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and 7645635 Canada Inc.*

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

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

7645635 Canada Inc. o/a Ottawa Gold Buyer ("Ottawa Gold Buyer"), and  
Pollock-Cameron Investments Corporation o/a Vancouver Gold Buyer ("Vancouver Gold  
Buyer", and together with Ottawa Gold Buyer, the "Customers"), by and through their counsel,  
Klestadt Winters Jureller Southard & Stevens, LLP, hereby file this reply to *Debtors' Omnibus  
Reply to Customer Statements* dated February 19, 2019 [Doc. 648] (the "Debtors' Response")

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<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), Republic Carbon Company, LLC, 5295 Northwest 163rd Street, Miami Gardens, FL 33014 (5833), Republic High Tech Metals, LLC, 13001 NW 38 Avenue, Miami, FL 33054 (6102), RMC Diamonds, LLC, 12900 NW 38th Avenue, Miami, FL 33054 (1507), RMC2, LLC, 12900 NW 38th Avenue, Miami, FL 33054 (4696), J & L Republic LLC, 12900 NW 38th Avenue, Miami, FL 33054 (7604); R & R Metals, LLC, 12900 NW 38th Avenue, Miami, FL 33054 (7848), Republic Metals Trading (Shanghai) Co., Ltd., 276 Ningbo Road, Huangpu District, Shanghai, P.R. 200001 China (1639), and Republic Trans Mexico Metals, S.R.L., Francisco I. Madero No. 55 Piso 5, Local 409, Centro Joyero Edificio Central, Delegación Cuauhtémoc, Mexico DF 6000 (2942).

and the *Omnibus Response of the Senior Lenders to Customer Statements* dated February 18, 2019 [Doc. 637] (the “Lenders’ Response”), and state:

1. As required by the *Order Approving Uniform Procedures for Resolution of Ownership Disputes* [doc. 395] dated January 11, 2019 (the “Procedures Order”), Customers filed a customer statement containing a “summary of the legal basis for the Customer’s ownership claim” [Procedures Order, ¶ 2(c)(iv)] on January 18, 2019 [Doc. 465] (the “Customer Statement”). The Procedures Order required the Debtors to submit a “summary of the legal basis for the Debtors’ ownership claim, including the legal basis for asserting that the Assets are property of the Debtors’ estates,” *Id.* at ¶ 2(d)(iv), and the Senior Lenders to submit a “summary of the legal basis for the asserted security interest or lien, including the legal basis for asserting that the Assets are property of the Debtors’ estates.” *Id.* at ¶ 2(e)(iv).

2. The Debtors and Senior Lenders submitted extensive briefs that are far more than summaries of their legal positions. The Procedures Order provides that the Customers “may amend or supplement their Customer Statements in response to any Debtors’ Responses and Senior Lenders’ Responses no later than February 28, 2019.” *Id.* at ¶ 2(g). The deadline for such submissions under the Procedures Order was extended to March 11, 2019 [Doc. 677]. As many of the legal arguments are fact-specific and fact-intensive, Customers believe that it is premature to reply in depth to the Debtors’ and Senior Lenders’ arguments until after discovery is completed.

3. Accordingly, Customers reserve the right to respond to the legal arguments contained in the Debtors’ Response and the Lenders’ Response in the legal briefing to be submitted in the metal ownership litigation, and to dispute the factual allegations contained in the Debtors’ Response and the Lenders’ Response as appropriate after discovery has closed.

4. For the avoidance of doubt, Customers also intend to rely upon the Customer Statement as its response to the Debtors' Omnibus Objection to All Reclamation Claims [Doc. No. 640].

5. By filing this reply, Customers do not intend to waive any rights to respond to any arguments raised by the Debtors and the Senior Lenders.

Dated: New York, New York  
March 11, 2019

KLESTADT WINTERS JURELLER  
SOUTHARD & STEVENS, LLP

*/s/Sean C. Southard*

By: \_\_\_\_\_

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