult to fix the amount of general damages and/or to predict the exact amount that a jury or trier of fact may award for this category of damages.

Date: October 16, 1998

STEVEN L. ZELIG & ASSOCIATES

By:_____
Steven L. Zelig, Esq.
Attorney for Plaintiff(s)

Zurich0000630

STEVEN L. ZELIG (State Bar No.: 94654)
LAW OFFICES OF STEVEN L. ZELIG
AND ASSOCIATES
10850 Wilshire Boulevard, Suite 530
Los Angeles, California 90024
310/470-1990

Pamela A. Mozer (State Bar No.: 155893)
LAW OFFICES OF PAMELA A. MOZER
2049 Century Park East, Suite 2050
Los Angeles, California 90067
310/557-0088

Attorneys for Plaintiffs

RECEIVED
JUN 28 1999
GRESHAM, SAVAGE, NOLAN
& TILDEN LLP

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF KERN

GEORGE CREQUE, JR. and those Plaintiffs listed on the attached document identified as Exhibit 1, and incorporated herein, Plaintiffs, vs. CACTUS GOLD MINES COMPANY, INC.; CACTUS GOLD MINES COMPANY, A JOINT VENTURE; CACTUS GOLD MINES, INC. OF KERN COUNTY; COCA MINES, INC.; COCA MINES, INC. OF DENVER; HECKLA MINING COMPANY, INC.; BROWN & ROOT, INC.; SHUMAKE OPERATIONS; MERRILL-CROWE; GOLDEN QUEEN MINING COMPANY; COMPASS MINING, INC.; MBPL, A BUSINESS ENTITY, FORM UNKNOWN; SAINT MARY PARISH LAND COMPANY; MINVIN GOLD CORPORATION; CHARLES ASTON, SCOTT BENNETT, JIM BRADY, MICHAEL FISHER; and DOES 1 through 2000, inclusive, Defendants.	CASE NO. 235323 SPC SECOND AMENDED COMPLAINT FOR COMPENSATORY AND PUNITIVE DAMAGES; AND INJUNCTIVE RELIEF

Plaintiffs GEORGE CREQUE, JR and those plaintiffs listed on the attached Exhibit 1, incorporated herein, hereby allege the following:

Zurich0000631

GENERAL ALLEGATIONS

1. This suit is brought by the Plaintiffs listed in the caption and those Plaintiffs listed in Exhibit 1, incorporated by reference herein. Plaintiffs seek compensatory and punitive damages and injunctive relief arising from acts and/or omissions both in the past and which are presently ongoing and continuous, and which Plaintiffs are informed and believe will continue indefinitely into the future. Said acts and/or omissions emanate and/or arise out of and will continue to emanate and/or arise out of mining, smelting, processing of minerals and other substances and geological components, the utilization of cyanide technology, and/or related activities at or about real property, commonly and collectively referred to as "The Cactus Gold Mines Project Area." Those plaintiffs listed in the caption and in the exhibit incorporated by reference have suffered personal injuries as a result of the acts and omissions herein. This suit is also brought by plaintiffs who are the owners and/or otherwise have possessory interest in parcels of real property adjacent, contiguous to, adjoining and/or otherwise in proximity to the Cactus Gold Mines Project Area. Plaintiffs seek compensation for "injury" to these parcels of real property as a result of the acts and omissions of defendants and each of them, which caused severe environmental contamination and pollution Said contamination and pollution has specifically damaged the real properties listed in the attached Exhibit.

2. Defendants, Does 1 through 2000, inclusive, are unknown to Plaintiffs who therefore sue said Defendants by such fictitious names and will ask leave of Court to amend this Complaint to show the true names and capacities, whether corporate, individual, partnership, association or otherwise, were some way at fault and/or otherwise liable, tortiously, contractually, or otherwise for the injuries and/or damages (both to Plaintiffs' person and/or property) sustained by the individual Plaintiffs herein.

3. Plaintiffs are informed and believe and based thereon allege that each of the Defendants designated as Does 1 through 2000, inclusive, are in some way responsible for the injuries and damages sustained by Plaintiffs herein.

4. Defendants named in the caption are generally described as follows:

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A. At any and all relevant times between 1960 through the present, Defendants Cactus Gold Mines Company, Inc.; Cactus Gold Mines Company, a Joint Venture; Cactus Gold Mines, Inc. of Kern County; CoCa Mines, Inc.; CoCa Mines, Inc. of Denver; and Does 1 through 100, inclusive, (hereinafter these Defendants are collectively referred to as "Defendants Cactus"), owned, operated, managed, participated in a venture concerning, and/or otherwise controlled real property commonly known as "Cactus Gold Mines," "Cactus Mines," "Cactus/Shumake Mines" at or about the Cactus Gold mines Project Area located in Mojave, California, and/or other real property according to proof. Said real property is hereinafter sometimes referred to as "Cactus Mines" or "the subject real property." Said defendants also owned, operated, managed, and/or otherwise controlled businesses and other ventures, including mining and drilling, conducted at, about, below, and/or within the confines of said real property.

B. At any and all relevant times between 1960 through the present, Defendants Heckla Mining Company, Inc. and Does 101-125, inclusive, (hereinafter these Defendants are collectively referred to as "Defendants Heckla") owned, operated, managed, participated in a venture concerning, and/or otherwise controlled real property commonly known as "Cactus Gold Mines," "Cactus Mines," "Cactus/Shumake Mines" at or about the Cactus Goldmines Project Area located in Mojave, California, and/or other real property according to proof. Said real property is hereinafter sometimes referred to as "Cactus Mines" or "the subject real property." Said defendants also owned, operated, managed, and/or otherwise controlled businesses and other ventures, including mining and drilling, conducted at, about, below, and/or within the confines of said real property.

C. Defendants Brown & Root, Inc. and Does 126-150, inclusive, (hereinafter these Defendants are collectively referred to as "Defendants Brown") at all relevant times owed Plaintiffs a duty of care not to conduct themselves in such a manner as to cause harm to Plaintiffs and Plaintiffs' properties. At all times herein relevant Defendants Brown breached the duty of care owed to Plaintiffs in negligently and recklessly operating the machinery, equipment, and/or other devices and processes used within the Cactus Mine operation. Plaintiffs are further informed and believe that defendants Brown were at all relevant times since 1986

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through the present engaged and/or otherwise contracted to perform various activities relative to the Cactus Mine operation, including but not limited to dirt hauling, blasting, stacking, ore handling, and/or other activities according to proof.

D. At and all relevant times from 1960 through the present, Defendants Shumake Operations and Does 151-175, inclusive, (hereinafter these Defendants are collectively referred to as "Defendants Shumake") owned, operated, managed, participated in a venture concerning, and/or otherwise controlled real property commonly known as "Cactus Gold Mines," "Cactus Mines," "Cactus/Shumake Mines" at or about the Cactus Goldmines Project Area located in Mojave, California, and/or other real property according to proof. Said real property is hereinafter sometimes referred to as "Cactus Mines" or "the subject real property." Said defendants also owned, operated, managed, and/or otherwise controlled businesses and other ventures, including mining and drilling, conducted at, about, below, and/or within the confines of said real property.

E. Defendants Merrill-Crowe and Does 176-200, inclusive, (hereinafter these defendants are collectively referred to as "Defendants Merrill") manufactured, sold, retailed, distributed, designed, integrated, and/or were otherwise an integral part of the stream of commerce of various products used in the Cactus Mine venture; and/or were involved in various tortious ways and are otherwise at fault relative to the machinery, equipment, and/or other devices used within the Cactus Mine operation.

F. At any and all relevant times from 1960 through the present, Defendants Golden Queen Mining Company and Does 201 through 225, inclusive, (hereinafter these defendants are collectively referred to as "Defendants Golden Queen") owned, operated, managed, participated in a venture concerning, and/or otherwise controlled real property commonly known as "Cactus Gold Mines," "Cactus Mines," "Cactus/Shumake Mines" at or about the Cactus Goldmines Project Area located in Mojave, California, and/or other real property according to proof. Said real property is hereinafter sometimes referred to as "Cactus Mines" or "the subject real property." Said defendants also owned, operated, managed, and/or otherwise

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controlled businesses and other ventures, including mining and drilling, conducted at, about, below, and/or within the confines of said real property.

G. At any and all relevant times from 1960 through the present, Defendants Compass Mining, Inc. and Does 226 through 250, inclusive, (hereinafter these defendants are collectively referred to as "Defendants Compass Mining") owned, operated, managed, participated in a venture concerning, and/or otherwise controlled real property commonly known as "Cactus Gold Mines," "Cactus Mines," "Cactus/Shumake Mines" at or about the Cactus Goldmines Project Area located in Mojave, California, and/or other real property according to proof. Said real property is hereinafter sometimes referred to as "Cactus Mines" or "the subject real property." Said defendants also owned, operated, managed, and/or otherwise controlled businesses and other ventures, including mining and drilling, conducted at, about, below, and/or within the confines of said real property.

H. At any and all relevant times from 1960 through the present, Defendants MBPL, a business entity form unknown, and Does 251 through 275, inclusive (hereinafter these defendants are collectively referred to as "Defendants MBPL") owned, operated, managed, participated in a venture concerning, and/or otherwise controlled real property commonly known as "Cactus Gold Mines," "Cactus Mines," "Cactus/Shumake Mines" at or about the Cactus Goldmines Project Area located in Mojave, California, and/or other real property according to proof. Said real property is hereinafter sometimes referred to as "Cactus Mines" or "the subject real property." Said defendants also owned, operated, managed, and/or otherwise controlled businesses and other ventures, including mining and drilling, conducted at, about, below, and/or within the confines of said real property.

I. At any and all relevant times from 1960 through the present, Defendants Saint Mary Parish Land Company and Does 276 through 300, inclusive (hereinafter these defendants are collectively referred to as "Defendants Saint Mary Parish") owned, operated, managed, participated in a venture concerning, and/or otherwise controlled real property commonly known as "Cactus Gold Mines," "Cactus Mines," "Cactus/Shumake Mines" at or about the Cactus Goldmines Project Area located in Mojave, California, and/or other real property

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according to proof. Said real property is hereinafter sometimes referred to as "Cactus Mines" or "the subject real property." Said defendants also owned, operated, managed, and/or otherwise controlled businesses and other ventures, including mining and drilling, conducted at, about, below, and/or within the confines of said real property.

J. At any and all relevant times from 1960 through the present, Defendants Minvin Gold Corporation and Does 325 through 350, inclusive, (hereinafter these defendants are collectively referred to as "Defendants Minvin") owned, operated, managed, participated in a venture concerning and/or otherwise controlled real property commonly known as "Cactus Gold Mines," "Cactus Mines," "Cactus/Shumake Mines" at or about the Cactus Goldmines Project Area located in Mojave, California, and/or other real property according to proof. Said real property is hereinafter sometimes referred to as "Cactus Mines" or "the subject real property." Said defendants also owned, operated, managed, and/or otherwise controlled businesses and other ventures, including mining and drilling, conducted at, about, below, and/or within the confines of said real property.

K. At any and all relevant times, DOES 351-400, inclusive, acted in the capacity of engineers relative to the operation of Cactus Mines.

L. At any and all relevant times, DOES 401-450, inclusive, acted in the capacity of contractors relative to the operation of Cactus Mines.

M. At any and all relevant times, DOES 451-500, inclusive, supplied and/or otherwise were an integral part of the stream of commerce of products, machinery, and/or other items used relative to the operation of Cactus Mines.

N. At any and all relevant times, DOES 501-550, inclusive, were safety consultants for and relative to the operation of Cactus Mines.

O. At any and all relevant times, DOES 551-600, inclusive, were owners, possessors, occupiers, and/or otherwise were in control of Cactus Mines.

P. Defendants Charles Aston, Scott Bennett, Jim Brady, Michael Fisher, and various other individuals and/or entities designated herein as DOES. 601-750, inclusive,

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managed, supervised, oversaw, developed policies and practices, were responsible for, and/or were an integral part of the operation of Cactus Mines.

Q. Defendants DOES 751-2000, inclusive, were individuals and/or entities who were somehow responsible for, tortiously or otherwise, the injuries and damages to plaintiffs herein and their respective properties (real and/or personal).

5. Plaintiffs are informed and believe and based thereon allege that at all times mentioned herein, Defendants, and each of them, were the agents, principals, partners, associates, joint venturers, employees and/or co-conspirators of each of the remaining co-defendants; that the Defendants, and each of them, were at all times acting within the course, purpose and scope of said agency, partnership, association, joint venture employment and/or conspiracy and that Defendants and each of them were acting with the authorization, permission and/or consent of the remaining co-Defendants.

6. At any and all relevant times herein and beginning in 1960 and continuing through the present, the defendants herein participated in various ways in the operation of the Cactus/Shumake mining operation. The mining operation in question caused the dissemination of harmful substances into the environment. Plaintiffs are informed and believe that defendants against whom this suit is asserted knew at least as early as 1989 that the activities arising at or about the subject real property were creating a significant negative environmental impact from a health and safety perspective; and that same was causing an/or contributing to substantial damage to real property which adjoined, was adjacent to, or otherwise in proximity to the Cactus/Shumake Mines. Unfortunately, the acts and omissions giving rise to this suit are ongoing as of this filing, and plaintiffs are informed and believe that said acts and omissions will continue continuously and/or indefinitely into the future. Hence, not only are compensatory and punitive damages sought herein, but request is also made for abatement and injunctive relief.

7. Defendants and each of them acted tortiously in many ways, proximately resulting in damage and injury to plaintiffs personally and their offspring, and to plaintiffs' property (real and personal). Defendants engaged in the following acts and/or omissions which are listed by way of example and not by limitation:

A. Defendants and each of them owned, operated, managed, and/or otherwise engaged in acts and/or omissions relative to the Cactus/Shumake Mine operation, which activities include and continue to include goldmining, refining, smelting, and other related activities according to proof. These activities resulted in and continue to cause the introduction, dissemination and/or placement into the general environment of numerous toxic substances, compounds, contaminants and/or pollutants, including mercury, cyanide and other chemicals. Plaintiffs are informed and believe that these toxic substances were disseminated and/or otherwise related into the environment as part and parcel and/or a byproduct and secondary to the operations and activities occurring at and about the Cactus/Shumake Mines referenced above. Plaintiffs are informed and believe that the introduction into the environment of the harmful chemicals occurred in several different ways, including, but not limited to the allowance of the introduction of contaminants into the generalized environment by specific miners operators and managers themselves; and by the improper management and/or improper disposal of byproducts, including mercury cyanide into the environment.

B. More specifically, but without limitation, beginning in the late 1980s and continuing thereafter and through the present, the individuals participating and/or otherwise conducting the Cactus Mine Operation. These operations included "blasting" and "overblasting" of ore within a quarry, crushing of the ore to a specific size, placement of the crushed ore in extremely lengthy and high leach piles, peculation of various solutions including a sodium cyanide "baron" solution through the ore and the processing of the resulting "pregnant" solution to recover the gold and the silver. The process of recovering the gold from the pregnant solution involved the routing of the solution through a clarifier to remove solid silica, through a vacuum tower to remove the dissolved oxygen, the addition of zinc to the solution to precipitate the gold and the filtering of the precipitant by leaf type filter. This filtered cake is then scraped off the leaf filter and then put into a mercury retort furnace where the mercury off gases at 900 degrees. The mercury vapors are then ducted to a water tube where they recondensed and dropped to the bottom. The mercury is then drained out of the water bath and put into special, but hazardous flasks for off site shipment. The non-condensible vapors, however, continue through the water

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bath condenser to a carbon absorption drum and then out into the atmosphere. The solution used to extract the gold specs from the leach pit is sodium cyanide, which substance does not naturally occur at the mine. Further, the sodium cyanide is "sprinkled" on the leach pits with large rain birds. One of the important end results is that these operating procedures produced and continue to producer hazardous levels of mercury vapor and mercury cyanide.

The undesirable substances which are introduced into the environment cause substantial environmental problems, physiological damage to both persons and animals within the affected area and substantial damage to real property as well. The undesirable substances make there way into water that is actually ingested by persons and animals living in the affected area and/or thir system's as well. The undesirable compounds accumulate within the human body as a result of inhalation, digestion, and other methods of absorption. The mercury compound in question breaks down in the stomach into mercury chloride and cyanide. The compounds are absorbed through the digestion track and the cyanide attacks and/or otherwise affects red blood cells. Mercury is stored in fat and nerve cells and cyanide is excreted through bodily functions over time. Both of said byproducts are toxic. Among other things, a number of undesirable signs and symptoms related thereto have been reported at a rate of incidence of profound statistical significance, including, but not limited to, neurological and respiratory signs and symptoms.

C. Plaintiffs are informed and believe that defendants and each of them were fully aware of the fact that there are severe hazards due to mercury introduction or contamination as a secondary result of mining and related activities; and, the defendants and each of them knew at all relevant times that plaintiffs would not be aware of the cause of their injury and damages due to the fact that there are no "warning properties" relative to exposure to mercury. Defendants and each of them specifically kept secret and/or concealed this state of affairs from plaintiffs and numerous others in furtherance of pecuniary and financial gain, but at the same time, plaintiffs are informed and believe defendants knew that the concealment thereof had a high probability of resulting in severe, significant, and enduring personal injuries and damages. In fact, Plaintiffs are informed and believe and based thereon allege that the activities in question and concealment thereof was done knowingfully and intentionally by defendants and

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defendants further knew that they were in specific violation of regulations and directives of various agencies including the United States Department of Labor, Mine Safety and Health Administration, the Health Hazards Assessment Division, Department of Health Services, Health and Welfare agencies of the State of California.

D. The management of the property was grossly negligent because the release and dissemination of contaminants, pollutants, chemicals and other substances could have been easily avoided, but as alluded to above, plaintiffs are informed and believe that defendants and each of them opted not to take appropriate prophylactic measures.

E. Plaintiffs are further informed and believe that defendants and each of them utilized improper equipment, machinery and other devices so as to effectuate and maintain a proper level of safety and overall control of the release and dissemination of contaminants, pollutants, chemicals, toxins, and/or other substances, including mercury.

F. At all relevant times herein Defendants had knowledge or should have had knowledge of the substantial deleterious effects and dangerous features of the substances which were byproducts and/or secondary to the mining operation referenced herein. Further, defendants were aware that said mine was located in an area adjacent to homes and businesses, including plaintiffs' properties. Plaintiffs are informed and believe and based thereon allege that said conduct of defendants, alleged herein, was reckless and in disregard for the rights of plaintiffs in that defendants, with knowledge of the circumstances alleged herein, allowed failed to eliminate the introduction into the environment of harmful and toxic substances. The mining operations that were in effect at the Cactus Mine should have put a reasonably alert persons on notice that there was a high level of properability that toxic chemicals would be introduced into the local environment and would damage persons and property and impair and/or interfere with the reasonable use and enjoyment of property. In effect the Cactus Mine operation constituted a nuisance.

G. To the extent that various defendants and each of them were responsible for controlling and/or eliminating environmental pollutants such as mercury, defendants were negligent.

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H. To the extent that various defendants designed and/or engineered the mining operation or procedures to be utilized, said defendants acted negligently.

I. Plaintiffs are informed and believe that defendants were negligent in numerous other ways relative to the management, supervision, ownership, and/or control of the subject property.

8. As referenced above, the environmental pollution that was occurring was done without the knowledge of plaintiffs and was specifically covered up and/or concealed by defendants. At all relevant times herein, Plaintiffs herein exercised reasonable care, and were reasonable in their evaluation and assessment of applicable circumstances. Plaintiffs, however, did not become aware of the cause and/or nexus between the activities at the subject property and their injuries within a year of filing of this action.

9. As referenced above, defendants' use, management, ownership, and/or control of the Cactus/Shumake Mines has resulted in severe environmental contamination and pollution constituting a public and private nuisance, the abatement of which is hereby sought.

10. As a proximate and/or legal result of the acts and/or omissions of defendants and each of them, plaintiffs suffered various forms of injury and damage, including, but not limited to the following:

A. Each individually named plaintiff suffered personal injury, necessitating past, present and/or future medical and health care.

B. Each individually named plaintiff has suffered past and/or future loss of earnings and/or impairment of earning capacity.

C. Each individually named plaintiff suffered and/or sustained pain and suffering and/or other general damage as a result of personal injury inflicted upon said plaintiff in a nature, scope, extent or degree according to proof.

D. Each individually named plaintiff suffered various other forms of injury and damage as a proximate result of and/or secondary to his or her personal injury.

E. With regard to each property listed in Exhibit 1, said properties were damaged as a result of environmental contamination, pollution and/or exposure to toxic

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substances. Substantial "clean up" and/or other remedial measures have and/or will be necessary. Further, the market value of all of these properties, and for that matter the area as a whole, has been substantially impaired and diminished. To the extent that plaintiffs are presently able to estimate, loss and damage to those properties listed in Exhibit 1, said properties collectively have been damaged in the amount of 100 million dollars, or other amount according to proof.

F. As a proximate result of defendants' interference with plaintiffs' rightful use and enjoyment of their property, said interference causing a public nuisance, defendants herein are liable to plaintiffs for the injuries and damages suffered by them. Plaintiffs' damage is continuing.

G. Other damages according to proof.

11. Plaintiffs have suffered injury and damage in the form of emotional distress, worry and concern caused by the acts and/or omissions of defendants. The various adult plaintiffs herein who are the parents and/or guardians of minor plaintiffs are very worried and concerned about the condition, manifested or otherwise, of said minor plaintiffs caused by the irresponsible acts and omissions of defendants.

12. Plaintiffs reserve the right to make claim damages for injury to their offspring, where applicable. Further, plaintiffs certainly make claim for emotional distress, worry and concern caused by the mere possibility that their offspring, where applicable, have been damaged.

13. Plaintiffs are entitled to exemplary and/or punitive damages as a result of the acts and/or omissions of defendants against whom this complaint is asserted. The specific facts supporting this request are set forth above, but suffice it to say that in a nutshell, defendants placed their own pecuniary interests on a much higher priority ladder than the health and safety of plaintiffs and other members of the general public. Defendants' refusal to abate the problems in question and their decision to conceal same from interested persons, including plaintiffs and other members of the general public constituted acts and omissions clearly done maliciously and/or with a conscious disregard for both the rights and/or the safety of plaintiffs.

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FIRST CAUSE OF ACTION - NEGLIGENCE

(By Plaintiffs against Defendants and each of them.)

14. Plaintiffs hereby incorporate paragraphs 1 through 13, inclusive herein.

15. As alleged above, the Defendants against whom this cause of action were asserted were negligent, and breached the duty of care owed to Plaintiffs, in their activities and omissions relative to the mine operation, as alleged above. Said negligence occurred beginning in the late 1980s and has continued through the present.

16. As a legal result of said negligence, Plaintiffs have been damaged and/or have suffered loss as alleged above.

SECOND CAUSE OF ACTION - TRESPASS

(By Plaintiffs against Defendants and each of them.)

17. Plaintiffs hereby incorporate paragraphs 1 through 13, inclusive, and 15 of this Complaint herein.

18. At all relevant times herein, the individual plaintiffs herein were the owners of parcels of land, vegetation, buildings and personal property as described herein, which land, structures and personal property were damaged by the environmental contamination described above which began in or about late 1989 and which is continuing. More specifically, said contamination damaged, destroyed and/or otherwise interfered with the free and proper use and enjoyment of Plaintiffs' property (both personal and real), and the other damages referred to in those paragraphs incorporated by reference herein. As a result thereof, defendants, against whom this Cause of Action is asserted, wrongfully trespassed and/or allowed trespass as a result of the ongoing escape of pollutants into the environment and onto the land, property and vegetation belonging to plaintiffs by interfering with plaintiffs' possession and/or right to possession. Said interference as a direct result of the conduct of defendants as described in the paragraphs incorporated into this cause of action and through the conduct o defendants, the environmental contaminants were allowed to very adversely affect Plaintiffs, their property and use thereof.

19. Furthermore, said trespass was the direct result of an ultrahazardous activity, i.e., the improper use, disposal, management and other activities relative to the mine by which

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toxic and unhealthful levels of various contaminants, including, but not limited to mercury cyanide were placed into the applicable environment.

20. As a proximate result of the trespass of defendants, and each of them, plaintiffs' suffered damages as described in paragraphs incorporated herein by reference.

THIRD CAUSE OF ACTION - NUISANCE

(By Plaintiffs against Defendants and each of them.)

21. Plaintiffs hereby incorporate paragraphs 1 through 13, 15, 19 inclusive, of this complaint into this cause of action.

22. At all relevant times herein, plaintiffs hereby allege that the dangerous condition, activities occurring within and the ultimate use of the White Ranch as described herein constituted a nuisance, pursuant to the provisions of Sections 3479 and 3480 of the Civil Code, which state in pertinent part as follows:

> "§ 3479. **Acts Constituting Nuisance.** Anything which is injurious to health, or is indecent or offensive to the senses, or an obstruction to the free use of property, so as to interfere with the comfortable enjoyment of life or property, or unlawfully obstructs the free passage or use, in the customary manner, of any navigable lake....., is a nuisance."
>
> "§ 3480. **Public Nuisance.** A public nuisance is one which affects at the same time an entire community or neighborhood, or any considerable number of persons, although the extent of the annoyance or damage inflicted upon individuals may be unequal."

23. Plaintiffs hereby allege that the condition and uses of the Cactus Mine constituted a nuisance for various reasons, including, but not limited to:

(a) The use of the mine was at all relevant times caused and had a significant potential to injure persons and/or property and was indecent and offensive to the senses. Among other things, Plaintiffs were forced to be exposed to toxic substances and the undesirable effects associated with same.

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(b) The use of the property constituted an obstruction to the free use of property. More specifically, the Mine polluted and contaminated the area as more fully set forth above.

(c) The activities within the mine created the menace of substantial environmental pollution.

24. Hence, Plaintiffs hereby allege that said nuisance created an obstruction to plaintiffs' free use of their property, "so as to interfere with the comfortable enjoyment of life or property." Plaintiffs are informed and believe that defendants were necessarily fully knowledgeable of the dangerous nature of their activities, yet intentionally or alternatively with reckless indifference to the ramifications thereof choose to engage therein even after Defendants became knowledgeable of the deleterious consequences thereof.

25. As a proximate result of the nuisance caused by defendants herein, plaintiffs' suffered, and will continue to suffer, damages as described in paragraphs 10 -13 inclusive, of this Complaint.

FOURTH CAUSE OF ACTION - ULTRAHAZARDOUS ACTIVITY

(By Plaintiffs against Defendants and each of them.)

26. Plaintiffs hereby incorporate by reference paragraphs 1 through 13, 15, 19, 22, 23 and 24 of this complaint herein.

27. The activities described herein, due to their substantial potential for injury and damage to persons and property, were ultrahazardous. Defendants are accordingly strictly liable for injuries and damages caused thereby.

28. As a proximate result thereof Plaintiffs suffered injuries and damages as more fully set forth above.

WHEREFORE, Plaintiffs pray for judgment as follows:

(1) For compensatory, general, special, consequential, and incidental damages, in an amount according to proof;

(2) For costs of suit, including reasonable attorney's fee, where appropriate;

(3) For fines or fees associated with statutory violations;

(4) For pre-judgement and/or post-judgement interest at the legal rate;

(5) For abatement and injunctive relief;

(6) For exemplary/punitive damages pursuant to Civil Code §3294; and,

(7) For such other further relief that the court deems just and proper.

Date: June 1 7, 1999

STEVEN L. ZELIG & ASSOCIATES

By:_____
Steven L. Zelig
Attorney for Plaintiffs

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PROOF OF SERVICE
(1013a, 2015.5 C.C.P.)

STATE OF CALIFORNIA)
) ss.
COUNTY OF LOS ANGELES)

I am employed in the County of Los Angeles, State of California in the office of a member of the bar of this Court at whose direction the service was made.

I am over the age of 18, and not party to the within action. My business address is 10850 Wilshire Boulevard, Suite 530, California 90024.

On June 23, 1999, I served the following document(s) described as: **SECOND AMENDED COMPLAINT FOR COMPENSATORY DAMAGES AND PUNITIVE DAMAGES; AND INJUNCTIVE RELIEF** on the interested parties in this action by placing a true copy thereof in a sealed envelope addressed as follows:

Duke D. Rouse, Esq.
GRESHAM, SAVAGE, NOLAN & TILDEN
600 N. Arrowhead, Suite 300
San Bernardino, CA 92401-1148
Attorneys for Defendants CACTUS GOLD MINES COMPANY, A JOINT VENTURE; COCA MINES, INC.; HECLA MINING COMPANY, INC.; COMPASS MINING, INC.; MBPL, A COLORADO LIMITED PARTNERSHIP; CHARLES ASTON; SCOTT BENNETT and JIM BRADY

Timothy Jones, Esq.
Kimberly A. Gaab, Esq.
SAGASER, FRANSON, JAMISON & JONES
2445 Capitol Street, 2nd Floor
Fresno, CA 93717-1632
Attorneys for Defendant BROWN & ROOT, INC.

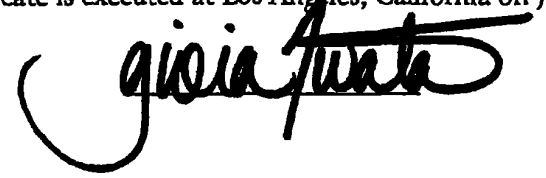
[XX] (BY MAIL)
On said date, I placed such envelope with postage thereon fully prepaid in the United States mail at Los Angeles, California 90024.

[XX] I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. It is deposited with the U.S. postal service on that same day in the ordinary course of business. I am aware that on motion of party served, service is presumed invalid if postal cancellation date or postage meter date is more than 1 day after date of deposit for mailing in affidavit.

[ ] (BY FACSIMILE)
On said date, I transmitted via facsimile a true and correct copy of the above named document to the above named representative of the above named law firm at the above listed facsimile number before 5:00 p.m.

[ ] (BY PERSONAL SERVICE)
I delivered such envelope by hand to the offices of the addressee.

I declare under penalty of perjury that the above is true and correct and that this declaration/certificate is executed at Los Angeles, California on June 23, 1999.

GIOIA IWATA 

Robert Edwards
Tel. (410) 338-1573
Fax (410) 554-5042

ZURICH

July 16, 1999

Mr. Mark Wielga
Dorsey & Whitney LLP
Republic Plaza Building, Suite 4400
370 Seventeenth Street
Denver, CO 80202-5644

RE: Policyholder: CoCa Mines Company , Inc.
Matter: George Creque, Jr. v. Cactus Gold Mines Company, Inc., et al.

Zurich U.S.
Legal Services

3910 Keswick Road
Baltimore, Maryland
21211

Telephone (410) 366-1000
www.zurichus.com

Dear Mr. Wielga:

Thank you for your correspondence dated July 1, 1999 regarding the above referenced matter. I recently spoke with Michael White of Hecla and he indicated that he would forward a complete copy of the above referenced complaint. As of this date, we have only received the first thirteen pages. Your anticipated cooperation and forwarding this document to the undersigned is greatly appreciated.

Thank you for your cooperation on this matter.

Very truly yours,

Robert Edwards
(410) 338-1573

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E-4) NO FACSIMILE CONNECTION

The Maryland
Insurance Group

Memorandum

30850 Please rush

Date: 6/18/99

To: Fran Dillon, Mgr., Records Administration, Yellow Brick Road

From: Robert O. Edwards, Claim Administrator Envir. Claim, Rm.308

Subject: Request for documentation of policies allegedly issued to: CoCa Mines

1. Purpose. The purpose of this memorandum is to request a search of Maryland Casualty Company files for any record of insurance coverage having been issued in favor of the captioned concern.

2. Background Information. The captioned entity has become involved in environmental claims and/or suit, and has tendered the matter to Maryland Casualty Company for handling. Insufficient documentation of responsive insurance coverage has been provided and a thorough search of Maryland Casualty Company records is required.

Robert Edwards
Tel. (410) 338-1573
Fax (410) 554-5042

ZURICH

June 21, 1999

Michael B. White
Hecla Mining Company
6500 Mineral Drive
Coeur d'Alene ID 83815-8788

RE: Matter: George Creque, Jr. v. Cactus Gold Mines Company , Inc., et al.

Zurich U.S.
Legal Services

3910 Keswick Road
Baltimore, Maryland
21211

Telephone (410) 366-1000
www.zurichus.com

Dear Mr. White:

This letter will serve to acknowledge receipt of your June 11, 1999 correspondence regarding the above referenced matter. We are in the process of searching our records to locate documents which evidence the issuance of the following policies: SMP 31501167, UB 11822059 and UB 21826561. In order to help expedite our review of this matter, we would appreciate your help and cooperation in terms of providing copies of any policy documentation that you may have. In addition, we would appreciate receiving an insurance profile for CoCa Mines. It is my understanding that you have retained the law firm of Gresham, Savage, Nolan & Tildon located in San Bernardino to represent your interests. We appreciate your cooperation as we search for policy documentation.

Our acknowledgement of this matter should not be deemed or construed as a waiver of any of the rights or defenses available now or at any time in the future. Zurich U.S. reserves all of its rights and defenses in connection with this matter. Thank you for your attention to this matter.

Very truly yours,

Robert Edwards
(410) 338-1573

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* * * COMMUNICATION RESULT REPORT (JUN. 18. 1999 4:28PM) * * *

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E-3) NO ANSWER
E-4) NO FACSIMILE CONNECTION

The Maryland
Insurance Group

Memorandum

30850 Please rush

To: Fran Dillon, Mgr., Records Administration, Yellow Brick Road

Date: 6/18/99

From: Robert O. Edwards, Claim Administrator Envir. Claim, Rm.308

Subject: Request for documentation of policies allegedly issued to: CoCa Mines

1. Purpose. The purpose of this memorandum is to request a search of Maryland Casualty Company files for any record of insurance coverage having been issued in favor of the captioned concern.

2. Background Information. The captioned entity has become involved in environmental claims and/or suit, and has tendered the matter to Maryland Casualty Company for handling. Insufficient documentation of responsive insurance coverage has been provided and a thorough search of Maryland Casualty Company records is required.

The Maryland
Insurance Group

Memorandum

30850 Please rush

Date: 6/18/99

To: Fran Dillon, Mgr., Records Administration, Yellow Brick Road

From: Robert O. Edwards, Claim Administrator Envir. Claim, Rm.308

Subject: Request for documentation of policies allegedly issued to: CoCa Mines

1. Purpose. The purpose of this memorandum is to request a search of Maryland Casualty Company files for any record of insurance coverage having been issued in favor of the captioned concern.

2. Background Information. The captioned entity has become involved in environmental claims and/or suit, and has tendered the matter to Maryland Casualty Company for handling. Insufficient documentation of responsive insurance coverage has been provided and a thorough search of Maryland Casualty Company records is required.

3. Currently Available Data. The alleged insured asserts that coverage was provided under the following Maryland Casualty Company policies:

SMP 31501167
UB 11822059
UB 21826561

probably late 1970s early 1980s

4. Necessary Action. Please search available Company records for any and all documents having a bearing on coverage for this alleged insured, and provide copies of those documents to the Environmental Claim Department, to the attention of Robert O. Edwards, within two weeks of the date of this memorandum.

5. Questions Regarding this Memorandum...may be directed to D. Speer, Environmental Claim Department, Room 308, Maryland Insurance Group, Baltimore, Maryland.

c:\181.bob

42185 Rev. 10-92

Maryland Casualty Company
National Standard Insurance Company
Assurance Company of America
Maryland Insurance Company
Maryland Lloyds
Maine Bonding and Casualty Company
Northern Insurance Company of New York
Valiant Insurance Company

NEW FILE SET UP

- [x] FILE JACKET

TAB UNDER NAME CHECKED:

- [x] INSURED: CoCa Mines, Inc.
- [ ] CLAIMANT: Cactus Gold Site
- [x] SUSPENSE SHEET
- [x] ENTER IN CLAIM INDEX
- [ ] TYPE MEMO/LETTER
- [x] ENVIRONMENTAL CODE: Q
- [x] GIVE TO:

RE

6/18/99

H:\Env-Claims\FORMS\NEW FILE SET UP.doc

Hecla
MINING COMPANY

RECEIVED
JUN 16 1999
OFFICE OF GENERAL COUNSEL
ZC/ZSB Baltimore, MD

June 11, 1999

Zurich U.S.
3910 Keswick Road
Baltimore, MD 21211

Re: Insured: CoCa Mines
Policy Nos. SMP 31501167; UB 11822059; UB 21826561

Dear Claims Representative:

I am writing regarding three insurance policies (the "Policies") issued by Maryland Casualty Company to CoCa Mines, Inc. (the "Insured"), a wholly-owned subsidiary of Hecla Mining Company. The policy numbers are: 1) SMP 31501167; 2) UB 11822059; and 3)UB 21826561.

Earlier this year, we were served with a complaint captioned *George Creque, Jr. v. Cactus Gold Mines Company, Inc., et al.* A copy of the First Amended Complaint for Compensatory and Punitive Damages and Injunctive Relief is attached. The named defendants include "Cactus Gold Mine Company, Inc., Cactus Gold Mine Company a joint venture, Cactus Gold Mine, Inc. of Kern County, CoCa Mines, Inc., CoCa Mines Inc. of Denver, MBPL, a business entity form unknown, and Compass Mining Inc." Some or all of these companies are the named insured or additional insureds under the Policies. Insured has retained the law firm of Gresham, Savage, Nolan & Tilden in San Bernardino, California to evaluate the case and prepare an Answer pending assumption of the defense by its insurers.

The Amended Complaint alleges that the wrongful acts occurred " beginning in 1960 continuing through the present." Amended Complaint ¶ 6. Policy No. SMP 31501167 is an "occurrence" policy with the policy period running from December 24, 1980, to December 24, 1982. Policy Nos. UB 11822059 and UB 21826561 are "occurrence" umbrella policies with policy periods running from June 4, 1981, to June 4, 1982, and June 4, 1982 to December 24, 1982, respectively. The causes of action alleged against the Insured include negligence, trespass, nuisance, strict liability and ultra-hazardous activity.

Filed in the suit were numerous "Statements of Damages for the Individual Plaintiffs" alleging $100,000,000 general damages, $100,000,000 special damages and $200,000,000 in punitive damages.

6500 Mineral Drive • Coeur d'Alene, Idaho 83815-8788 • 208/769-4100 • FAX 208/769-4107 • www.hecla-mining.com

The Insured hereby gives notice of this lawsuit and demands that Zurich U.S. ack and assume its duties under the Policies, including, but not limited to, its obligations to i the Insured and provide a defense. Because the lawsuit is ongoing, a prompt response appreciated.

Very truly yours,

Michael B. White
Agent for, and on behalf of,
CoCa Mining, Inc.

MBW:tdh

cc: Mark Wielga, Esq. - Dorsey & Whitney LLP

SUMMONS
(CITACION JUDICIAL)

ON FIRST AMENDED COMPLAINT
NOTICE TO DEFENDANT: *(Aviso a Acusado)*

CACTUS GOLD MINES COMPANY, INC.; CACTUS GOLD MINES COMPANY, A JOINT VENTURE; CACTUS GOLD MINES, INC. OF KERN COUNTY; COCA MINES, INC.; COCA MINES, INC. OF DENVER; HECKLA MINING COMPANY,INC.; BROWN & ROOT, INC.; SHUMAKE OPERATIONS; MERRILL CROWE; GOLDEN QUEEN MINING COMPANY COMPASS MINING, INC.; MBPL, A BUSINESS ENTITY, FORM UNKNOWN; SAINT MARY PARISH LAND COMPANY; MINVIN GOLD CORPORATION; CHARLES ASTON, SCOTT BENNETT, JIM BRADY, MICHEL FISHER; and DOES 1 through 2000, inclusive.

YOU ARE BEING SUED BY PLAINTIFF:
(A Ud. le está demandando)

GEORGE CREQUE, JR. and those Plaintiffs listed on the attached document identified as Exhibit 1, and incorporated herein.

FOR COURT USE ONLY
(SOLO PARA USO DE LA CORTE)

RECEIVED
JAN 11 1999
SAVAGE, NOLAN & TILDEN

RECEIVED
FEB - 1 1999
By

You have *30 CALENDAR DAYS* after this summons is served on you to file a typewritten response at this court.

A letter or phone call will not protect you; your typewritten response must be in proper legal form if you want the court to hear your case.

If you do not file your response on time, you may lose the case, and your wages, money and property may be taken without further warning from the court.

There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may call an attorney referral service or a legal aid office (listed in the phone book).

Después de que le entreguen esta citación judicial usted tiene un plazo de 30 DIAS CALENDARIOS *para presentar una respuesta escrita a máquina en esta corte.*

Una carta o una llamada telefónica no le ofrecerá protección; su respuesta escrita a máquina tiene que cumplir con las formalidades legales apropiadas si usted quiere que la corte escuche su caso.

Si usted no presenta su respuesta a tiempo, puede perder el caso, y le pueden quitar su salario, su dinero y otras cosas de su propiedad sin aviso adicional por parte de la corte.

Existen otros requisitos legales. Puede que usted quiera llamar a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a un servicio de referencia de abogados o a una oficina de ayuda legal (vea el directorio telefónico).

CASE NUMBER: *(Número del Caso)*
235323 SPC

The name and address of the court is: *(El nombre y dirección de la corte es)*

SUPERIOR COURT OF CALIFORNIA KERN COUNTY
1415 TRUXTON AVE.
BAKERSFIELD, CA 93301-5216

The name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is:
(El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es)

STEVEN L. ZELIG & ASSOCIATES
10850 WILSHIRE BLVD SUITE #530
LOS ANGELES, CA 90024
(310) 470-1990

DATE: *(Fecha)* John A. Clarke, Clerk, by *(Actuario)* _____, Deputy *(Delegado)*

(SEAL)

NOTICE TO THE PERSON SERVED: You are served
1. ☐ as an individual defendant.
2. ☐ as the person sued under the fictitious name of *(specify)*:
3. ☐ on behalf of *(specify)*:

under: ☐ CCP 416.10 (corporation) ☐ CCP 416.60 (minor)
☐ CCP 416.20 (defunct corporation) ☐ CCP 416.70 (conservatee)
☐ CCP 416.40 (association or partnership) ☐ CCP 416.90 (individual)
☐ other:

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STEVEN L. ZELIG (State Bar No.: 94654)
LAW OFFICES OF STEVEN L. ZELIG
AND ASSOCIATES
10850 Wilshire Boulevard, Suite 530
Los Angeles, California 90024
310/470-1990

Pamela A. Mozer (State Bar No.: 155893)
LAW OFFICES OF PAMELA A. MOZER
2049 Century Park East, Suite 2050
Los Angeles, California 90067
310/557-0088

Attorneys for Plaintiffs

RECEIVED
FEB - 1 1999
By

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF KERN

GEORGE CREQUE, JR. and those Plaintiffs listed on the attached document identified as Exhibit 1, and incorporated herein, Plaintiffs, vs. CACTUS GOLD MINES COMPANY, INC.; CACTUS GOLD MINES COMPANY, A JOINT VENTURE; CACTUS GOLD MINES, INC. OF KERN COUNTY; COCA MINES, INC.; COCA MINES, INC. OF DENVER; HECKLA MINING COMPANY, INC.; BROWN & ROOT, INC.; SHUMAKE OPERATIONS; MERRILL-CROWE; GOLDEN QUEEN MINING COMPANY; COMPASS MINING, INC.; MBPL, A BUSINESS ENTITY, FORM UNKNOWN; SAINT MARY PARISH LAND COMPANY; MINVIN GOLD CORPORATION; CHARLES ASTON, SCOTT BENNETT, JIM BRADY, MICHAEL FISHER; and DOES 1 through 2000, inclusive, Defendants.	CASE NO. 235323 SPC FIRST AMENDED COMPLAINT FOR COMPENSATORY AND PUNITIVE DAMAGES; AND INJUNCTIVE RELIEF

Plaintiffs GEORGE CREQUE, JR and those plaintiffs listed on the attached Exhibit 1, incorporated herein, hereby allege the following:

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GENERAL ALLEGATIONS

1. This suit is brought by the Plaintiffs listed in the caption and those Plaintiffs listed in Exhibit 1, incorporated by reference herein. Plaintiffs seek compensatory and punitive damages and injunctive relief arising from acts and/or omissions both in the past and which are presently ongoing and continuous, and which Plaintiffs are informed and believe will continue indefinitely into the future. Said acts and/or omissions emanate and/or arise out of and will continue to emanate and/or arise out of mining, smelting, processing of minerals and other substances and geological components, the utilization of cyanide technology, and/or related activities at or about real property, commonly and collectively referred to as "The Cactus Gold Mines Project Area." Those plaintiffs listed in the caption and in the exhibit incorporated by reference have suffered personal injuries as a result of the acts and omissions herein. This suit is also brought by plaintiffs who are the owners and/or otherwise have possessory interest in parcels of real property adjacent, contiguous to, adjoining and/or otherwise in proximity to the Cactus Gold Mines Project Area. Plaintiffs seek compensation for "injury" to these parcels of real property as a result of the acts and omissions of defendants and each of them, which caused severe environmental contamination and pollution Said contamination and pollution has specifically damaged the real properties listed in the attached Exhibit.

2. Defendants, Does 1 through 2000, inclusive, are unknown to Plaintiffs who therefore sue said Defendants by such fictitious names and will ask leave of Court to amend this Complaint to show the true names and capacities, whether corporate, individual, partnership, association or otherwise, were some way at fault and/or otherwise liable, tortiously, contractually, or otherwise for the injuries and/or damages (both to Plaintiffs' person and/or property) sustained by the individual Plaintiffs herein.

3. Plaintiffs are informed and believe and based thereon allege that each of the Defendants designated as Does 1 through 2000, inclusive, are in some way responsible for the injuries and damages sustained by Plaintiffs herein.

4. Defendants named in the caption are generally described as follows:

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A. At any and all relevant times between 1960 through the present, Defendants Cactus Gold Mines Company, Inc.; Cactus Gold Mines Company, a Joint Venture; Cactus Gold Mines, Inc. of Kern County; CoCa Mines, Inc.; CoCa Mines, Inc. of Denver; and Does 1 through 100, inclusive, (hereinafter these Defendants are collectively referred to as "Defendants Cactus"), owned, operated, managed, participated in a venture concerning, and/or otherwise controlled real property commonly known as "Cactus Gold Mines," "Cactus Mines," "Cactus/Shumake Mines" at or about the Cactus Gold mines Project Area located in Mojave, California, and/or other real property according to proof. Said real property is hereinafter sometimes referred to as "Cactus Mines" or "the subject real property." Said defendants also owned, operated, managed, and/or otherwise controlled businesses and other ventures, including mining and drilling, conducted at, about, below, and/or within the confines of said real property.

B. At any and all relevant times between 1960 through the present, Defendants Heckla Mining Company, Inc. and Does 101-125, inclusive, (hereinafter these Defendants are collectively referred to as "Defendants Heckla") owned, operated, managed, participated in a venture concerning, and/or otherwise controlled real property commonly known as "Cactus Gold Mines," "Cactus Mines," "Cactus/Shumake Mines" at or about the Cactus Goldmines Project Area located in Mojave, California, and/or other real property according to proof. Said real property is hereinafter sometimes referred to as "Cactus Mines" or "the subject real property." Said defendants also owned, operated, managed, and/or otherwise controlled businesses and other ventures, including mining and drilling, conducted at, about, below, and/or within the confines of said real property.

C. Defendants Brown & Root, Inc. and Does 126-150, inclusive, (hereinafter these Defendants are collectively referred to as "Defendants Brown") were involved in various tortious ways and are otherwise at fault relative to the machinery, equipment, and/or other devices used within the Cactus Mine operation. Plaintiffs are further informed and believe that defendants Brown were at all relevant times since 1986 through the present engaged and/or otherwise contracted to perform various activities relative to the Cactus Mine operation,

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including but not limited to dirt hauling, blasting, stacking, ore handling, and/or other activities according to proof.

D. At and all relevant times from 1960 through the present, Defendants Shumake Operations and Does 151-175, inclusive, (hereinafter these Defendants are collectively referred to as "Defendants Shumake") owned, operated, managed, participated in a venture concerning, and/or otherwise controlled real property commonly known as "Cactus Gold Mines," "Cactus Mines," "Cactus/Shumake Mines" at or about the Cactus Goldmines Project Area located in Mojave, California, and/or other real property according to proof. Said real property is hereinafter sometimes referred to as "Cactus Mines" or "the subject real property." Said defendants also owned, operated, managed, and/or otherwise controlled businesses and other ventures, including mining and drilling, conducted at, about, below, and/or within the confines of said real property.

E. Defendants Merrill-Crowe and Does 176-200, inclusive, (hereinafter these defendants are collectively referred to as "Defendants Merrill") manufactured, sold, retailed, distributed, designed, integrated, and/or were otherwise an integral part of the stream of commerce of various products used in the Cactus Mine venture; and/or were involved in various tortious ways and are otherwise at fault relative to the machinery, equipment, and/or other devices used within the Cactus Mine operation.

F. At any and all relevant times from 1960 through the present, Defendants Golden Queen Mining Company and Does 201 through 225, inclusive, (hereinafter these defendants are collectively referred to as "Defendants Golden Queen") owned, operated, managed, participated in a venture concerning, and/or otherwise controlled real property commonly known as "Cactus Gold Mines," "Cactus Mines," "Cactus/Shumake Mines" at or about the Cactus Goldmines Project Area located in Mojave, California, and/or other real property according to proof. Said real property is hereinafter sometimes referred to as "Cactus Mines" or "the subject real property." Said defendants also owned, operated, managed, and/or otherwise controlled businesses and other ventures, including mining and drilling, conducted at, about, below, and/or within the confines of said real property.

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G. At any and all relevant times from 1960 through the present, Defendants Compass Mining, Inc. and Does 226 through 250, inclusive, (hereinafter these defendants are collectively referred to as "Defendants Compass Mining") owned, operated, managed, participated in a venture concerning, and/or otherwise controlled real property commonly known as "Cactus Gold Mines," "Cactus Mines," "Cactus/Shumake Mines" at or about the Cactus Goldmines Project Area located in Mojave, California, and/or other real property according to proof. Said real property is hereinafter sometimes referred to as "Cactus Mines" or "the subject real property." Said defendants also owned, operated, managed, and/or otherwise controlled businesses and other ventures, including mining and drilling, conducted at, about, below, and/or within the confines of said real property.

H. At any and all relevant times from 1960 through the present, Defendants MBPL, a business entity form unknown, and Does 251 through 275, inclusive (hereinafter these defendants are collectively referred to as "Defendants MBPL") owned, operated, managed, participated in a venture concerning, and/or otherwise controlled real property commonly known as "Cactus Gold Mines," "Cactus Mines," "Cactus/Shumake Mines" at or about the Cactus Goldmines Project Area located in Mojave, California, and/or other real property according to proof. Said real property is hereinafter sometimes referred to as "Cactus Mines" or "the subject real property." Said defendants also owned, operated, managed, and/or otherwise controlled businesses ~~and~~ other ventures, including mining and drilling, conducted at, about, below, and/or within the confines of said real property.

I. At any and all relevant times from 1960 through the present, Defendants Saint Mary Parish Land Company and Does 276 through 300, inclusive (hereinafter these defendants are collectively referred to as "Defendants Saint Mary Parish") owned, operated, managed, participated in a venture concerning, and/or otherwise controlled real property commonly known as "Cactus Gold Mines," "Cactus Mines," "Cactus/Shumake Mines" at or about the Cactus Goldmines Project Area located in Mojave, California, and/or other real property according to proof. Said real property is hereinafter sometimes referred to as "Cactus Mines" or "the subject real property." Said defendants also owned, operated, managed, and/or otherwise

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Q. Defendants DOES 751-2000, inclusive, were individuals and/or entities who were somehow responsible for, tortiously or otherwise, the injuries and damages to plaintiffs herein and their respective properties (real and/or personal).

5. Plaintiffs are informed and believe and based thereon allege that at all times mentioned herein, Defendants, and each of them, were the agents, principals, partners, associates, joint venturers, employees and/or co-conspirators of each of the remaining co-defendants; that the Defendants, and each of them, were at all times acting within the course, purpose and scope of said agency, partnership, association, joint venture employment and/or conspiracy and that Defendants and each of them were acting with the authorization, permission and/or consent of the remaining co-Defendants.

6. At any and all relevant times herein and beginning in 1960 and continuing through the present, the defendants herein participated in various ways in the operation of the Cactus/Shumake mining operation. The mining operation in question caused the dissemination of harmful substances into the environment. Plaintiffs are informed and believe that defendants against whom this suit is asserted knew at least as early as 1989 that the activities arising at or about the subject real property were creating a significant negative environmental impact from a health and safety perspective; and that same was causing an/or contributing to substantial damage to real property which adjoined, was adjacent to, or otherwise in proximity to the Cactus/Shumake Mines. Unfortunately, the acts and omissions giving rise to this suit are ongoing as of this filing, and plaintiffs are informed and believe that said acts and omissions will continue continuously and/or indefinitely into the future. Hence, not only are compensatory and punitive damages sought herein, but request is also made for abatement and injunctive relief.

7. Defendants and each of them acted tortiously in many ways, proximately resulting in damage and injury to plaintiffs personally and their offspring, and to plaintiffs' property (real and personal). Defendants engaged in the following acts and/or omissions which are listed by way of example and not by limitation:

A. Defendants and each of them owned, operated, managed, and/or otherwise engaged in acts and/or omissions relative to the Cactus/Shumake Mine operation,

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which activities include and continue to include goldmining, refining, smelting, and other related activities according to proof. These activities resulted in and continue to cause the introduction, dissemination and/or placement into the general environment of numerous toxic substances, compounds, contaminants and/or pollutants, including mercury, cyanide and other chemicals. Plaintiffs are informed and believe that these toxic substances were disseminated and/or otherwise related into the environment as part and parcel and/or a byproduct and secondary to the operations and activities occurring at and about the Cactus/Shumake Mines referenced above. Plaintiffs are informed and believe that the introduction into the environment of the harmful chemicals occurred in several different ways, including, but not limited to the allowance of the introduction of contaminants into the generalized environment by specific miners operators and managers themselves; and by the improper management and/or improper disposal of byproducts, including mercury cyanide into the environment.

B. More specifically, but without limitation, beginning in the late 1980s and continuing thereafter and through the present, the individuals participating and/or otherwise conducting the Cactus Mine Operation. These operations included "blasting" and "overblasting" of ore within a quarry, crushing of the ore to a specific size, placement of the crushed ore in extremely lengthy and high leach piles, peculation of various solutions including a sodium cyanide "baron" solution through the ore and the processing of the resulting "pregnant" solution to recover the gold and the silver. The process of recovering the gold from the pregnant solution involved the routing of the solution through a clarifier to remove solid silica, through a vacuum tower to remove the dissolved oxygen, the addition of zinc to the solution to precipitate the gold and the filtering of the precipitant by leaf type filter. This filtered cake is then scraped off the leaf filter and then put into a mercury retort furnace where the mercury off gases at 900 degrees. The mercury vapors are then ducted to a water tube where they recondensed and dropped to the bottom. The mercury is then drained out of the water bath and put into special, but hazardous flasks for off site shipment. The non-condensible vapors, however, continue through the water bath condenser to a carbon absorption drum and then out into the atmosphere. The solution used to extract the gold specs from the leach pit is sodium cyanide, which substance does not naturally

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occur at the mine. Further, the sodium cyanide is "sprinkled" on the leach pits with large rain birds. One of the important end results is that these operating procedures produced and continue to producer hazardous levels of mercury vapor and mercury cyanide.

The undesirable substances which are introduced into the environment cause substantial environmental problems, physiological damage to both persons and animals within the affected area and substantial damage to real property as well. The undesirable substances make there way into water that is actually ingested by persons and animals living in the affected area and/or thir system's as well. The undesirable compounds accumulate within the human body as a result of inhalation, digestion, and other methods of absorption. The mercury compound in question breaks down in the stomach into mercury chloride and cyanide. The compounds are absorbed through the digestion track and the cyanide attacks and/or otherwise affects red blood cells. Mercury is stored in fat and nerve cells and cyanide is excreted through bodily functions over time. Both of said byproducts are toxic. Among other things, a number of undesirable signs and symptoms related thereto have been reported at a rate of incidence of profound statistical significance, including, but not limited to, neurological and respiratory signs and symptoms.

C. Plaintiffs are informed and believe that defendants and each of them were fully aware of the fact that there are severe hazards due to mercury introduction or contamination as a secondary result of mining and related activities; and, the defendants and each of them knew at all relevant times that plaintiffs would not be aware of the cause of their injury and damages due to the fact that there are no "warning properties" relative to exposure to mercury. Defendants and each of them specifically kept secret and/or concealed this state of affairs from plaintiffs and numerous others in furtherance of pecuniary and financial gain, but at the same time, plaintiffs are informed and believe defendants knew that the concealment thereof had a high probability of resulting in severe, significant, and enduring personal injuries and damages. In fact, Plaintiffs are informed and believe and based thereon allege that the activities in question and concealment thereof was done knowingfully and intentionally by defendants and defendants further knew that they were in specific violation of regulations and directives of various agencies including the United States Department of Labor, Mine Safety and Health

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Administration, the Health Hazards Assessment Division, Department of Health Services, Health and Welfare agencies of the State of California.

D. The *management of the property was grossly negligent* because the release and dissemination of contaminants, pollutants, chemicals and other substances could have been easily avoided, but as alluded to above, plaintiffs are informed and believe that defendants and each of them opted not to take appropriate prophylactic measures.

E. Plaintiffs are further informed and believe that defendants and each of them utilized improper equipment, machinery and other devices so as to effectuate and maintain a proper level of safety and overall control of the release and dissemination of contaminants, pollutants, chemicals, toxins, and/or other substances, including mercury.

F. At all relevant times herein Defendants had knowledge or should have had knowledge of the substantial deleterious effects and dangerous features of the substances which were byproducts and/or secondary to the mining operation referenced herein. Further, defendants were aware that said mine was located in an area adjacent to homes and businesses, including plaintiffs' properties. Plaintiffs are informed and believe and based thereon allege that said conduct of defendants, alleged herein, was reckless and in disregard for the rights of plaintiffs in that defendants, with knowledge of the circumstances alleged herein, allowed failed to eliminate the introduction into the environment of harmful and toxic substances. The mining operations that were in effect at the Cactus Mine should have put a reasonably alert persons on notice that there was a high level of properability that toxic chemicals would be introduced into the local environment and would damage persons and property and impair and/or interfere with the reasonable use and enjoyment of property. In effect the Cactus Mine operation constituted a nuisance.

G. To the extent that various defendants and each of them were responsible for controlling and/or eliminating environmental pollutants such as mercury, defendants were negligent.

H. To the extent that various defendants designed and/or engineered the mining operation or procedures to be utilized, said defendants acted negligently.

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I. Plaintiffs are informed and believe that defendants were negligent in numerous other ways relative to the management, supervision, ownership, and/or control of the subject property.

8. As referenced above, the environmental pollution that was occurring was done without the knowledge of plaintiffs and was specifically covered up and/or concealed by defendants. At all relevant times herein, Plaintiffs herein exercised reasonable care, and were reasonable in their evaluation and assessment of applicable circumstances. Plaintiffs, however, did not become aware of the cause and/or nexus between the activities at the subject property and their injuries within a year of filing of this action.

9. As referenced above, defendants' use, management, ownership, and/or control of the Cactus/Shumake Mines has resulted in severe environmental contamination and pollution constituting a public and private nuisance, the abatement of which is hereby sought.

10. As a proximate and/or legal result of the acts and/or omissions of defendants and each of them, plaintiffs suffered various forms of injury and damage, including, but not limited to the following:

A. Each individually named plaintiff suffered personal injury, necessitating past, present and/or future medical and health care.

B. Each individually named plaintiff has suffered past and/or future loss of earnings and/or impairment of earning capacity.

C. Each individually named plaintiff suffered and/or sustained pain and suffering and/or other general damage as a result of personal injury inflicted upon said plaintiff in a nature, scope, extent or degree according to proof.

D. Each individually named plaintiff suffered various other forms of injury and damage as a proximate result of and/or secondary to his or her personal injury.

E. With regard to each property listed in Exhibit 1, said properties were damaged as a result of environmental contamination, pollution and/or exposure to toxic substances. Substantial "clean up" and/or other remedial measures have and/or will be necessary. Further, the market value of all of these properties, and for that matter the area as a whole, has

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been substantially impaired and diminished. To the extent that plaintiffs are presently able to estimate, loss and damage to those properties listed in Exhibit 1, said properties collectively have been damaged in the amount of 100 million dollars, or other amount according to proof.

F. As a proximate result of defendants' interference with plaintiffs' rightful use and enjoyment of their property, said interference causing a public nuisance, defendants herein are liable to plaintiffs for the injuries and damages suffered by them. Plaintiffs' damage is continuing.

G. Other damages according to proof.

11. Plaintiffs have suffered injury and damage in the form of emotional distress, worry and concern caused by the acts and/or omissions of defendants. The various adult plaintiffs herein who are the parents and/or guardians of minor plaintiffs are very worried and concerned about the condition, manifested or otherwise, of said minor plaintiffs caused by the irresponsible acts and omissions of defendants.

12. Plaintiffs reserve the right to make claim damages for injury to their offspring, where applicable. Further, plaintiffs certainly make claim for emotional distress, worry and concern caused by the mere possibility that their offspring, where applicable, have been damaged.

13. Plaintiffs are entitled to exemplary and/or punitive damages as a result of the acts and/or omissions of defendants against whom this complaint is asserted. The specific facts supporting this request are set forth above, but suffice it to say that in a nutshell, defendants placed their own pecuniary interests on a much higher priority ladder than the health and safety of plaintiffs and other members of the general public. Defendants' refusal to abate the problems in question and their decision to conceal same from interested persons, including plaintiffs and other members of the general public constituted acts and omissions clearly done maliciously and/or with a conscious disregard for both the rights and/or the safety of plaintiffs.

FIRST CAUSE OF ACTION - NEGLIGENCE

(By Plaintiffs against Defendants and each of them.)

14. Plaintiffs hereby incorporate paragraphs 1 through 13, inclusive herein.

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15. The Defendants against whom this cause of action were asserted were negligent in their activities and omissions relative to the mine operation described above. Said negligence occurred beginning in the late 1980s and has continued through the present.

16. As a legal result of said negligence, Plaintiffs have been damaged and/or have suffered loss as described above.

SECOND CAUSE OF ACTION - TRESPASS

(By Plaintiffs against Defendants and each of them.)

17. Plaintiffs hereby incorporate paragraphs 1 through 13, inclusive, and 15 of this Complaint herein.

18. At all relevant times herein, the individual plaintiffs herein were the owners of parcels of land, vegetation, buildings and personal property as described herein, which land, structures and personal property were damaged by the environmental contamination described above which began in or about late 1989 and which is continuing. More specifically, said contamination damaged, destroyed and/or otherwise interfered with the free and proper use and enjoyment of Plaintiffs' property (both personal and real), and the other damages referred to in those paragraphs incorporated by reference herein. As a result thereof, defendants, against whom this Cause of Action is asserted, wrongfully trespassed and/or allowed trespass as a result of the ongoing escape of pollutants into the environment and onto the land, property and vegetation belonging to plaintiffs by interfering with plaintiffs' possession and/or right to possession. Said interference as a direct result of the conduct of defendants as described in the paragraphs incorporated into this cause of action and through the conduct o defendants, the environmental contaminants were allowed to very adversely affect Plaintiffs, their property and use thereof.

19. Furthermore, said trespass was the direct result of an ultrahazardous activity, i.e., the improper use, disposal, management and other activities relative to the mine by which toxic and unhealthful levels of various contaminants, including, but not limited to mercury cyanide were placed into the applicable environment.

20. As a proximate result of the trespass of defendants, and each of them, plaintiffs' suffered damages as described in paragraphs incorporated herein by reference.

Zurich0000669

NAME, ADDRESS AND TELEPHONE NUMBER OF ATTORNEY(S)
STEVEN E. ZELIG & ASSOCIATES
10850 WILSHIRE BLVD. SUITE 530
LOS ANGELES, CA 90024
(310) 470-1990

ORIGINAL COPY

FILE STAMP ENDORSED

FILED
KERN COUNTY
OCT - 9 1998
TERRY McNALLY, CLERK
BY _____ DEPUTY

Attorney(s) For PLAINTIFFS

SUPERIOR COURT OF CALIFORNIA, KERN COUNTY

TITLE OF ACTION
GEORGE CREQUE, JR., etc., et al.,

vs.

CACTUS GOLD MINES COMPANY, INC., etc., et al

CASE NUMBER
235323

PETITION FOR APPOINTMENT OF GUARDIAN AD LITEM, AND ORDER

I. PETITION BY MINOR (if minor is 14 years or older).

I declare under penalty of perjury under the laws of the State of California that the following is true:

A. I am the ☐ plaintiff ☐ defendant in the above-entitled action.

B. I am a minor of the age of _____ years, having been born on _____ (BIRTHDATE).

C. Appointment of a guardian ad litem is necessary because I have no general guardian.

D. _____ (NAME OF PROPOSED GUARDIAN) is my _____ (PARENT/RELATIVE/FRIEND).

E. Therefore, I request that _____ (NAME OF PROPOSED GUARDIAN) be appointed guardian ad litem for me in this action.

F. This declaration is executed this date: _____, 19_____.

_____
(SIGNATURE OF MINOR PETITIONER)

CONSENT OF PROPOSED GUARDIAN, for minor 14 or older.

I declare under penalty of perjury under the laws of the State of California that the following is true:

A. I consent to the appointment of myself as guardian ad litem for _____ (NAME OF MINOR) in this action.

B. I have no interest adverse to the interest of the minor.

C. This declaration is executed this date: _____, 19_____.

_____
(SIGNATURE OF PROPOSED GUARDIAN)

—(OVER)—

Zurich0000670

NAME, ADDRESS AND TELEPHONE NUMBER OF ATTORNEY(S)
STEVEN E. ZELIG & ASSOCIATES
10850 WILSHIRE BLVD. SUITE 530
LOS ANGELES, CA 90024
(310) 470-1990

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FILED
KERN COUNTY
OCT - 9 1998
TERRY McNALLY, CLERK
BY _____ DEPUTY

Attorney(s) For PLAINTIFFS

SUPERIOR COURT OF CALIFORNIA, KERN COUNTY

(TITLE OF ACTION)
GEORGE CREQUE, JR., etc., et al.,

vs.

CACTUS GOLD MINES COMPANY, INC., etc., et al.

CASE NUMBER
235323 SPC

PETITION FOR APPOINTMENT OF GUARDIAN AD LITEM, AND ORDER

I. PETITION BY MINOR (if minor is 14 years or older).

I declare under penalty of perjury under the laws of the State of California that the following is true:

A. I am the ☐ plaintiff ☐ defendant in the above-entitled action.

B. I am a minor of the age of _____ years, having been born on _____ (BIRTHDATE).

C. Appointment of a guardian ad litem is necessary because I have no general guardian.

D. _____ (NAME OF PROPOSED GUARDIAN) is my _____ (PARENT/RELATIVE/FRIEND).

E. Therefore, I request that _____ (NAME OF PROPOSED GUARDIAN) be appointed guardian ad litem for me in this action.

F. This declaration is executed this date: _____, 19_____.

_____
(SIGNATURE OF MINOR PETITIONER)

CONSENT OF PROPOSED GUARDIAN, for minor 14 or older.

I declare under penalty of perjury under the laws of the State of California that the following is true:

A. I consent to the appointment of myself as guardian ad litem for _____ (NAME OF MINOR) in this action.

B. I have no interest adverse to the interest of the minor.

C. This declaration is executed this date: _____, 19_____.

_____
(SIGNATURE OF PROPOSED GUARDIAN)

—(OVER)—

NAME, ADDRESS AND TELEPHONE NUMBER OF ATTORNEY(S)
STEVEN L. ZELIG & ASSOCIATES
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LOS ANGELES, CA 90024
(310) 470-1990

Attorney(s) For PLAINTIFFS

ORIGINAL COPY

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OCT - 9 1998
TERRY McNALLY, CLERK
BY_____DEPUTY

SUPERIOR COURT OF CALIFORNIA, KERN COUNTY

(TITLE OF ACTION)
GEORGE CREQUE, JR., etc., et al.,

vs.

CACTUS GOLD MINES COMPANY, INC., etc., et al.

CASE NUMBER
235323 SPC

PETITION FOR APPOINTMENT OF GUARDIAN AD LITEM, AND ORDER

I. PETITION BY MINOR (if minor is 14 years or older).

I declare under penalty of perjury under the laws of the State of California that the following is true:

A. I am the ☒ plaintiff ☐ defendant in the above-entitled action.

B. I am a minor ~~of~~ the age of 16 years, having been born on 7-30-82 (BIRTHDATE).

C. Appointment of a guardian ad litem is necessary because I have no general guardian.

D. Joyce Ward (NAME OF PROPOSED GUARDIAN) is my mother (PARENT/RELATIVE/FRIEND).

E. Therefore, I request that Joyce Ward (NAME OF PROPOSED GUARDIAN) be appointed guardian ad litem for me in this action.

F. This declaration is executed this date: 8-2-98, 19____.

Jeremiah Ward
(SIGNATURE OF MINOR PETITIONER)

CONSENT OF PROPOSED GUARDIAN, for minor 14 or older.

I declare under penalty of perjury under the laws of the State of California that the following is true:

A. I consent to the appointment of myself as guardian ad litem for Jeremiah Ward (NAME OF MINOR) in this action.

B. I have no interest adverse to the interest of the minor.

C. This declaration is executed this date: 8-2, 1998.

Joyce Ward
(SIGNATURE OF PROPOSED GUARDIAN)

—(OVER)—

NAME, ADDRESS AND TELEPHONE NUMBER OF ATTORNEY(S)
STEVEN L. ZELIG & ASSOCIATES
10850 WILSHIRE BLVD. SUITE 530
LOS ANGELES, CA 90024
(310) 470-1990

Attorney(s) For PLAINTIFFS

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FILED
KERN COUNTY
OCT - 9 1998
TERRY McNALLY, CLERK
BY _____ DEPUTY

SUPERIOR COURT OF CALIFORNIA, KERN COUNTY

(TITLE OF ACTION)
GEORGE CREQUE, JR., etc., et al.,

vs.

CACTUS GOLD MINES COMPANY, INC., etc., et al.

CASE NUMBER
235323 SPC

PETITION FOR APPOINTMENT OF GUARDIAN AD LITEM, AND ORDER

I. PETITION BY MINOR (if minor is 14 years or older).

I declare under penalty of perjury under the laws of the State of California that the following is true:

A. I am the ☐ plaintiff ☐ defendant in the above-entitled action.

B. I am a minor of the age of _____ years, having been born on _____ (BIRTHDATE).

C. Appointment of a guardian ad litem is necessary because I have no general guardian.

D. _____ (NAME OF PROPOSED GUARDIAN) is my _____ (PARENT/RELATIVE/FRIEND).

E. Therefore, I request that _____ (NAME OF PROPOSED GUARDIAN) be appointed guardian ad litem for me in this action.

F. This declaration is executed this date: _____, 19_____.

_____ (SIGNATURE OF MINOR PETITIONER)

CONSENT OF PROPOSED GUARDIAN, for minor 14 or older.

I declare under penalty of perjury under the laws of the State of California that the following is true:

A. I consent to the appointment of myself as guardian ad litem for _____ (NAME OF MINOR) in this action.

B. I have no interest adverse to the interest of the minor.

C. This declaration is executed this date: _____, 19_____.

_____ (SIGNATURE OF PROPOSED GUARDIAN)

—(OVER)—

NAME, ADDRESS AND TELEPHONE NUMBER OF ATTORNEY(S)
STEVEN E. ZELIG & ASSOCIATES
10850 WILSHIRE BLVD. SUITE 530
LOS ANGELES, CA 90024
(310) 470-1990

ORIGINAL COPY

FILE STAMP ENDORSED
FILED
KERN COUNTY
OCT - 9 1999
TERRY McNALLY, CLERK
BY _____ DEPUTY

Attorney(s) For PLAINTIFFS

SUPERIOR COURT OF CALIFORNIA, KERN COUNTY

(TITLE OF ACTION)
GEORGE CREQUE, JR., etc., et al.,

vs.

CACTUS GOLD MINES COMPANY, INC., etc., et al.

CASE NUMBER
235323 SPC

PETITION FOR APPOINTMENT OF GUARDIAN AD LITEM, AND ORDER

1. **PETITION BY MINOR (if minor is 14 years or older).**

I declare under penalty of perjury under the laws of the State of California that the following is true:

A. I am the ☒ plaintiff ☐ defendant in the above-entitled action.

B. I am a minor of the age of 18 years, having been born on 12/15/79 (BIRTHDATE).

C. Appointment of a guardian ad litem is necessary because I have no general guardian.

D. James A. Hooper (NAME OF PROPOSED GUARDIAN) is my Father (PARENT/RELATIVE/FRIEND).

E. Therefore, I request that James A. Hooper (NAME OF PROPOSED GUARDIAN) be appointed guardian ad litem for me in this action.

F. This declaration is executed this date: 9th September, 1998.

Brett Hooper
(SIGNATURE OF MINOR PETITIONER)

CONSENT OF PROPOSED GUARDIAN, for minor 14 or older.

I declare under penalty of perjury under the laws of the State of California that the following is true:

A. I consent to the appointment of myself as guardian ad litem for Brett Hooper (NAME OF MINOR) in this action.

B. I have no interest adverse to the interest of the minor.

C. This declaration is executed this date: 9th September, 1998.

James A. Hooper
(SIGNATURE OF PROPOSED GUARDIAN)

—(OVER)—

114

NAME, ADDRESS AND TELEPHONE NUMBER OF ATTORNEY(S)

STEVEN L. ZELIG & ASSOCIATES
10850 WILSHIRE BLVD. SUITE 530
LOS ANGELES, CA 90024
(310) 470-1990

Attorney(s) For PLAINTIFFS

FILE STAMP

SUPERIOR COURT OF CALIFORNIA, KERN COUNTY

(TITLE OF ACTION)

GEORGE CREQUE, JR., etc., et al.,

vs.

CACTUS GOLD MINES COMPANY, INC., etc., et al.

CASE NUMBER

235323 SPC

PETITION FOR APPOINTMENT OF GUARDIAN AD LITEM, AND ORDER

I. PETITION BY MINOR (if minor is 14 years or older).

I declare under penalty of perjury under the laws of the State of California that the following is true:

A. I am the ☒ plaintiff ☐ defendant in the above-entitled action.

B. I am a minor ~~of~~ the age of _____ years, having been born on 7-10-80 (BIRTHDATE).

C. Appointment of a guardian ad litem is necessary because I have no general guardian.

D. Kathleen Dalton (NAME OF PROPOSED GUARDIAN) is my Mother (PARENT/RELATIVE/FRIEND).

E. Therefore, I request that Kathleen Dalton (NAME OF PROPOSED GUARDIAN) be appointed guardian ad litem for me in this action.

F. This declaration is executed this date: _____, 19____.

Tara Dayne Huffard
(SIGNATURE OF MINOR PETITIONER)

CONSENT OF PROPOSED GUARDIAN, for minor 14 or older.

I declare under penalty of perjury under the laws of the State of California that the following is true:

A. I consent to the appointment of myself as guardian ad litem for TARA DAYNE HUFFORD (NAME OF MINOR) in this action.

B. I have no interest adverse to the interest of the minor.

C. This declaration is executed this date: 9-4, 1998.

Kathleen Dalton
(SIGNATURE OF PROPOSED GUARDIAN)

—(OVER)—

NAME, ADDRESS AND TELEPHONE NUMBER OF ATTORNEY(S)
STEVEN L. ZELIG & ASSOCIATES
10850 WILSHIRE BLVD. SUITE 530
LOS ANGELES, CA 90024
(310) 470-1990

Attorney(s) For PLAINTIFFS

FILE STAMP

SUPERIOR COURT OF CALIFORNIA, KERN COUNTY

(TITLE OF ACTION)
GEORGE CREQUE, JR., etc., et al.,

vs.

CACTUS GOLD MINES COMPANY, INC., etc., et al.

CASE NUMBER
235323-SPC

PETITION FOR APPOINTMENT OF GUARDIAN AD LITEM, AND ORDER

I. PETITION BY MINOR (if minor is 14 years or older).

I declare under penalty of perjury under the laws of the State of California that the following is true:

A. I am the ☒ plaintiff ☐ defendant in the above-entitled action.

B. I am a minor of the age of 17 years, having been born on 6/23/81 (BIRTHDATE).

C. Appointment of a guardian ad litem is necessary because I have no general guardian.

D. John Edmonds (NAME OF PROPOSED GUARDIAN) is my Father (PARENT/RELATIVE/FRIEND).

E. Therefore, I request that John Edmonds (NAME OF PROPOSED GUARDIAN) be appointed guardian ad litem for me in this action.

F. This declaration is executed this date: _____, 19____.

X [signature]
(SIGNATURE OF MINOR PETITIONER)

CONSENT OF PROPOSED GUARDIAN, for minor 14 or older.

I declare under penalty of perjury under the laws of the State of California that the following is true:

A. I consent to the appointment of myself as guardian ad litem for Eric Scott Edmonds (NAME OF MINOR) in this action.

B. I have no interest adverse to the interest of the minor.

C. This declaration is executed this date: 9/6, 19 98.

John E Edmonds
(SIGNATURE OF PROPOSED GUARDIAN)

—(OVER)—

NAME, ADDRESS AND TELEPHONE NUMBER OF ATTORNEY(S)
STEVEN L. ZELIG & ASSOCIATES
10850 WILSHIRE BLVD. SUITE 530
LOS ANGELES, CA 90024
(310) 470-1990

Attorney(s) For PLAINTIFFS

FILE STAMP

SUPERIOR COURT OF CALIFORNIA, KERN COUNTY

(TITLE OF ACTION)
GEORGE CREQUE, JR., etc., et al.,

vs.

CACTUS GOLD MINES COMPANY, INC., etc., et al.

CASE NUMBER
235323-SPC

PETITION FOR APPOINTMENT OF GUARDIAN AD LITEM, AND ORDER

I. PETITION BY MINOR (if minor is 14 years or older).

I declare under penalty of perjury under the laws of the State of California that the following is true:

A. I am the ☐ plaintiff ☐ defendant in the above-entitled action.

B. I am a minor of the age of _____ years, having been born on _____ (BIRTHDATE).

C. Appointment of a guardian ad litem is necessary because I have no general guardian.

D. _____ (NAME OF PROPOSED GUARDIAN) is my _____ (PARENT/RELATIVE/FRIEND).

E. Therefore, I request that _____ (NAME OF PROPOSED GUARDIAN) be appointed guardian ad litem for me in this action.

F. This declaration is executed this date: _____, 19_____.

_____
(SIGNATURE OF MINOR PETITIONER)

CONSENT OF PROPOSED GUARDIAN, for minor 14 or older.

I declare under penalty of perjury under the laws of the State of California that the following is true:

A. I consent to the appointment of myself as guardian ad litem for _____ (NAME OF MINOR) in this action.

B. I have no interest adverse to the interest of the minor.

C. This declaration is executed this date: _____, 19_____.

_____
(SIGNATURE OF PROPOSED GUARDIAN)

—(OVER)—

NAME, ADDRESS AND TELEPHONE NUMBER OF ATTORNEY(S)
STEVEN E. ZELIG & ASSOCIATES
10850 WILSHIRE BLVD. SUITE 530
LOS ANGELES, CA 90024
(310) 470-1990

Attorney(s) For PLAINTIFFS

FILE STAMP

SUPERIOR COURT OF CALIFORNIA, KERN COUNTY

(TITLE OF ACTION)
GEORGE CREQUE, JR., etc., et al.,

vs.

CACTUS GOLD MINES COMPANY, INC., etc., et al.

CASE NUMBER
235323 SPC

PETITION FOR APPOINTMENT OF GUARDIAN AD LITEM, AND ORDER

I. PETITION BY MINOR (if minor is 14 years or older).

I declare under penalty of perjury under the laws of the State of California that the following is true:

A. I am the ☐ plaintiff ☐ defendant in the above-entitled action.

B. I am a minor of the age of _____ years, having been born on _____ (BIRTHDATE).

C. Appointment of a guardian ad litem is necessary because I have no general guardian.

D. _____ (NAME OF PROPOSED GUARDIAN) is my _____ (PARENT/RELATIVE/FRIEND).

E. Therefore, I request that _____ (NAME OF PROPOSED GUARDIAN) be appointed guardian ad litem for me in this action.

F. This declaration is executed this date: _____, 19_____.

_____
(SIGNATURE OF MINOR PETITIONER)

CONSENT OF PROPOSED GUARDIAN, for minor 14 or older.

I declare under penalty of perjury under the laws of the State of California that the following is true:

A. I consent to the appointment of myself as guardian ad litem for _____ (NAME OF MINOR) in this action.

B. I have no interest adverse to the interest of the minor.

C. This declaration is executed this date: _____, 19_____.

_____
(SIGNATURE OF PROPOSED GUARDIAN)

—(OVER)—

Zurich0000678

NAME, ADDRESS AND TELEPHONE NUMBER OF ATTORNEY(S)
STEVEN L. ZELIG & ASSOCIATES
10850 WILSHIRE BLVD. SUITE 530
LOS ANGELES, CA 90024
(310) 470-1990

Attorney(s) For PLAINTIFFS

FILE STAMP

SUPERIOR COURT OF CALIFORNIA, KERN COUNTY

(TITLE OF ACTION)
GEORGE CREQUE, JR., etc., et al.,

vs.

CACTUS GOLD MINES COMPANY, INC., etc., et al.

CASE NUMBER
235323 SPC

PETITION FOR APPOINTMENT OF GUARDIAN AD LITEM, AND ORDER

I. PETITION BY MINOR (if minor is 14 years or older).

I declare under penalty of perjury under the laws of the State of California that the following is true:

A. I am the ☐ plaintiff ☐ defendant in the above-entitled action.

B. I am a minor of the age of _____ years, having been born on _____ .
(BIRTHDATE)

C. Appointment of a guardian ad litem is necessary because I have no general guardian.

D. _____ is my _____ .
(NAME OF PROPOSED GUARDIAN) (PARENT/RELATIVE/FRIEND)

E. Therefore, I request that _____ be appointed guardian ad litem for me in this action.
(NAME OF PROPOSED GUARDIAN)

F. This declaration is executed this date: _____, 19_____ .

_____
(SIGNATURE OF MINOR PETITIONER)

CONSENT OF PROPOSED GUARDIAN, for minor 14 or older.

I declare under penalty of perjury under the laws of the State of California that the following is true:

A. I consent to the appointment of myself as guardian ad litem for _____ in this action.
(NAME OF MINOR)

B. I have no interest adverse to the interest of the minor.

C. This declaration is executed this date: _____, 19_____ .

_____
(SIGNATURE OF PROPOSED GUARDIAN)

—(OVER)—

Zurich0000679

NAME, ADDRESS AND TELEPHONE NUMBER OF ATTORNEY(S)
STEVEN E. ZELIG & ASSOCIATES
10850 WILSHIRE BLVD. SUITE 530
LOS ANGELES, CA 90024
(310) 470-1990

Attorney(s) For PLAINTIFFS

FILE STAMP

SUPERIOR COURT OF CALIFORNIA, KERN COUNTY

(TITLE OF ACTION)
GEORGE CREQUE, JR., etc., et al.,

vs.

CACTUS GOLD MINES COMPANY, INC., etc., et al.

CASE NUMBER
235323 SPC

PETITION FOR APPOINTMENT OF GUARDIAN AD LITEM, AND ORDER

I. PETITION BY MINOR (if minor is 14 years or older).

I declare under penalty of perjury under the laws of the State of California that the following is true:

A. I am the ☐ plaintiff ☐ defendant in the above-entitled action.

B. I am a minor of the age of _____ years, having been born on _____ (BIRTHDATE).

C. Appointment of a guardian ad litem is necessary because I have no general guardian.

D. _____ (NAME OF PROPOSED GUARDIAN) is my _____ (PARENT/RELATIVE/FRIEND).

E. Therefore, I request that _____ (NAME OF PROPOSED GUARDIAN) be appointed guardian ad litem for me in this action.

F. This declaration is executed this date: _____, 19_____.

_____ (SIGNATURE OF MINOR PETITIONER)

CONSENT OF PROPOSED GUARDIAN, for minor 14 or older.

I declare under penalty of perjury under the laws of the State of California that the following is true:

A. I consent to the appointment of myself as guardian ad litem for _____ (NAME OF MINOR) in this action.

B. I have no interest adverse to the interest of the minor.

C. This declaration is executed this date: _____, 19_____.

_____ (SIGNATURE OF PROPOSED GUARDIAN)

—(OVER)—

114

Zurich0000680

NAME, ADDRESS AND TELEPHONE NUMBER OF ATTORNEY(S)
SOLOMON E. SELIG & ASSOCIATES
10850 WILSHIRE BLVD. SUITE 530
LOS ANGELES, CA 90024
(310) 470-1990

Attorney(s) For PLAINTIFFS

FILE STAMP

SUPERIOR COURT OF CALIFORNIA, KERN COUNTY

(TITLE OF ACTION)
GEORGE CREQUE, JR., etc., et al.,

vs.

CACTUS GOLD MINES COMPANY, INC., etc., et al.

CASE NUMBER
235325 SPC

PETITION FOR APPOINTMENT OF GUARDIAN AD LITEM, AND ORDER

I. PETITION BY MINOR (if minor is 14 years or older).

I declare under penalty of perjury under the laws of the State of California that the following is true:

A. I am the ☒ plaintiff ☐ defendant in the above-entitled action.

B. I am a minor of the age of 14 years, having been born on 5-24-84 (BIRTHDATE).

C. Appointment of a guardian ad litem is necessary because I have no general guardian.

D. Lee Ann Riddle (NAME OF PROPOSED GUARDIAN) is my Mother (PARENT/RELATIVE/FRIEND).

E. Therefore, I request that Lee Ann Riddle (NAME OF PROPOSED GUARDIAN) be appointed guardian ad litem for me in this action.

F. This declaration is executed this date: _____, 19____.

Grace Davis
(SIGNATURE OF MINOR PETITIONER)

CONSENT OF PROPOSED GUARDIAN, for minor 14 or older.

I declare under penalty of perjury under the laws of the State of California that the following is true:

A. I consent to the appointment of myself as guardian ad litem for Grace Davis (NAME OF MINOR) in this action.

B. I have no interest adverse to the interest of the minor.

C. This declaration is executed this date: 9-3, 19 98.

Lee A. Riddle
(SIGNATURE OF PROPOSED GUARDIAN)

—(OVER)—

NAME, ADDRESS AND TELEPHONE NUMBER OF ATTORNEY(S)
STEVEN L. ZELIG & ASSOCIATES
10850 WILSHIRE BLVD. SUITE 530
LOS ANGELES, CA 90024
(310) 470-1990

Attorney(s) For PLAINTIFFS

FILE STAMP

SUPERIOR COURT OF CALIFORNIA, KERN COUNTY

(TITLE OF ACTION)
GEORGE CREQUE, JR., etc., et al.,

vs.

CACTUS GOLD MINES COMPANY, INC., etc., et al.

CASE NUMBER
235323 SPC

PETITION FOR APPOINTMENT OF GUARDIAN AD LITEM, AND ORDER

I. PETITION BY MINOR (if minor is 14 years or older).

I declare under penalty of perjury under the laws of the State of California that the following is true:

A. I am the ☐ plaintiff ☐ defendant in the above-entitled action.

B. I am a minor of the age of _____ years, having been born on _____ (BIRTHDATE).

C. Appointment of a guardian ad litem is necessary because I have no general guardian.

D. _____ (NAME OF PROPOSED GUARDIAN) is my _____ (PARENT/RELATIVE/FRIEND).

E. Therefore, I request that _____ (NAME OF PROPOSED GUARDIAN) be appointed guardian ad litem for me in this action.

F. This declaration is executed this date: _____, 19_____.

_____
(SIGNATURE OF MINOR PETITIONER)

CONSENT OF PROPOSED GUARDIAN, for minor 14 or older.

I declare under penalty of perjury under the laws of the State of California that the following is true:

A. I consent to the appointment of myself as guardian ad litem for _____ (NAME OF MINOR) in this action.

B. I have no interest adverse to the interest of the minor.

C. This declaration is executed this date: _____, 19_____.

_____
(SIGNATURE OF PROPOSED GUARDIAN)

—(OVER)—

NAME, ADDRESS AND TELEPHONE NUMBER OF ATTORNEY(S)
STEVEN ZELIG & ASSOCIATES
10850 WILSHIRE BLVD. SUITE 530
LOS ANGELES, CA 90024
(310) 470-1990

Attorney(s) For PLAINTIFFS

FILE STAMP

SUPERIOR COURT OF CALIFORNIA, KERN COUNTY

TITLE OF ACTION
GEORGE CREQUE, JR., etc., et al.,

vs.

CACTUS GOLD MINES COMPANY, INC., etc., et al.

CASE NUMBER
235325-SPC

PETITION FOR APPOINTMENT OF GUARDIAN AD LITEM, AND ORDER

I. PETITION BY MINOR (if minor is 14 years or older).

I declare under penalty of perjury under the laws of the State of California that the following is true:

A. I am the ☐ plaintiff ☐ defendant in the above-entitled action.

B. I am a minor of the age of _____ years, having been born on _____ .
(BIRTHDATE)

C. Appointment of a guardian ad litem is necessary because I have no general guardian.

D. _____ is my _____ .
(NAME OF PROPOSED GUARDIAN) (PARENT/RELATIVE/FRIEND)

E. Therefore, I request that _____ be appointed guardian ad litem for me in this action.
(NAME OF PROPOSED GUARDIAN)

F. This declaration is executed this date: _____ , 19_____ .

_____
(SIGNATURE OF MINOR PETITIONER)

CONSENT OF PROPOSED GUARDIAN, for minor 14 or older.

I declare under penalty of perjury under the laws of the State of California that the following is true:

A. I consent to the appointment of myself as guardian ad litem for _____ in this action.
(NAME OF MINOR)

B. I have no interest adverse to the interest of the minor.

C. This declaration is executed this date: _____ , 19_____ .

_____
(SIGNATURE OF PROPOSED GUARDIAN)

—(OVER)—

NAME, ADDRESS AND TELEPHONE NUMB. OF ATTORNEY(S)
STEVEN L. ZELIG & ASSOCIATES
10850 WILSHIRE BLVD. SUITE 530
LOS ANGELES, CA 90024
(310) 470-1990

Attorney(s) For PLAINTIFFS

FILE STAMP

SUPERIOR COURT OF CALIFORNIA, KERN COUNTY

(TITLE OF ACTION)
GEORGE CREQUE, JR., etc., et al.,

vs.

CACTUS GOLD MINES COMPANY, INC., etc., et al.

CASE NUMBER
235323 SPC

PETITION FOR APPOINTMENT OF GUARDIAN AD LITEM, AND ORDER

I. PETITION BY MINOR (if minor is 14 years or older).

I declare under penalty of perjury under the laws of the State of California that the following is true:

A. I am the ☒ plaintiff ☐ defendant in the above-entitled action.

B. I am a ~~minor of~~ the age of 15 years, having been born on 3-5-83 (BIRTHDATE).

C. Appointment of a guardian ad litem is necessary because I have no general guardian.

D. Lee Ann Riddle (NAME OF PROPOSED GUARDIAN) is my mother (PARENT/RELATIVE/FRIEND).

E. Therefore, I request that Lee Ann Riddle (NAME OF PROPOSED GUARDIAN) be appointed guardian ad litem for me in this action.

F. This declaration is executed this date: _____, 19____.

Samuel Davis
(SIGNATURE OF MINOR PETITIONER)

CONSENT OF PROPOSED GUARDIAN, for minor 14 or older.

I declare under penalty of perjury under the laws of the State of California that the following is true:

A. I consent to the appointment of myself as guardian ad litem for Samuel Davis (NAME OF MINOR) in this action.

B. I have no interest adverse to the interest of the minor.

C. This declaration is executed this date: 9/3, 19 98.

Lee Ann Riddle
(SIGNATURE OF PROPOSED GUARDIAN)

—(OVER)—

PROOF OF SERVICE
(1013a, 2015.5 C.C.P.)

STATE OF CALIFORNIA)
) ss.
COUNTY OF LOS ANGELES)

I am employed in the County of Los Angeles, State of California in the office of a member of the bar of this Court at whose direction the service was made.

I am over the age of 18, and not party to the within action. My business address is 10850 Wilshire Boulevard, Suite 530, California 90024.

On January 7, 1999 I served the following document(s) described as:

FIRST AMENDED COMPLAINT

on the interested parties in this action by placing a true copy thereof in a sealed envelope addressed as follows:

Robin C. Cochran
Elizabeth Ashley Bianco
GRESHAM, SAVAGE, NOLAN & TILDEN
600 N. Arrowhead Ave., Suite 300
San Bernardino, CA 92401-1148

[XX] (BY MAIL) & Fax
On said date I placed such envelope with postage thereon fully prepaid in the United States mail at Los Angeles, California 90024.

[XX] I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. It is deposited with the U.S. postal service on that same day in the ordinary course of business. I am aware that on motion of party served, service is presumed invalid if postal cancellation date or postage meter date is more than 1 day after date of deposit for mailing in affidavit.

[ ] (BY PERSONAL SERVICE)
I delivered such envelope by hand to the offices of the addressee.

I declare under penalty of perjury that the above is true and correct and that this declaration/certificate is executed at Los Angeles, California on January 7, 1999.

JACQUELINE SERRANO

NAME, ADDRESS AND TELEPHONE NUMBER OF ATTORNEY(S)
STEVEN L. ZELIG & ASSOCIATES
10850 WILSHIRE BLVD. SUITE 530
LOS ANGELES, CA 90024
(310) 470-1990

ORIGINAL COPY

FILE STAMP ENDORSED

FILED
KERN COUNTY
OCT - 9 1998
TERRY McNALLY, CLERK
BY _____ DEPUTY

Attorney(s) For PLAINTIFFS

SUPERIOR COURT OF CALIFORNIA, KERN COUNTY

(TITLE OF ACTION)
GEORGE CREQUE, JR., etc., et al.,

vs.

CACTUS GOLD MINES COMPANY, INC., etc., et al

CASE NUMBER
235323

PETITION FOR APPOINTMENT OF GUARDIAN AD LITEM, AND ORDER

I. PETITION BY MINOR (if minor is 14 years or older).

I declare under penalty of perjury under the laws of the State of California that the following is true:

A. I am the ☐ plaintiff ☐ defendant in the above-entitled action.

B. I am a minor of the age of _____ years, having been born on _____ (BIRTHDATE).

C. Appointment of a guardian ad litem is necessary because I have no general guardian.

D. _____ (NAME OF PROPOSED GUARDIAN) is my _____ (PARENT/RELATIVE/FRIEND).

E. Therefore, I request that _____ (NAME OF PROPOSED GUARDIAN) be appointed guardian ad litem for me in this action.

F. This declaration is executed this date: _____, 19_____.

_____ (SIGNATURE OF MINOR PETITIONER)

CONSENT OF PROPOSED GUARDIAN, for minor 14 or older.

I declare under penalty of perjury under the laws of the State of California that the following is true:

A. I consent to the appointment of myself as guardian ad litem for _____ (NAME OF MINOR) in this action.

B. I have no interest adverse to the interest of the minor.

C. This declaration is executed this date: _____, 19_____.

_____ (SIGNATURE OF PROPOSED GUARDIAN)

—(OVER)—

NAME, ADDRESS AND TELEPHONE NUMBER OF ATTORNEY(S)
STEVEN L. ZELIG & ASSOCIATES
10850 WILSHIRE BLVD. SUITE 530
LOS ANGELES, CA 90024
(310) 470-1990

ORIGINAL COPY

FILE STAMP ENDORSED

FILED
KERN COUNTY
OCT - 9 1998
TERRY McNALLY, CLERK
BY_____DEPUTY

Attorney(s) For PLAINTIFFS

SUPERIOR COURT OF CALIFORNIA, KERN COUNTY

(TITLE OF ACTION)
GEORGE CREQUE, JR., etc., et al.,

vs.

CACTUS GOLD MINES COMPANY, INC., etc., et al.

CASE NUMBER
235323 SPC

PETITION FOR APPOINTMENT OF GUARDIAN AD LITEM, AND ORDER

I. PETITION BY MINOR (if minor is 14 years or older).

I declare under penalty of perjury under the laws of the State of California that the following is true:

A. I am the ☐ plaintiff ☐ defendant in the above-entitled action.

B. I am a minor ~~of~~ the age of _____ years, having been born on _____ (BIRTHDATE).

C. Appointment of a guardian ad litem is necessary because I have no general guardian.

D. _____ (NAME OF PROPOSED GUARDIAN) is my _____ (PARENT/RELATIVE/FRIEND).

E. Therefore, I request that _____ (NAME OF PROPOSED GUARDIAN) be appointed guardian ad litem for me in this action.

F. This declaration is executed this date: _____, 19_____.

_____
(SIGNATURE OF MINOR PETITIONER)

CONSENT OF PROPOSED GUARDIAN, for minor 14 or older.

I declare under penalty of perjury under the laws of the State of California that the following is true:

A. I consent to the appointment of myself as guardian ad litem for _____ (NAME OF MINOR) in this action.

B. I have no interest adverse to the interest of the minor.

C. This declaration is executed this date: _____, 19_____.

_____
(SIGNATURE OF PROPOSED GUARDIAN)

—(OVER)—

XZSYSA2 PAYMENT SUMMARY 10/24/00 12:19:52

CLAIM #: 985 0027505 POLICY #: SMP 31501167 ACCIDENT DATE: 12/24/80
INSURED: COCA MINES INC
CLMNT: CACTUS GOLD SITE

SUB NBR	VAL I D	CLM/ EXP	EXAMINER RSV	LAST VAL	PAY KIND	PYMTS TO DATE	LATEST DATE	NBR PMTS
001	PLLBI	CLM	1.00	10/19/00	60 CLM	135,000.00	10/19/00	1
		EXP	49,669.26	07/06/00	35 ATY	220,183.51	10/03/00	15
					37 MCE	54,270.49	10/03/00	13
TOTAL CLM			1.00			135,000.00		1
TOTAL EXP			49,669.26			274,454.00		28

COMMAND: PAYSUM

XZER0300I END OF DATA HAS BEEN REACHED

12/24/82 - 7/30/84
CU 19 months 44%

12/24/80-82
Md 24 months 56%

Defense
120,759.76 - 44%

Indemnity
59,400 — 44%
50,000

10/24/00
Called Lynette Klauson - left message

10/26/00 Called Lynette Klauson - left message

10/30/00 " Spoke to Lynette about CU's participation at numbers referenced above. Explained that this is Maryland's demand - Md may seek own recovery

TEMKIN WIELGA & HARDT LLP
1900 Wazee Street, Suite 303
Denver, CO 80202

Mark Wielga
Direct: (303) 382-2919
wielga@twhlaw.com

Phone: (303)292-4922
Fax: (303)292-4921

October 13, 2000

RECEIVED

OCT 17 2000

ENVIRONMENTAL CLAIMS

VIA FACSIMILE/U.S. MAIL

Mr. Robert Edwards
Zurich U.S.
Legal Services
3910 Keswick Road
Baltimore, Maryland 21211

CoCa Mines

RE: George Creque, Jr., et al. v. Cactus Gold Mines Company, Inc., et al.
Policyholder: CoCa Mines
Policy No.: SMP 31501167, effective dates 12/24/80-12/24/82
UB 11822059, effective dates 6/4/81-6/4/82
UB 21826561, effective dates 6/4/82-12/24/82

Dear Robert:

This is to confirm our agreement that the words "any entity, person" on the last line of page 4 of the agreement of settlement and release shall be changed to "COCA MINES, INC." We will note and initial that change and return the agreement to you.

Sincerely,

Mark Wielga

MW/lb

cc: John N. Galbavy, Esq. (via facsimile)

Temkin Wielga & Hardt LLP
1900 Wazee Street, Suite 303
Denver, Colorado 80202
(303) 292-4922
FAX: (303) 292-4921

FROM: Mark Wielga **DATE:** October 13, 2000

PHONE: (303) 382-2919 **MATTER:** ~~001-06~~

Coca Mines - file

PLEASE DELIVER AS SOON AS POSSIBLE TO:

RECIPIENT	COMPANY	FAX NO.	PHONE NO.
Robert Edwards	Zurich U.S.	410-554-5042	410-338-1573

Total number of pages including this page: 2

If you do not receive all the pages, please call 303-292-4922

Please Note: The information contained in this facsimile message is privileged and confidential and is intended only for the use of the individual or entity named above and others who have been specifically authorized to receive it. If you are not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received the communication in error, or if any problems occur with transmission, please notify us immediately by telephone. Thank you.

XZSYSA0 CLAIM SUMMARY INFORMATION 10/06/00 13:08:18

CLAIM #: 985 0027505 POLICY #: SMP 31501167 __ ACCIDENT DATE: 12/24/80
INSURED: COCA MINES INC CLMT: *** NUMBER OF CLMTS IS 2 ***

XREF#: ___ _____ REOPND TO XREF#: ___ _____ REOPND FRM XREF#: ___ _____
ACC LOCTN : MOJAVE CA CITY: MOJAVE ST: CA
DESCRPTN: INSD'S OPERATIONS ALLEGEDLY CONTAMINATED AREA IN MOJAVE, CA.
INJRY/DMG: ALLEGED RELEASE OF POLLUTANTS
OCCR CODE: ____ CAT CODE: ___
CLAIMS MADE IND: O REOPEN IND: N

	PD TO DATE	EXMNR RSV	CURRENT VAL	RECOVERY
CLAIM	0.00	52500.00	52500.00	0.00
EXPENSE	274454.00	149669.26	424123.26	0.00

NBR VAL IDS OPENED: 2 CLOSED: 0 OUTSTANDING: 2 RDR: _

SETUP TYPE: R DTE: 06/18/99 SUIT: _ LIAB IND: U PET: _ CMPSBLTY IND: _
CLSD: __/__/__ LAST ACT: 08/04/00 REF BR NBR: __ RCVY STAT: NOT APPLICABLE
SUPERVISOR: EDWARDS, BOB PRDCR: VAN GILDER INSURANCE CORPORA
SCR PD ENT: N SPVSR DIARY: __/__/__ STATUS: OPN
COMMAND: CASSMRY

275,000

44% - 121,000

56% 154,000

* * * COMMUNICATION RESULT REPORT (OCT. 6. 2000 1:51PM) * * *

FILE MODE	OPTION	ADDRESS (GROUP)	TTI RESULT	PAGE
6531 MEMORY TX		613032924921	OK	8/8

REASON FOR ERROR
E-1) HANG UP OR LINE FAIL
E-2) BUSY
E-3) NO ANSWER
E-4) NO FACSIMILE CONNECTION

ZURICH U.S.

Legal Services

FACSIMILE MESSAGE

DATE: 10/6/00

	Company/Office	FAX Number
		(303) 292-4921

TO:	Name
	MARK WIELGA

	Company/Department	FAX Number
	Zurich-American - Environmental Claims - MD1-04-01	(410) 554-5042

FROM:	Name	Voice Number
	R EDWARDS	(410) 338 1573

Page 1 of 8 Page(s), including this cover sheet. If you do not receive all pages indicated, kindly contact the sender at the voice number noted above.

MESSAGE

3 Lawsuits attached naming Jerry Lee Ford as a defendant
(One is in Small claims Court)

Please contact undersigned - complete conflicts check
begin defending O/I

CONFIDENTIALITY NOTE

THIS FACSIMILE TRANSMISSION CONTAINS INFORMATION FROM THE CLAIM DIVISION OF ZURICH-AMERICAN INSURANCE GROUP WHICH IS CONFIDENTIAL AND/OR PRIVILEGED. THIS INFORMATION IS INTENDED FOR THE USE OF THE INDIVIDUAL OR ENTITY NAMED AT THE TOP OF THIS COVER SHEET. IF YOU ARE NOT THE INTENDED RECIPIENT, BE AWARE THAT ANY DISCLOSURE, COPYING, DISTRIBUTION OR USE OF THE CONTENTS OF THIS INFORMATION IS PROHIBITED. IF YOU RECEIVE THIS FACSIMILE IN ERROR, PLEASE NOTIFY US BY TELEPHONE IMMEDIATELY AT THE VOICE NUMBER ABOVE SO THAT WE CAN ARRANGE FOR THE RETRIEVAL OF THE ORIGINAL DOCUMENTS AT NO COST TO YOU.

002.FAX

REASON FOR ERROR
E-1) HANG UP OR LINE FAIL
E-2) BUSY
E-3) NO ANSWER
E-4) NO FACSIMILE CONNECTION

FILE MODE	OPTION	ADDRESS (GROUP)	RESULT	PAGE
6517 MEMORY TX		6153024614 26	OK	9/9

* * * COMMUNICATION RESULT REPORT (OCT. 6. 2000 12:18PM) * * *

TTI

F. 1

ZURICH U.S.

Legal Services

FACSIMILE MESSAGE

DATE: 10/6/00

Company/Office	**FAX Number**
	(303) 292-4921

TO: **Name**

MARK WIELGA

Company/Department	**FAX Number**
Zurich-American - Environmental Claims - MD1-04-01	(410) 554-5042

FROM: **Name** **Voice Number**

R EDWARDS (410) 338 1573

Page 1 of 8 Page(s), including this cover sheet. If you do not receive all pages indicated, kindly contact the sender at the voice number noted above.

MESSAGE

CoCo Mines

CONFIDENTIALITY NOTE

THIS FACSIMILE TRANSMISSION CONTAINS INFORMATION FROM THE CLAIM DIVISION OF ZURICH-AMERICAN INSURANCE GROUP WHICH IS CONFIDENTIAL AND/OR PRIVILEGED. THIS INFORMATION IS INTENDED FOR THE USE OF THE INDIVIDUAL OR ENTITY NAMED AT THE TOP OF THIS COVER SHEET. IF YOU ARE NOT THE INTENDED RECIPIENT, BE AWARE THAT ANY DISCLOSURE, COPYING, DISTRIBUTION OR USE OF THE CONTENTS OF THIS INFORMATION IS PROHIBITED. IF YOU RECEIVE THIS FACSIMILE IN ERROR, PLEASE NOTIFY US BY TELEPHONE IMMEDIATELY AT THE VOICE NUMBER ABOVE SO THAT WE CAN ARRANGE FOR THE RETRIEVAL OF THE ORIGINAL DOCUMENTS AT NO COST TO YOU.

002.FAX

Hecla
MINING COMPANY

RECEIVED
SEP 20 2000
ENVIRONMENTAL CLAIMS

September 11, 2000

Mr. Robert Edwards
Zurich U.S.
Legal Services
3910 Keswick Road
Baltimore, Maryland 21211

Re: George Creque, Jr. v. Cactus Gold Mines Company, Inc., et. al.
Policyholder: CoCa Mines
Policy no.: SMP 31501167, effective dates 12/24/80-12/24/82
UB 11822059, effective dates 6/4/81-6/4/82
UB 21826561, effective dates 6/4/82-12/24/82
Claim No.: 985-0027505 001 A1

Dear Mr. Edwards:

In your letter dated July 30, 1999, Zurich agreed to accept defense of the above case. From our prior correspondence and discussions, it is my understanding that Zurich would be paying 90% of the costs of defense in the above referenced matter. From discussions I've had with Mark Wielga, Esq., it is also my understanding that in addition to contribution towards settlement, Zurich will continue to reimburse Hecla 90% of the attorney's fees and costs from Gresham, Savage, Nolan & Tilden until this matter is completely closed.

As of the date of this letter, we still have not received the payment for the month of June. Enclosed are copies of the letter requesting payment from Zurich dated July 28, 2000, the invoice dated July 12, 2000 from Gresham, Savage, Nolan & Tilden in the amount of $55,018.59 for services rendered for the month of June and the check which Hecla sent to Gresham, Savage, Nolan & Tilden. Since there is substantial delay in payment by Zurich, Hecla has paid these invoices directly. Please reimburse Hecla the amount of $49,516.73.

By directly paying these invoices, Hecla is not waiving any rights and specifically reserves all rights it may have for reimbursement or payment of defense costs and expenses incurred in connection with this litigation.

Very truly yours,

HECLA MINING COMPANY

John N. Galbavy

John N. Galbavy
Corporate Counsel

JNG:csm
Enclosures

c: Michael B. White, Esq.
Mark Wielga, Esq.
Duke Rouse, Esq.

6500 Mineral Drive • Coeur d'Alene, Idaho 83815-8788 • 208/769-4100 • FAX 208/769-4107 • www.hecla-mining.com

Hecla
MINING COMPANY

July 28, 2000

Mr. Robert Edwards
Zurich U.S.
Legal Services
3910 Keswick Road
Baltimore, Maryland 21211

Re: George Creque, Jr. v. Cactus Gold Mines Company, Inc., et. al.
Policyholder: CoCa Mines
Policy no.: SMP 31501167, effective dates 12/24/80-12/24/82
UB 11822059, effective dates 6/4/81-6/4/82
UB 21826561, effective dates 6/4/82-12/24/82
Claim No.: 985-0027505 001 A1

Dear Mr. Edwards:

In your letter dated July 30, 1999, Zurich agreed to accept defense of the above case. From our prior correspondence and discussions, it is my understanding that Zurich would be paying 90% of the costs of defense in the above referenced matter.

Enclosed please find the invoice dated July 12, 2000 from Gresham, Savage, Nolan & Tilden in the amount of $55,018.59 for services rendered for the month of June 1. Since there is substantial delay in payment by Zurich, Hecla has paid these invoices directly. Please reimburse Hecla the amount of $49,516.73.

By directly paying these invoices, Hecla is not waiving any rights and specifically reserves all rights it may have for reimbursement or payment of defense costs and expenses incurred in connection with this litigation.

Very truly yours,

HECLA MINING COMPANY

John N. Galbavy

John N. Galbavy
Corporate Counsel

JNG:csm
Enclosures

c: Michael B. White, Esq.
Mark Wielga, Esq.
Duke Rouse, Esq.

6500 Mineral Drive • Coeur d'Alene, Idaho 83815-8788 • 208/769-4100 • FAX 208/769-4107 • www.hecla-mining.com

GRES100 GRESHAM SAVAGE NOLAN & TILDEN, LLP Check No: 0110-062632

Date	Invoice	Reference	Gr ..s	Deduct.	Net Amt
Jul12/00	0110-103521	PJ5974 H.O.	41,794.65	0.00	41,794.65
Jul12/00	0110-103521	PJ5974 H.O.	13,223.94	0.00	13,223.94
Check date Jul 27, 2000		Total	55,018.59	0.00	55,018.59

62632

HECLA MINING COMPANY

PLEASE DETACH BEFORE DEPOSITING

Hecla MINING COMPANY

HECLA MINING COMPANY
6500 MINERAL DRIVE
COEUR d' ALENE, ID 83814-8788

92-6
1241

DATE: Jul 27, 2000

CHECK NUMBER: 0110-062632

PAY EXACTLY: $55,018.59

***55018 DOLLARS & 59 CENTS

PAY TO THE ORDER OF

GRESHAM SAVAGE NOLAN & TILDEN, LLP
SUITE 300
600 NORTH ARROWHEAD AVENUE
SAN BERNARDINO CA 92401

HECLA MINING COMPANY

FIRST SECURITY BANK OF IDAHO
301 SHERMAN AVE.
COEUR d' ALENE, IDAHO 83814

⑈062632⑈ ⑆124100064⑆088 31208 91⑈

Robert Edwards
Tel. (410) 338-1573
Fax (410) 554-5042

ZURICH

September 14, 2000

Lynette Klawon, Esq.
Selman Brightman
11766 Wilshire Blvd.
Los Angeles, CA 90025-6538

RE: Your Client: Commercial Union
Policyholder: CoCa Mines
Matter: George Creque, Jr. v. Cactus Gold Mines Company Inc.

Dear Ms. Klawon:

Zurich U.S.
Legal Services

3910 Keswick Road
Baltimore, Maryland
21211

Telephone (410) 366-1000
www.zurichus.com

This letter will serve as a follow-up to previous correspondence directed to your attention in connection with the above referenced matter. In addition, this letter will serve to advise you that the above referenced matter settled. Our company defended our mutual insured and will make a significant contribution towards settling the litigation. I would like the opportunity to further discuss with you and possibly a representative from Commercial Union a way that we can resolve the outstanding issues associated with this matter. I look forward to talking to you at your convenience.

Thank you for your attention to this matter.

Very truly yours,

Robert Edwards
(410) 338-1573

H:\Env-Claims\BOB\CoCa Mines Inc\Klawon03.doc\leb

SETTLEMENT AGREEMENT AND MUTUAL GENERAL RELEASE

PARTIES: Those individuals identified on attached Exhibit "A" ("Plaintiffs"), Plaintiffs in Kern County Superior Court Case No. 235323-RDR (the "Action"); Cactus Gold Mine Companies, a joint venture; Coca Mines, Inc.; Hecla Mining Company, Inc.; Compass Mining, Inc.; MBPL, a Colorado limited partnership; Charles Aston; Scott Bennett; and Jim Brady (collectively "Cactus Parties" or "Defendants"), Defendants in the Action; and Steven L. Zelig, the Law Offices of Steven L. Zelig and Associates and Pamela Mozer (collectively "Plaintiffs' Counsel"), counsel of record for Plaintiffs.

EFFECTIVE DATE: The date the last signature is affixed hereto.

RECITALS:

A. WHEREAS, the Action is now pending among the parties in Kern County Superior Court as referenced above;

B. WHEREAS, Plaintiffs allege certain claims for damages arising out of the operation of a mining operation(s) located at an area commonly known as the Cactus Gold Mine site, including but not limited to the area where the Middle Buttes and Shumake projects were located) (the "Site");

C. WHERAS, Plaintiffs have alleged that Cactus Parties are in part responsible for their claimed damages as a result of Cactus Parties' involvement at the Site.

D. WHEREAS, Plaintiffs and Defendants now desire to resolve the Action, and mutually release each other from any liability and obligation in connection therewith; and

E. WHEREAS, The parties now desirous of settling and finally resolving the litigation pending between them, hereby enter into this "Agreement" to settle and compromise this dispute.

AGREEMENT:

In consideration for the promises and performances hereafter described, the parties agree as follows:

1. Settlement and Release. Except as otherwise provided herein and except as to the indemnification and hold harmless agreement by Plaintiffs' Counsel in favor of Cactus Parties as discussed below, the parties hereto hereby irrevocably and unconditionally release, acquit, and forever discharge each other and each of their heirs,

08/30/00 10:38 ☎208 769 4159 HECLA MINING CO 002/017

Zurich0000725

successors, assignees, ent companies, subsidiaries, officers a directors, attorneys and all persons acting by, through, under or in concert with them, or any of them, from any and all charges, complaints, claims, liabilities, obligations, promises, agreements, controversies, damages, actions, causes of action, suits, rights, demands, costs, losses, debts, and expenses (including attorneys' fees and costs actually incurred) of any nature whatsoever, known or unknown, which the parties now have, own, or hold, or claim to have, own or hold, or which the parties at any time heretofore had, owned or held, or claimed to have, owned or held, or which the parties at any time hereafter may have, own or hold, or claim to have, own, or hold against each or any of the other parties, arising from acts or omissions arising out of the mining, processing, and smelting of minerals and other substances and geological components, the use of cyanide technology, and/or related activities at or about the Site prior to the date of execution of this Agreement, and as to all additional facts and circumstances set forth and related to the Action. Further, the parties hereto hereby waive the benefits of the provisions of Section 1542 of the Civil Code of the State of California which reads as follows:

> A general release does not extend to claims which the creditor does not know or suspect to exist in his favor at the time of executing the release, which, if known by him must have materially affected his settlement with the debtor.

2. Consideration and Performance.

A. Cactus Parties will pay to Plaintiffs the total sum of Three Hundred Thousand Dollars and No Cents ($300,000.00), payable as follows:

* $100,000.00 upon final execution of this agreement and upon obtaining all necessary approvals from the Court for the enforceability of the agreement;

* $200,000.00 paid on or before close of business December 31, 2000; and

* Each party shall bear their own costs and attorneys' fees in this matter. The total amount payable is to be allocated among the Plaintiffs in the manner agreed upon in the retention agreement entered into between Plaintiffs and Plaintiffs' counsel.

In the event that payment in full is not made as provided herein, Plaintiffs shall be entitled to immediately enter judgment for the balance due. In addition, the Cactus Parties shall pay an additional penalty of $5,000.00 per day until paid to be included in the judgement.

B. By executing this Agreement where indicated below, Plaintiffs' Counsel agrees to fully indemnify and hold harmless Cactus Parties and their successors and assigns for any claims for damages made by Plaintiffs, or any other individuals or assigns related thereto, as a result of a challenge to the settlement approval/apportionment procedure utilized by Plaintiffs and Plaintiffs' Counsel in obtaining authorization for the execution and performance of

* Checks shall be made payable as follows: [illegible] Stevens. Dale Allen [illegible] Trust, Annabelle [illegible]

AUG-30-00 WED 10:04 AM FAX NO. P. 02
08/30/00 10:40 208 769 4159 HECLA MINING CO 003/017
Zurich0000726

this Agreement. Said indemnification and hold harmless shall be for any and all damages suffered by Cactus Parties, including, but not limited to, the incurrence of any attorneys fees or costs.

C. The above-referenced release and waiver of claims is incorporated herein.

D. This agreement is also condition upon the Court's approval of any necessary claims for minor's compromises but such approval is a condition Cactus Parties may waive if it so chooses. Plaintiffs may use a procedure provided for in Plaintiffs' retention agreement with Plaintiffs' Counsel for approval of this Agreement by any minor Plaintiffs. As discussed above in Paragraph Number 2, subparagraph B, Plaintiffs' Counsel agrees to indemnify and hold Cactus Parties harmless, for any claims made by or on behalf of any minors that the settlement approval/apportionment procedure utilized was/is invalid, unenforceable or otherwise improper. Said indemnification and hold harmless shall be for any and all damages suffered by Cactus Parties, including, but not limited to, the incurrence of any attorneys fees or costs.

3. Advice of Counsel. The parties hereto understand and acknowledge the significance and consequence of waiving Section 1542 of the Civil Code of the State of California and has discussed said waiver with their attorneys.

4. Warranty of Volitional Agreement. Plaintiffs, Defendants and Plaintiffs' Counsel warrant and represent that this Agreement is freely and voluntarily executed by the parties, and each of them, after having been apprised of all of the relevant information and data by their respective attorneys. The parties executing this Agreement warrant and represent that they have not relied on any inducements, promises or representations made by any party or its representative, or any other person, except for those expressly set forth herein.

5. Warranty of Mutual Understanding. Plaintiffs, Defendants and Plaintiffs' Counsel warrant and represent that they have read this Agreement and Release and that they have had the terms used herein and the consequences hereof explained to them by their respective attorneys; that each is of legal age and/or legally competent to execute this Agreement and accept full responsibility therefore. It is expressly understood by the parties, and each of them, by reason of the consideration hereinabove mentioned, that the parties admit no liability of any sort and have made no representations as to any liabilities or obligations and have made no agreements or promises to do or admit to do any act or thing not set forth herein.

6. Warranty of Performance. Each party hereto agrees to promptly and as expeditiously as possible carry out and execute hers, his or its responsibilities under the

08/30/00 10:41 ☎208 769 4159 HECLA MINING CO 004/017
AUG-30-00 WED 10:04 AM FAX NO. P. 03
Zurich0000727

terms of this Agreement and to execute any and all documents which may be necessary from time to time in the future to implement the terms of this Agreement.

7. Covenants and Attorneys' Fees. Except as otherwise provided for herein, the parties agree and covenant that they will not institute, maintain or aid any action at law or any proceeding in equity against each other, or any of his, hers or its directors, officers, employees, servants, agents, or brokers, or make any other claim for damages or relief whatsoever against any other party based upon or related in any way to the claims in the aforesaid lawsuit. The parties further agree that this Agreement may be plead as a full and complete defense to, and may be used as a basis for an injunction against, any action, any suit or other proceeding which may be instituted, prosecuted, or attempted in breach of this Agreement, and agree to indemnify, hold and save harmless any party or parties so sued from all such loss, damage, or other cause, including reasonable attorneys' fees and other costs and expenses in preparing the defense of said suit, preparing and proving the existence and validity of this Agreement and all other expenses of defending said suit, whether such costs and expenses are taxable or otherwise.

8. Warranty of Right. The parties each warrant no other person or entity has or had or claims to have had any interest in the claims, demands, causes of action, obligations, damages or liabilities described herein; that he, she or it has not sold, assigned, transferred, conveyed, or otherwise disposed of any claim, demand, cause of action, obligation, damage or liability covered herein.

9. Binding Effect. This Agreement shall bind and inure to the benefit of all successors, assigns and heirs of the parties.

10. Modification Must Be In Writing. This Agreement may not be altered, amended or modified, except by writing executed by duly authorized representatives of all parties.

11. Construction. Should any paragraph, clause or provision of this Agreement be construed to be against public policy or determined by a court of competent jurisdiction to be void, invalid or unenforceable, such construction and decision shall affect only those paragraphs, clauses or provisions so construed or interpreted, and shall in no way affect the remaining paragraphs, clauses or provisions of this Agreement which shall remain in force.

12. Entire Agreement. This Agreement states the entire agreement among the parties who have executed this Agreement and supersedes their prior agreements, negotiations or understandings. Each of these parties acknowledges and agrees that no other party, nor agent, nor attorney of any of the parties made any promise, representation or warranty, express or implied, not set forth in this Agreement. Each party signing this Agreement acknowledges that such party has not executed this Agreement on reliance on any promise, representation, conduct or warranty of any other party not expressly set forth herein.

CACHS >

12. Construction. Should any paragraph, clause or provision of this Agreement be construed to be against public policy or determined by a court of competent jurisdiction to be void, invalid or unenforceable, such construction and decision shall affect only those paragraphs, clauses or provisions so construed or interpreted, and shall in no way affect the remaining paragraphs, clauses or provisions of this Agreement which shall remain in force.

13. Entire Agreement. This Agreement states the entire agreement among the parties who have executed this Agreement and supersedes their prior agreements, negotiations or understandings. Each of these parties acknowledges and agrees that no other party, nor agent, nor attorney of any of the parties made any promise, representation or warranty, express or implied, not set forth in this Agreement. Each party signing this Agreement acknowledges that such party has not executed this Agreement on reliance on any promise, representation, conduct or warranty of any other party not expressly set forth herein.

14. Subject Headings. Subject headings used in this Agreement are for convenience only. The singular shall include the plural and the masculine shall include the feminine and neuter genders.

15. Counterpart. This Agreement may be executed in a number of counterparts and each counterpart signature shall, when taken with all other signatures, be treated as if executed upon one original.

16. Governing Law. This Agreement shall be construed and governed by the laws of the State of California.

Dated: 8-25-00 _____ per proxy
Stephanie L. Abrahamson

Dated: _____ _____ NP
Rikki Allen

Dated: _____ _____
Krystel Adams

Dated: 8-25-2000 _____ Jose A. Arevalo Father
Jose A. Arevalo Jr.
Jose A. Arevalo

Dated: 8-25-2000 _____ Romelia Arevalo
Romelia Arevalo

(G058/008/00071257.DOC)

08/30/00 10:45 ☎208 769 4159 HECLA MINING CO 006/017

Zurich0000729

Dated: 8-25-00 _____ Yesenia Arevalo
Yesenia Arevalo, a minor, by Romelia Garcia her Guardian Ad Litem

Dated: 8-25-00 _____ Gabriel Arevalo
Gabriel Arevalo, a minor, by Romelia Garcia his Guardian Ad Litem

Dated: 8-25-00 _____ Israel Arevalo
Israel Arevalo, a minor, by Romelia Garcia his Guardian Ad Litem

Dated: 8-25-00 _____ per proxy
Kathleen Bowen

Dated: 8-25-00 _____ " "
Lee Bowen

Dated: _____
John V. Breiding

Dated: _____
Jeannette Butler

Dated: _____
Verl L. Butler aka Veal Butler

Dated: _____
Geary Lee Cook

Dated: _____
Patricia Ann Cook

Dated: _____
Richard Croy

08/30/00 10:47 208 769 4159 HECLA MINING CO 007/017

Zurich0000730

Dated: _____ _____
Patricia Croy

Dated: 8-25-00 _____ Kathy Dalton

Dated: _____ _____
Nancy Davidson

Dated: 8-25-00 _____ Heather M. Edmonds
Heather M. Edmonds

Dated: 8-25-00 _____ John E. Edmonds
John E. Edmonds

Dated: 8-25-00 _____ Shelley L. Edmonds
Shelley L. Edmonds

Dated: 8/25/00 _____
Eric Scott Edmonds, a minor, by John Edmonds his Guardian Ad Litem

Dated: 8-25-00 _____ Tom H Edmonds By Proxy John Edmonds
Thomas Edmonds

Dated: 8-25-00 _____ Brian E. Ellis
Brian E. Ellis

Dated: 8-25-00 _____ Brian E. Ellis
Brian M. Ellis

Dated: 8-25-00 _____ Brian E. Ellis
Pamela A. Ellis

008/017 HECLA MINING CO

Zurich0000731

Dated: 8-25-00

Daniel D. Ellis, a minor, by Pamela Ellis his Guardian Ad Litem

Dated: 8-25-00

Rebecca Ellis, a minor, by Pamela Ellis her Guardian Ad Litem

Dated: 8-25-00

Davina Fisher

Dated: 8-25-00

Amanda M. Fisher, a minor, by Davina Fisher her Guardian Ad Litem

Dated: 8-25-00

Krystal Fisher

Dated: 8-25-00

Michael Fisher

Dated: 8-25-00

Nina Fox

Dated: 8/25/00

James A. Hooper

Dated: 8/25/00

Marlene Hooper

Dated: 8/25/00

Tara Hufford

Dated: _____

Joan M. Johnson

Dated: _____ _____
Robert W. Johnson

Dated: _____ _____
David Langaard

Dated: _____ _____
Mona Langaard

Dated: 08-25-00 _____ Donald L. Leavitt
Donald L. Leavitt

Dated: _____ _____ NP
Alexander C. Longrifle

Dated: 8-25-00 _____ Sandra J Lopez by proxy Kathleen Allen
Sandra J Lopez

Dated: _____ _____
Emily Miers

Dated: _____ _____
Robert Miers

Dated: _____ _____
Nolan Page Milburn, Sr.

Dated: _____ _____
Rita Ann Milburn

Dated: _____ _____
Rusty D. Ness

Dated: 8-25-00 _____ proxy
Deborah D. Popolizio

(6058/008/00071257.DOC)

08/30/00 10:50 ☎208 769 4159 HECLA MINING CO 010/017

Zurich0000733

Dated: 8-25

Steven A. Popolizio, Jr.

Dated: _____

Jimmie L. Quinton

Dated: 8-25-00

Mark Riddle

Dated: 8-25-00

Lee Ann Riddle

Dated: 8 25 00

Jared Riddle, a minor, by Mark D. Riddle, his Guardian Ad Litem

Dated: 8 25 00

Jesse Riddle, a minor, by Mark D. Riddle, his Guardian Ad Litem

Dated: 8 25 00

Cameron Davis-Justus, a minor, by Mark D. Riddle, his Guardian Ad Litem

Dated: 8 25 00

Grace T. Davis, a minor, by Mark D. Riddle, her Guardian Ad Litem

Dated: 8 25 00

Samuel D. Davis, a minor, by Mark D. Riddle, his Guardian Ad Litem

Dated: 8-25-00

Alfonso Sanchez

CACTUS 5

Dated: _____ _____
Hilary Sanchez, a minor, by Toni Sanchez, her Guardian Ad Litem

Dated: _____ _____
Joseph Sanchez, a minor, by Toni Sanchez, his Guardian Ad Litem

Dated: _____ _____
Kayla Sanchez, a minor, by Toni Sanchez, her Guardian Ad Litem

Dated: _____ _____
Toni Sanchez

Dated: 8-25-00 _____
Julio Sanchez-Orsini

Dated: 8-25-00 _____
Mignonne Sanchez-Orsini

Dated: 8-25-00 _____
Phillip Santiago

Dated: 8-25-00 _____
Carl M. Salton, a minor, by Debra D. Scherer, his Guardian Ad Litem

Dated: _____ _____
Christine Sullivan

Dated: 8-25-00 _____
Timothy L. Scherer

Dated: 8-25-00 _____
Debra D. Scherer

08/30/00 10:52 ☎208 769 4159 HECLA MINING CO 012/017

Zurich0000735

Cactus 5

Dated: 8-25-00

Ricki L. Scherer, a minor, by Debra D. Scherer, her Guardian Ad Litem

Dated: 8-25-00

Ryan M. Scherer, a minor, by Debra D. Scherer, his Guardian Ad Litem

Dated: 8-25-00

James C. Stidham

Dated: 08-25-2000

Bonnie Ward

Dated: 8/25/00

John M. Ward

Dated: 8/25/00

Joyce Ward by proxy

Dated: 8/25/00

Meaghan Ward, a minor, by Joyce Ward, her Guardian Ad Litem by proxy

Dated: 8/25/00

Jeremiah Ward, a minor, by Joyce Ward, his Guardian Ad Litem by proxy

Dated: 8/25/2000

Anna Belle Woody

Dated:

James B. Woody

Dated: 8-25-00

Gwen Woody

08/30/00 10:54 ☎208 769 4159 HECLA MINING CO 013/017

Zurich0000736

Cactus 5

Dated: 8/25/2000

John A. Wright

John A. Wright

Dated: _____

_____ NP

Robin Breiding

Dated: _____

BROWN & ROOT, INC.

By_____

Its_____

Dated: 8/25/00

THE LAW OFFICES OF STEVEN L. ZELIG AND ASSOCIATES

By_____

Steven L. Zelig

Dated: 8/25/00

_____

Pamela Mozer

APPROVED AS TO FORM:

Dated: _____

THE LAW OFFICES OF STEVEN L. ZELIG AND ASSOCIATES

By_____

Steven L. Zelig

Dated: _____

SAGASER, FRANSON & JONES

By_____

Timothy Jones

08/30/00 10:56 ☎208 769 4159 HECLA MINING CO 014/017

Zurich0000737

Hecla Mining Company, Inc.

Dated: 8/25/00

By John N. Dalbay

Its Corporate Counsel

Compass Mining, Inc.

Dated: _____

By _____

Its _____

MBPL, a Colorado limited partnership

Cola Mines Inc
General Partner

Dated: 8/25/00

By John N. Dalbay

Its Corporate Counsel

Dated: _____

_____
Charles Aston

Dated: _____

_____
Scott Bennett

Dated: _____

_____
Jim Brady

Dated: _____

THE LAW OFFICES OF STEVEN L. ZELIG AND ASSOCIATES

By _____
Steven L. Zelig

Dated: 8-25-00

_____
Pamela Mozer

APPROVED AS TO FORM:

Dated: 8/25/00

THE LAW OFFICES OF STEVEN L. ZELIG AND ASSOCIATES

By _____
Steven L. Zelig

Dated: 8-25-00

GRESHAM, SAVAGE, NOLAN & TILDEN, LLP

By _____
Duke D. Rouse

Dated: _____ _____
Anna Belle Woody

Dated: _____ _____
James B. Woody

Dated: _____ _____
Gwen Woody

Dated: _____ _____
John A. Wright

Dated: _____ _____
Robin Breiding

Dated: _____ _____
Nolan Page Milburn, Sr.

Dated: _____ _____
Rita Ann Milburn

Cactus Gold Mine Companies, a joint venture
Coca Mines, Inc, Manager

Dated: 8/25/00

By John N. Salberg
Its Corporate Counsel

Coca Mines, Inc.

Dated: 8/25/00

By John N. Salberg
Its Corporate Counsel

(5058/000/00071978.DOC)

NAME, ADDRESS AND TELEPHONE NUMBER OF ATTORNEY(S)
STEVEN L. ZELIG & ASSOCIATES
10850 WILSHIRE BLVD. SUITE 530
LOS ANGELES, CA 90024
(310) 470-1990

Attorney(s) For PLAINTIFFS

ORIGINAL COPY

FILE STAMP ENDORSED
FILED
KERN COUNTY
OCT - 9 1998
TERRY McNALLY, CLERK
BY_____DEPUTY

SUPERIOR COURT OF CALIFORNIA, KERN COUNTY

(TITLE OF ACTION)	CASE NUMBER
GEORGE CREQUE, JR., etc., et al.,	235323 SPC
vs.	**PETITION FOR APPOINTMENT OF GUARDIAN AD LITEM, AND ORDER**
CACTUS GOLD MINES COMPANY, INC., etc., et al.	

I. PETITION BY MINOR (if minor is 14 years or older).

I declare under penalty of perjury under the laws of the State of California that the following is true:

A. I am the ☒ plaintiff ☐ defendant in the above-entitled action.

B. I am a minor ~~of~~ the age of 16 years, having been born on 7-30-82 (BIRTHDATE).

C. Appointment of a guardian ad litem is necessary because I have no general guardian.

D. Joyce Ward (NAME OF PROPOSED GUARDIAN) is my mother (PARENT/RELATIVE/FRIEND).

E. Therefore, I request that Joyce Ward (NAME OF PROPOSED GUARDIAN) be appointed guardian ad litem for me in this action.

F. This declaration is executed this date: 8-2-98, 19____.

Jeremiah Ward
(SIGNATURE OF MINOR PETITIONER)

CONSENT OF PROPOSED GUARDIAN, for minor 14 or older.

I declare under penalty of perjury under the laws of the State of California that the following is true:

A. I consent to the appointment of myself as guardian ad litem for Jeremiah Ward (NAME OF MINOR) in this action.

B. I have no interest adverse to the interest of the minor.

C. This declaration is executed this date: 8-2, 19 98.

Joyce Ward
(SIGNATURE OF PROPOSED GUARDIAN)

—(OVER)—

NAME, ADDRESS AND TELEPHONE NUMBER OF ATTORNEY(S)
STEVEN L. ZELIG & ASSOCIATES
10850 WILSHIRE BLVD. SUITE 530
LOS ANGELES, CA 90024
(310) 470-1990

Attorney(s) For PLAINTIFFS

ORIGINAL COPY

FILE STAMP ENDORSED
FILED
KERN COUNTY
OCT - 9 1998
TERRY McNALLY, CLERK
BY _____ DEPUTY

SUPERIOR COURT OF CALIFORNIA, KERN COUNTY

(TITLE OF ACTION)
GEORGE CREQUE, JR., etc., et al.,

vs.

CACTUS GOLD MINES COMPANY, INC., etc., et al.

CASE NUMBER
235323 SPC

PETITION FOR APPOINTMENT OF GUARDIAN AD LITEM, AND ORDER

I. PETITION BY MINOR (if minor is 14 years or older).

I declare under penalty of perjury under the laws of the State of California that the following is true:

A. I am the ☐ plaintiff ☐ defendant in the above-entitled action.

B. I am a minor of the age of _____ years, having been born on _____ (BIRTHDATE).

C. Appointment of a guardian ad litem is necessary because I have no general guardian.

D. _____ (NAME OF PROPOSED GUARDIAN) is my _____ (PARENT/RELATIVE/FRIEND).

E. Therefore, I request that _____ (NAME OF PROPOSED GUARDIAN) be appointed guardian ad litem for me in this action.

F. This declaration is executed this date: _____, 19_____.

_____
(SIGNATURE OF MINOR PETITIONER)

CONSENT OF PROPOSED GUARDIAN, for minor 14 or older.

I declare under penalty of perjury under the laws of the State of California that the following is true:

A. I consent to the appointment of myself as guardian ad litem for _____ (NAME OF MINOR) in this action.

B. I have no interest adverse to the interest of the minor.

C. This declaration is executed this date: _____, 19_____.

_____
(SIGNATURE OF PROPOSED GUARDIAN)

—(OVER)—

NAME, ADDRESS AND TELEPHONE NUMBER OF ATTORNEY(S)
STEVEN E. ZELIG & ASSOCIATES
10850 WILSHIRE BLVD. SUITE 530
LOS ANGELES, CA 90024
(310) 470-1990

ORIGINAL COPY

FILE STAMP ENDORSED
FILED
KERN COUNTY
OCT - 9 1998
TERRY McNALLY, CLERK
BY _____ DEPUTY

Attorney(s) For PLAINTIFFS

SUPERIOR COURT OF CALIFORNIA, KERN COUNTY

(TITLE OF ACTION)
GEORGE CREQUE, JR., etc., et al.,

vs.

CACTUS GOLD MINES COMPANY, INC., etc., et al.

CASE NUMBER
235323 SPC

PETITION FOR APPOINTMENT OF GUARDIAN AD LITEM, AND ORDER

I. PETITION BY MINOR (if minor is 14 years or older).

I declare under penalty of perjury under the laws of the State of California that the following is true:

A. I am the ☒ plaintiff ☐ defendant in the above-entitled action.

B. I am a minor of the age of 18 years, having been born on 12/15/79 (BIRTHDATE).

C. Appointment of a guardian ad litem is necessary because I have no general guardian.

D. James A. Hooper (NAME OF PROPOSED GUARDIAN) is my Father (PARENT/RELATIVE/FRIEND).

E. Therefore, I request that James A. Hooper (NAME OF PROPOSED GUARDIAN) be appointed guardian ad litem for me in this action.

F. This declaration is executed this date: 9/14 September, 1998.

Brett Hooper
(SIGNATURE OF MINOR PETITIONER)

CONSENT OF PROPOSED GUARDIAN, for minor 14 or older.

I declare under penalty of perjury under the laws of the State of California that the following is true:

A. I consent to the appointment of myself as guardian ad litem for Brett Hooper (NAME OF MINOR) in this action.

B. I have no interest adverse to the interest of the minor.

C. This declaration is executed this date: 9/14 September, 1998.

James A. Hooper
(SIGNATURE OF PROPOSED GUARDIAN)

—(OVER)—

114

Zurich0000743

NAME, ADDRESS AND TELEPHONE NUMBER OF ATTORNEY(S)

STEVEN L. ZELIG & ASSOCIATES
10850 WILSHIRE BLVD. SUITE 530
LOS ANGELES, CA 90024
(310) 470-1990

Attorney(s) For PLAINTIFFS

FILE STAMP

SUPERIOR COURT OF CALIFORNIA, KERN COUNTY

(TITLE OF ACTION)	CASE NUMBER
GEORGE CREQUE, JR., etc., et al.,	235323 SPC
vs.	**PETITION FOR APPOINTMENT OF GUARDIAN AD LITEM, AND ORDER**
CACTUS GOLD MINES COMPANY, INC., etc., et al.	

I. PETITION BY MINOR (If minor is 14 years or older).

I declare under penalty of perjury under the laws of the State of California that the following is true:

A. I am the ☒ plaintiff ☐ defendant in the above-entitled action.

B. I am a minor of the age of _____ years, having been born on 7-10-80 (BIRTHDATE).

C. Appointment of a guardian ad litem is necessary because I have no general guardian.

D. Kathleen Dalton (NAME OF PROPOSED GUARDIAN) is my Mother (PARENT/RELATIVE/FRIEND).

E. Therefore, I request that Kathleen Dalton (NAME OF PROPOSED GUARDIAN) be appointed guardian ad litem for me in this action.

F. This declaration is executed this date: _____, 19____.

Tara Dayne Hufford
(SIGNATURE OF MINOR PETITIONER)

CONSENT OF PROPOSED GUARDIAN, for minor 14 or older.

I declare under penalty of perjury under the laws of the State of California that the following is true:

A. I consent to the appointment of myself as guardian ad litem for TARA DAYNE HUFFORD (NAME OF MINOR) in this action.

B. I have no interest adverse to the interest of the minor.

C. This declaration is executed this date: 9-4, 1998.

Kathleen Dalton
(SIGNATURE OF PROPOSED GUARDIAN)

—(OVER)—

Zurich0000744

NAME, ADDRESS AND TELEPHONE NUMBER OF ATTORNEY(S)
STEVEN L. ZELIG & ASSOCIATES
10850 WILSHIRE BLVD. SUITE 530
LOS ANGELES, CA 90024
(310) 470-1990

Attorney(s) For PLAINTIFFS

FILE STAMP

SUPERIOR COURT OF CALIFORNIA, KERN COUNTY

(TITLE OF ACTION)
GEORGE CREQUE, JR., etc., et al.,

vs.

CACTUS GOLD MINES COMPANY, INC., etc., et al.

CASE NUMBER
235323-51-C

PETITION FOR APPOINTMENT OF GUARDIAN AD LITEM, AND ORDER

I. **PETITION BY MINOR (if minor is 14 years or older).**

I declare under penalty of perjury under the laws of the State of California that the following is true:

A. I am the ☒ plaintiff ☐ defendant in the above-entitled action.

B. I am a minor of the age of 17 years, having been born on 6/23/81 (BIRTHDATE).

C. Appointment of a guardian ad litem is necessary because I have no general guardian.

D. John Edmonds (NAME OF PROPOSED GUARDIAN) is my Father (PARENT/RELATIVE/FRIEND).

E. Therefore, I request that John Edmonds (NAME OF PROPOSED GUARDIAN) be appointed guardian ad litem for me in this action.

F. This declaration is executed this date: _____, 19____.

X [signature]
(SIGNATURE OF MINOR PETITIONER)

CONSENT OF PROPOSED GUARDIAN, for minor 14 or older.

I declare under penalty of perjury under the laws of the State of California that the following is true:

A. I consent to the appointment of myself as guardian ad litem for Eric Scott Edmonds (NAME OF MINOR) in this action.

B. I have no interest adverse to the interest of the minor.

C. This declaration is executed this date: 9/1, 19 98.

John E Edmonds
(SIGNATURE OF PROPOSED GUARDIAN)

—(OVER)—

114

Zurich0000745

NAME, ADDRESS AND TELEPHONE NUMBER OF ATTORNEY(S)
STEVEN L. ZELIG & ASSOCIATES
10850 WILSHIRE BLVD. SUITE 530
LOS ANGELES, CA 90024
(310) 470-1990

Attorney(s) For PLAINTIFFS

FILE STAMP

SUPERIOR COURT OF CALIFORNIA, KERN COUNTY

(TITLE OF ACTION)
GEORGE CREQUE, JR., etc., et al.,

vs.

CACTUS GOLD MINES COMPANY, INC., etc., et al.

CASE NUMBER
235323-SPC

PETITION FOR APPOINTMENT OF GUARDIAN AD LITEM, AND ORDER

I. PETITION BY MINOR (if minor is 14 years or older).

I declare under penalty of perjury under the laws of the State of California that the following is true:

A. I am the ☐ plaintiff ☐ defendant in the above-entitled action.

B. I am a minor of the age of _____ years, having been born on _____ (BIRTHDATE).

C. Appointment of a guardian ad litem is necessary because I have no general guardian.

D. _____ (NAME OF PROPOSED GUARDIAN) is my _____ (PARENT/RELATIVE/FRIEND).

E. Therefore, I request that _____ (NAME OF PROPOSED GUARDIAN) be appointed guardian ad litem for me in this action.

F. This declaration is executed this date: _____, 19_____.

_____
(SIGNATURE OF MINOR PETITIONER)

CONSENT OF PROPOSED GUARDIAN, for minor 14 or older.

I declare under penalty of perjury under the laws of the State of California that the following is true:

A. I consent to the appointment of myself as guardian ad litem for _____ (NAME OF MINOR) in this action.

B. I have no interest adverse to the interest of the minor.

C. This declaration is executed this date: _____, 19_____.

_____
(SIGNATURE OF PROPOSED GUARDIAN)

—(OVER)—

NAME, ADDRESS AND TELEPHONE NUMBER OF ATTORNEY(S)
STEVEN L. ZELIG & ASSOCIATES
10850 WILSHIRE BLVD. SUITE 530
LOS ANGELES, CA 90024
(310) 470-1990

Attorney(s) For PLAINTIFFS

FILE STAMP

SUPERIOR COURT OF CALIFORNIA, KERN COUNTY

(TITLE OF ACTION)
GEORGE CREQUE, JR., etc., et al.,

vs.

CACTUS GOLD MINES COMPANY, INC., etc., et al.

CASE NUMBER
235323-SPC

PETITION FOR APPOINTMENT OF GUARDIAN AD LITEM, AND ORDER

I. PETITION BY MINOR (if minor is 14 years or older).

I declare under penalty of perjury under the laws of the State of California that the following is true:

A. I am the ☐ plaintiff ☐ defendant in the above-entitled action.

B. I am a minor of the age of _____ years, having been born on _____ (BIRTHDATE).

C. Appointment of a guardian ad litem is necessary because I have no general guardian.

D. _____ (NAME OF PROPOSED GUARDIAN) is my _____ (PARENT/RELATIVE/FRIEND).

E. Therefore, I request that _____ (NAME OF PROPOSED GUARDIAN) be appointed guardian ad litem for me in this action.

F. This declaration is executed this date: _____, 19_____.

_____
(SIGNATURE OF MINOR PETITIONER)

CONSENT OF PROPOSED GUARDIAN, for minor 14 or older.

I declare under penalty of perjury under the laws of the State of California that the following is true:

A. I consent to the appointment of myself as guardian ad litem for _____ (NAME OF MINOR) in this action.

B. I have no interest adverse to the interest of the minor.

C. This declaration is executed this date: _____, 19_____.

_____
(SIGNATURE OF PROPOSED GUARDIAN)

—(OVER)—

Zurich0000747

NAME, ADDRESS AND TELEPHONE NUMBER OF ATTORNEY(S)
STEVEN L. ZELIG & ASSOCIATES
10850 WILSHIRE BLVD. SUITE 530
LOS ANGELES, CA 90024
(310) 470-1990

Attorney(s) For PLAINTIFFS

FILE STAMP

SUPERIOR COURT OF CALIFORNIA, KERN COUNTY

(TITLE OF ACTION)
GEORGE CREQUE, JR., etc., et al.,

vs.

CACTUS GOLD MINES COMPANY, INC., etc., et al.

CASE NUMBER
235323 SPC

PETITION FOR APPOINTMENT OF GUARDIAN AD LITEM, AND ORDER

I. PETITION BY MINOR (if minor is 14 years or older).

I declare under penalty of perjury under the laws of the State of California that the following is true:

A. I am the ☐ plaintiff ☐ defendant in the above-entitled action.

B. I am a minor of the age of _____ years, having been born on _____ (BIRTHDATE).

C. Appointment of a guardian ad litem is necessary because I have no general guardian.

D. _____ (NAME OF PROPOSED GUARDIAN) is my _____ (PARENT/RELATIVE/FRIEND).

E. Therefore, I request that _____ (NAME OF PROPOSED GUARDIAN) be appointed guardian ad litem for me in this action.

F. This declaration is executed this date: _____, 19_____.

_____
(SIGNATURE OF MINOR PETITIONER)

CONSENT OF PROPOSED GUARDIAN, for minor 14 or older.

I declare under penalty of perjury under the laws of the State of California that the following is true:

A. I consent to the appointment of myself as guardian ad litem for _____ (NAME OF MINOR) in this action.

B. I have no interest adverse to the interest of the minor.

C. This declaration is executed this date: _____, 19_____.

_____
(SIGNATURE OF PROPOSED GUARDIAN)

—(OVER)—

Zurich0000748

NAME, ADDRESS AND TELEPHONE NUMBER OF ATTORNEY(S)
STEVEN L. ZELIG & ASSOCIATES
10850 WILSHIRE BLVD. SUITE 530
LOS ANGELES, CA 90024
(310) 470-1990

Attorney(s) For PLAINTIFFS

FILE STAMP

SUPERIOR COURT OF CALIFORNIA, KERN COUNTY

(TITLE OF ACTION)
GEORGE CREQUE, JR., etc., et al.,

vs.

CACTUS GOLD MINES COMPANY, INC., etc., et al.

CASE NUMBER
235323 SPC

PETITION FOR APPOINTMENT OF GUARDIAN AD LITEM, AND ORDER

I. PETITION BY MINOR (if minor is 14 years or older).

I declare under penalty of perjury under the laws of the State of California that the following is true:

A. I am the ☐ plaintiff ☐ defendant in the above-entitled action.

B. I am a minor of the age of _____ years, having been born on _____ (BIRTHDATE).

C. Appointment of a guardian ad litem is necessary because I have no general guardian.

D. _____ (NAME OF PROPOSED GUARDIAN) is my _____ (PARENT/RELATIVE/FRIEND).

E. Therefore, I request that _____ (NAME OF PROPOSED GUARDIAN) be appointed guardian ad litem for me in this action.

F. This declaration is executed this date: _____, 19_____.

_____
(SIGNATURE OF MINOR PETITIONER)

CONSENT OF PROPOSED GUARDIAN, for minor 14 or older.

I declare under penalty of perjury under the laws of the State of California that the following is true:

A. I consent to the appointment of myself as guardian ad litem for _____ (NAME OF MINOR) in this action.

B. I have no interest adverse to the interest of the minor.

C. This declaration is executed this date: _____, 19_____.

_____
(SIGNATURE OF PROPOSED GUARDIAN)

—(OVER)—

NAME, ADDRESS AND TELEPHONE NUMBER OF ATTORNEY(S)
STEVEN E. SELIG & ASSOCIATES
10850 WILSHIRE BLVD. SUITE 530
LOS ANGELES, CA 90024
(310) 470-1990

Attorney(s) For PLAINTIFFS

FILE STAMP

SUPERIOR COURT OF CALIFORNIA, KERN COUNTY

(TITLE OF ACTION)
GEORGE CREQUE, JR., etc., et al.,

vs.

CACTUS GOLD MINES COMPANY, INC., etc., et al.

CASE NUMBER
235325 SPC

PETITION FOR APPOINTMENT OF GUARDIAN AD LITEM, AND ORDER

I. PETITION BY MINOR (if minor is 14 years or older).

I declare under penalty of perjury under the laws of the State of California that the following is true:

A. I am the ☒ plaintiff ☐ defendant in the above-entitled action.

B. I am a minor of the age of 14 years, having been born on 5-24-84 (BIRTHDATE).

C. Appointment of a guardian ad litem is necessary because I have no general guardian.

D. Lee Ann Riddle (NAME OF PROPOSED GUARDIAN) is my mother (PARENT/RELATIVE/FRIEND).

E. Therefore, I request that Lee Ann Riddle (NAME OF PROPOSED GUARDIAN) be appointed guardian ad litem for me in this action.

F. This declaration is executed this date: _____, 19____.

Grace Davis
(SIGNATURE OF MINOR PETITIONER)

CONSENT OF PROPOSED GUARDIAN, for minor 14 or older.

I declare under penalty of perjury under the laws of the State of California that the following is true:

A. I consent to the appointment of myself as guardian ad litem for Grace Davis (NAME OF MINOR) in this action.

B. I have no interest adverse to the interest of the minor.

C. This declaration is executed this date: 9-3, 19 98.

Lee A. Riddle
(SIGNATURE OF PROPOSED GUARDIAN)

—(OVER)—

NAME, ADDRESS AND TELEPHONE NUMBER OF ATTORNEY(S)
STEVEN E. ZELIG & ASSOCIATES
10850 WILSHIRE BLVD. SUITE 530
LOS ANGELES, CA 90024
(310) 470-1990

Attorney(s) For PLAINTIFFS

FILE STAMP

SUPERIOR COURT OF CALIFORNIA, KERN COUNTY

(TITLE OF ACTION)
GEORGE CREQUE, JR., etc., et al.,

vs.

CACTUS GOLD MINES COMPANY, INC., etc., et al.

CASE NUMBER
235323 SPC

PETITION FOR APPOINTMENT OF GUARDIAN AD LITEM, AND ORDER

I. PETITION BY MINOR (if minor is 14 years or older).

I declare under penalty of perjury under the laws of the State of California that the following is true:

A. I am the ☐ plaintiff ☐ defendant in the above-entitled action.

B. I am a minor of the age of _____ years, having been born on _____ (BIRTHDATE).

C. Appointment of a guardian ad litem is necessary because I have no general guardian.

D. _____ (NAME OF PROPOSED GUARDIAN) is my _____ (PARENT/RELATIVE/FRIEND).

E. Therefore, I request that _____ (NAME OF PROPOSED GUARDIAN) be appointed guardian ad litem for me in this action.

F. This declaration is executed this date: _____, 19_____.

_____
(SIGNATURE OF MINOR PETITIONER)

CONSENT OF PROPOSED GUARDIAN, for minor 14 or older.

I declare under penalty of perjury under the laws of the State of California that the following is true:

A. I consent to the appointment of myself as guardian ad litem for _____ (NAME OF MINOR) in this action.

B. I have no interest adverse to the interest of the minor.

C. This declaration is executed this date: _____, 19_____.

_____
(SIGNATURE OF PROPOSED GUARDIAN)

—(OVER)—

NAME, ADDRESS AND TELEPHONE NUMBER OF ATTORNEY(S)
STEVEN SELIG & ASSOCIATES
10850 WILSHIRE BLVD. SUITE 530
LOS ANGELES, CA 90024
(310) 470-1990

Attorney(s) For PLAINTIFFS

FILE STAMP

SUPERIOR COURT OF CALIFORNIA, KERN COUNTY

GEORGE CREQUE, JR., etc., et al.,

(TITLE OF ACTION)

vs.

CACTUS GOLD MINES COMPANY, INC., etc., et al.

CASE NUMBER 235329-SPC

PETITION FOR APPOINTMENT OF GUARDIAN AD LITEM, AND ORDER

I. PETITION BY MINOR (if minor is 14 years or older).

I declare under penalty of perjury under the laws of the State of California that the following is true:

A. I am the ☐ plaintiff ☐ defendant in the above-entitled action.

B. I am a minor of the age of _____ years, having been born on _____ (BIRTHDATE).

C. Appointment of a guardian ad litem is necessary because I have no general guardian.

D. _____ (NAME OF PROPOSED GUARDIAN) is my _____ (PARENT/RELATIVE/FRIEND).

E. Therefore, I request that _____ (NAME OF PROPOSED GUARDIAN) be appointed guardian ad litem for me in this action.

F. This declaration is executed this date: _____, 19_____.

_____
(SIGNATURE OF MINOR PETITIONER)

CONSENT OF PROPOSED GUARDIAN, for minor 14 or older.

I declare under penalty of perjury under the laws of the State of California that the following is true:

A. I consent to the appointment of myself as guardian ad litem for _____ (NAME OF MINOR) in this action.

B. I have no interest adverse to the interest of the minor.

C. This declaration is executed this date: _____, 19_____.

_____
(SIGNATURE OF PROPOSED GUARDIAN)

—(OVER)—

NAME, ADDRESS AND TELEPHONE NUMB. OF ATTORNEY(S)
STEVEN L. ZELIG & ASSOCIATES
10850 WILSHIRE BLVD. SUITE 530
LOS ANGELES, CA 90024
(310) 470-1990

Attorney(s) For PLAINTIFFS

FILE STAMP

SUPERIOR COURT OF CALIFORNIA, KERN COUNTY

(TITLE OF ACTION)
GEORGE CREQUE, JR., etc., et al.,

vs.

CACTUS GOLD MINES COMPANY, INC., etc., et al.

CASE NUMBER
235323 SPC

PETITION FOR APPOINTMENT OF GUARDIAN AD LITEM, AND ORDER

I. PETITION BY MINOR (if minor is 14 years or older).

I declare under penalty of perjury under the laws of the State of California that the following is true:

A. I am the ☒ plaintiff ☐ defendant in the above-entitled action.

B. I am a ~~minor of~~ the age of 15 years, having been born on 3-5-83 (BIRTHDATE).

C. Appointment of a guardian ad litem is necessary because I have no general guardian.

D. Lee Ann Riddle (NAME OF PROPOSED GUARDIAN) is my mother (PARENT/RELATIVE/FRIEND).

E. Therefore, I request that Lee Ann Riddle (NAME OF PROPOSED GUARDIAN) be appointed guardian ad litem for me in this action.

F. This declaration is executed this date: _____, 19____.

Samuel Davis
(SIGNATURE OF MINOR PETITIONER)

CONSENT OF PROPOSED GUARDIAN, for minor 14 or older.

I declare under penalty of perjury under the laws of the State of California that the following is true:

A. I consent to the appointment of myself as guardian ad litem for Samuel Davis (NAME OF MINOR) in this action.

B. I have no interest adverse to the interest of the minor.

C. This declaration is executed this date: 9/3, 19 98.

Lee Ann Riddle
(SIGNATURE OF PROPOSED GUARDIAN)

—(OVER)—

PROOF OF SERVICE
(1013a, 2015.5 C.C.P.)

STATE OF CALIFORNIA)
) ss.
COUNTY OF LOS ANGELES)

I am employed in the County of Los Angeles, State of California in the office of a member of the bar of this Court at whose direction the service was made.

I am over the age of 18, and not party to the within action. My business address is 10850 Wilshire Boulevard, Suite 530, California 90024.

On January 7, 1999 I served the following document(s) described as:

FIRST AMENDED COMPLAINT

on the interested parties in this action by placing a true copy thereof in a sealed envelope addressed as follows:

Robin C. Cochran
Elizabeth Ashley Bianco
GRESHAM, SAVAGE, NOLAN & TILDEN
600 N. Arrowhead Ave., Suite 300
San Bernardino, CA 92401-1148

[XX] (BY MAIL) & Fax
On said date I placed such envelope with postage thereon fully prepaid in the United States mail at Los Angeles, California 90024.

[XX] I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. It is deposited with the U.S. postal service on that same day in the ordinary course of business. I am aware that on motion of party served, service is presumed invalid if postal cancellation date or postage meter date is more than 1 day after date of deposit for mailing in affidavit.

[ ] (BY PERSONAL SERVICE)
I delivered such envelope by hand to the offices of the addressee.

I declare under penalty of perjury that the above is true and correct and that this declaration/certificate is executed at Los Angeles, California on January 7, 1999.

JACQUELINE SERRANO

Zurich Insurance Response to EPA Request for Information
Pursuant to Section 104(e) of CERCLA

CONFIDENTIAL BUSINESS INFORMATION
DO NOT DISCLOSE

Zurich Insurance asserts a Business Confidentiality Claim against all documents covered by this Notice, including those documents under this cover with Bates numbers Zurich000755 through Zurich000761.

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Zurich Insurance Response to EPA Request for Information
Pursuant to Section 104(e) of CERCLA

CONFIDENTIAL BUSINESS INFORMATION
DO NOT DISCLOSE

Zurich Insurance asserts a Business Confidentiality Claim against all documents covered by this Notice, including those documents under this cover with Bates numbers Zurich000762 through Zurich000828.

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Zurich Insurance Response to EPA Request for Information
Pursuant to Section 104(e) of CERCLA

CONFIDENTIAL BUSINESS INFORMATION
DO NOT DISCLOSE

Zurich Insurance asserts a Business Confidentiality Claim against all documents covered by this Notice, including those documents under this cover with Bates numbers Zurich000829 through Zurich000892.

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Zurich Insurance Response to EPA Request for Information
Pursuant to Section 104(e) of CERCLA

CONFIDENTIAL BUSINESS INFORMATION
DO NOT DISCLOSE

Zurich Insurance asserts a Business Confidentiality Claim against all documents covered by this Notice, including those documents under this cover with Bates numbers Zurich000893 through Zurich000985.

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Zurich Insurance Response to EPA Request for Information
Pursuant to Section 104(e) of CERCLA

CONFIDENTIAL BUSINESS INFORMATION
DO NOT DISCLOSE

Zurich Insurance asserts a Business Confidentiality Claim against all documents covered by this Notice, including those documents under this cover with Bates numbers Zurich000986 through Zurich001048.

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Zurich Insurance Response to EPA Request for Information
Pursuant to Section 104(e) of CERCLA

CONFIDENTIAL BUSINESS INFORMATION
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Zurich Insurance asserts a Business Confidentiality Claim against all documents covered by this Notice, including those documents under this cover with Bates numbers Zurich001049 through Zurich001151.

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