

Janet M. Weiss  
Jessica D. Mikhailevich  
DORSEY & WHITNEY LLP  
51 West 52nd Street  
New York, New York 10019  
Telephone: (212) 415-9200  
Facsimile: (212) 953-7201  
Email: weiss.janet@dorsey.com  
Email: mikhailevich.jessica@dorsey.com

*Attorneys for Premier Gold Mines Limited*

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

In re:	)	Chapter 11
	)	
REPUBLIC METALS REFINING	)	Case No. 18-13359 (SHL)
CORPORATION, <i>et al.</i> , <sup>1</sup>	)	
	)	(Jointly Administered)
Debtors.	)	
	)	

**PREMIER GOLD MINES LIMITED’S  
INITIAL DISCLOSURES PURSUANT TO FED. R. CIV. P. 26**

Premier Gold Mines Limited (“Premier Gold”), by and through its undersigned counsel, as and for its initial disclosures pursuant to Federal Rules of Bankruptcy Procedure 7026 and 9014 and Federal Rule of Civil Procedure 26(a)(1), states as follows based upon information that is presently and reasonably available to it. Because its investigation of the subject matter of this action is ongoing, Premier Gold reserves the right to amend, modify, or supplement these disclosures as discovery in these proceedings progresses.

By making these disclosures, Premier Gold does not represent that it is identifying every

<sup>1</sup> The Debtors in these chapter 11 cases, along with the last four digits of each Debtor’s federal tax identification number, include: Republic Metals Refining Corporation, 15 West 47th Street, Suites 206 and 209, New York, NY 10036 (3194), Republic Metals Corporation, 12900 NW 38th Avenue, Miami, FL 33054 (4378), and Republic Carbon Company, LLC, 5295 Northwest 163rd Street, Miami Gardens, FL 33014 (5833).

document, tangible thing or witness having knowledge that is conceivably relevant to this proceeding to determine ownership of the relevant metal or proceeds thereof. Premier Gold does not waive its right to object to the production of any document or tangible thing disclosed herein on the basis of any privilege, doctrine or immunity, including, but not limited to, the attorney-client privilege or the attorney work product doctrine, nor does Premier Gold waive its right to object to the production of any document or tangible thing based upon any other valid objection available to it under the Federal Rules of Civil Procedure. Premier Gold’s disclosures also do not waive (a) its right to object on the grounds of privilege, competency, relevancy, materiality, hearsay or other proper grounds with respect to the use of such information for any purpose; and (b) its right to object upon any and all proper grounds, at any time, or any discovery request or proceeding involving or relating to the subject matter of these disclosures.

Subject to the foregoing, Premier Gold’s initial disclosures are as follows:

1. Pursuant to Fed. R. Civ. P. 26(a)(1)(A)(i), Premier Gold identifies the following individuals as possessing information that is discoverable and may be relevant to the case, and who Premier Gold may call as witness to support its claims at trial:

<u>Name</u>	<u>Address and Telephone Number</u>	<u>Subjects of Information</u>
Steven Filipovic, CPA, Chief Financial Officer Premier Gold Mines Limited	1100 Russell Street, Suite 200 Thunder Bay, ON P7B 5N2	Mr. Filipovic has knowledge concerning Premier Gold’s business and structure; the various agreements with Debtors; the course of dealing between Premier Gold and Debtors; negotiations with Debtors regarding agreements with the Debtors and arrangements for Debtor to refine Premier Gold’s dore, including single instance of dore sale.

Gabe Viljakainen, Financial Analyst Premier Gold Mines Limited	1100 Russell Street, Suite 200 Thunder Bay, ON P7B 5N2	Mr. Viljakainen has knowledge concerning deliveries by Debtors of refined gold and silver to Premier Gold's Scotia Mocatta account, including the historical course of dealing.
Fernando Perez Premier Gold Mines Limited	1100 Russell Street, Suite 200 Thunder Bay, ON P7B 5N2	Mr. Perez has knowledge concerning delivery of the Premier Gold dore for shipment to the Debtors' refinery.
Juan Carlos Avila Gerardo Minera Meridian Minerales S. De R.L. De C.V.	Calle B Reyes 126-8 Col. San Benito Hermosillo, Sonora C.P. 83190 Mexico	Mr. Avila has knowledge concerning the mining operations at the Mercedes mine.

The foregoing individuals are current employees and/or agents of Premier Gold, and therefore, may only be contacted through Premier Gold's counsel, Dorsey & Whitney LLP.

2. Pursuant to Fed. R. Civ. P. 26(a)(1)(A)(ii), Premier Gold has the following categories of documents in its possession, custody or control that it may use to support its claims:

- a. All relevant, non-privileged documents concerning Premier Gold's contention that the Assets<sup>2</sup> belong to the Premier Gold and not to the Debtors' bankruptcy estates.
- b. All relevant, non-privileged documents concerning the dore and refined metals that are the subject of Premier Gold's ownership claims.
- c. All relevant, non-privileged documents concerning the bills of lading, lab analyses, melting and lot form, assays, record of payments, ledger accounts and other bookkeeping records relating to Premier Gold's ownership claims.

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<sup>2</sup> All capitalized terms used herein but not otherwise defined shall be assigned the meanings ascribed to such terms in the Order Approving Uniform Procedures for Resolution of Ownership Disputes that was entered by the Court in the Debtors' bankruptcy cases on January 11, 2019 [Docket No. 395].

d. All relevant, non-privileged documents concerning correspondence with the Debtors regarding Premier Gold's ownership claims.

e. All relevant, non-privileged documents concerning tracking information for the unrefined and refined precious metals owned by Premier Gold.

f. All relevant, non-privileged documents concerning the transaction history of Premier Gold's pool account with the Debtors, the refined metals owned by Premier Gold, and any additional documents relied upon by Premier Gold for its assertions in its Customer Statement.

All of the foregoing categories of documents are located at the offices of Premier Gold or its counsel. In addition, Premier Gold anticipates that certain documents that are exclusively within the possession custody and control of the Debtors will be used to support Premier Gold's claims. Premier Gold reserves the right to use any documents produced by the Debtors or any other individual or entity in connection with discovery or disclosures in this matter, or at trial.

3. Pursuant to Fed. R. Civ. P. 26(a)(1)(A)(iii), Premier Gold seeks monetary relief in excess of \$10,500,000 based on the price of silver and gold as of the date of the Customer Statement.

4. Pursuant to Fed. R. Civ. P. 26(a)(1)(A)(iv), Premier Gold states that Debtors are contractually obligated to obtain a policy to insure transactions that have applicability in this action, although it does not have (a) knowledge whether such a policy was obtained or (b) a copy of such policy in its records, and therefore reserves the right to discovery from the Debtors or any other individuals regarding these issues.

*[Signatures on the next page]*

Dated: New York, New York  
March 11, 2019

DORSEY & WHITNEY LLP  
By: /s/ Jessica D. Mikhailevich  
Janet M. Weiss, Esq.  
Jessica D. Mikhailevich, Esq.  
DORSEY & WHITNEY LLP  
51 West 52nd Street  
New York, New York 10019  
Telephone: (212) 415-9200  
Facsimile: (212) 953-7201  
Email: weiss.janet@dorsey.com  
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