

**ONTARIO  
SUPERIOR COURT OF JUSTICE**

**THE HONOURABLE JUSTICE )**     MONDAY, the 10<sup>th</sup>  
**PERELL )**                     )            day of DECEMBER,  
  )     2012.

**B E T W E E N:**

**EARL DOWNEY and JOHN DOE I**

Plaintiffs

- and -

**KINROSS GOLD CORPORATION, TYE W. BURT, PAUL H. BARRY, GLEN  
MASTERMAN, KENNETH G. THOMAS, and TASIAST MAURITANIE  
LIMITED S.A.**

Defendants

**ORDER**

THIS MOTION, made by the Solicitors for the Plaintiff, Earl Downey and John Doe I, was for an order discontinuing court file number 53593/12.

UPON READING the Motion Record of the Plaintiffs, and upon being advised of the consent of the Plaintiff Earl Downey, and upon being advised of the consent of the Defendants:

- 1. THIS COURT ORDERS that the action bearing court file number 53593/12 is discontinued in its entirety; and

2. THIS COURT ORDERS that there shall be no award of costs for the Action, or for this motion.

*Perell J.*

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THE HONOURABLE JUSTICE PERELL

December 10, 2012

This is a motion to discontinue a proposed class action. The motion is on consent. The purpose of the motion is to avoid a coverage fight as there is a nice class action that will be provided. Having read the motion record, I am satisfied that the motion should be granted.

I have signed the Order.

Paul J.