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MONTANA FIRST JUDICIAL DISTRICT COURT  
LEWIS AND CLARK COUNTY

KSANKA ELDERS ADVISORY

COMMITTEE, et al.,

Plaintiffs,

vs.

DORRINGTON, et al.,

Defendants

Case No. DDV-2021-1126

**PLAINTIFFS' UNOPPOSED MOTION  
TO VOLUNTARILY DISMISS**

Pursuant to Montana Rule of Civil Procedure 41(a)(1), Plaintiffs Ksanka Elders Advisory Committee et al. (together, "Ksanka Elders") hereby move to

voluntarily dismiss this action. Defendants Montana Department of Environmental Quality and its Director (together, “DEQ”) do not oppose this motion. Defendant-Intervenors Montanore Minerals Corp., RC Resources Inc., and Troy Mine, Inc. (together, “Hecla subsidiaries”) do not oppose this motion. DEQ and the Hecla subsidiaries further stipulate to this voluntary dismissal. Mont. R. Civ. P. 41(a)(1)(ii).

Ksanka Elders’ claims are premised on the leadership roles of Phillips Baker Jr. at Hecla Mining Company and Baker’s prior leadership positions with Pegasus Gold Incorporated and its subsidiaries (collectively, “Pegasus”) in the leadup to Pegasus’s bankruptcy and subsequent default on reclamation obligations at the Zortman-Landusky, Basin Creek, and Beal Mountain mines.

Ksanka Elders have learned that in May 2024 Baker left Hecla and severed ties with the company. He has no continuing roles at Hecla, no continuing connections, and no continuing responsibilities. As such, he is no longer positioned to seek to conduct mining or exploration operations in Montana.

Given Baker’s departure from Hecla, Ksanka Elders move to voluntarily dismiss this action. The effect of this motion is dismissal without prejudice. Mont. R. Civ. P. 41(a)(1)(B), (2). All other motions currently pending before the Court are therefore moot.

The parties further agree that each shall bear its own fees, costs, and expenses.

A proposed order is attached.

Respectfully submitted this 11th day of July, 2024.

/s/ Shiloh Hernandez  
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/s/ Samuel King  
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## CERTIFICATE OF SERVICE

I, Shiloh Silvan Hernandez, hereby certify that I have served true and accurate copies of the foregoing Motion - Motion to the following on 07-11-2024:

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Electronically Signed By: Shiloh Silvan Hernandez  
Dated: 07-11-2024