

## NOTICE OF SETTLEMENT APPROVAL IN THE AGNICO EAGLE MINES LIMITED SECURITIES CLASS ACTIONS

This notice is directed to all persons, wherever they may reside or be domiciled, who acquired securities of Agnico Eagle Mines Limited either:

- over the TSX, Chi-X, Alpha, Omega, TriAct, TMX Select, Pure Trading, Liquidnet and Instinet Canada trading platforms between, and including, March 26, 2010 and October 18, 2011 (the “**Class Period**”); or
- in exchange for securities of Comaplex Minerals Corp. by way of a plan of arrangement pursuant to the Alberta Business Corporations Act completed on or around July 6, 2010;
- **and** continued to hold some or all of those securities on one or both of July 28, 2011 and October 19, 2011 (the “**Class Members**”), except for Excluded Persons (as defined below).

**READ THIS NOTICE CAREFULLY AS IT MAY AFFECT YOUR LEGAL RIGHTS.  
YOU MAY NEED TO TAKE PROMPT ACTION.**

### **Important Deadline**

**Claims Bar Deadline** (to file a claim for compensation): **May 20, 2016**

*Claim Forms will not be accepted after the Claims Bar Deadline. As a result, it is necessary that you act without delay.*

### **Court Approval of the Class Action Settlement**

In March 2012, the Plaintiffs, AFA Livförsäkringsaktiebolag, AFA Sjukförsäkringsaktiebolag, AFA Trygghetsförsäkringsaktiebolag, Kollektivavtalsstiftelsen Trygghetsfonden TSL (collectively referred to as AFA Insurance), and William Leslie commenced an action in the Ontario Superior Court of Justice (the “**Ontario Action**”) against Agnico Eagle Mines Limited (“**Agnico**”), as well as Sean Boyd, Eberhard Scherkus and Ammar Al-Joundi (the “**Releasees**”). In October 2012, the Plaintiff, Jean-Paul Delaire brought a similar action in the Quebec Superior Court (the “**Quebec Action**”). The claims being pursued in these actions are claims for damages or restitution for losses suffered as a result of Agnico’s alleged failure to disclose ongoing operational issues at its Goldex mine prior to the suspension of mining operations at the Goldex mine in October 2011.

On April 17, 2013, the Ontario Superior Court of Justice (“**Ontario Court**”) certified the Ontario Action proceeding as a class action on consent. Certification by the Ontario Court is not a decision on the merits of the class action.

On October 1, 2013, the Superior Court of Quebec (“**Quebec Court**,” and together with Ontario Court, the “**Courts**”) authorized the bringing of a class action comprised of persons who are resident or domiciled in the Province of Quebec at the time they purchased or acquired Agnico

securities and who are not precluded from participating in a class action by virtue of Article 999 of the *Québec Code of Civil Procedure*, RSQ, c C-25, but excluding the Excluded Persons.

On November 2, 2015, the Plaintiffs and Agnico executed a Settlement Agreement (the “**Settlement Agreement**”) providing for the settlement of the class actions as against Agnico and the dismissal of the class actions as against Agnico and the Releasees (the “**Settlement**”). The Settlement Agreement provides for the payment of CDN\$17,000,000.00 (the “**Settlement Amount**”) by Agnico in consideration for full and final settlement of the claims of Class Members. The Settlement Amount includes all legal fees, disbursements, taxes and administration expenses. In return for the payment of the Settlement Amount by Agnico, Agnico and the Releasees will receive releases and a dismissal of the class actions. The Settlement is a compromise of disputed claims and is not an admission of liability, wrongdoing or fault on the part of Agnico or any of the Releasees, all of whom have denied, and continue to deny, the allegations against them.

On February 12, 2016, the Ontario Court approved the Settlement and ordered that it be implemented in accordance with its terms. On February 1, 2016, the Quebec Court approved the Settlement and ordered that it be implemented in accordance with its terms.

The Courts also awarded Siskinds LLP and Siskinds, Desmeules, Avocats, sncrl (together, “**Class Counsel**”) legal fees, expenses and applicable taxes in the amount of \$5,105,842.88 (“**Class Counsel Fees**”). As is customary in such cases, Class Counsel conducted the class actions on a contingent fee basis. Class Counsel was not paid as the matter proceeded and funded the expenses of conducting the litigation. The amount awarded for Class Counsel Fees includes \$451,527.13 for the reimbursement of amounts spent by Class Counsel in the conduct of the class actions. The remainder, net of applicable taxes, will be Class Counsel’s only compensation for conducting the class actions. Class Counsel Fees will be deducted from the Settlement Amount before it is distributed to Class Members.

Expenses incurred or payable relating to approval, notification, implementation and administration of the Settlement (“**Administration Expenses**”) will also be paid from the Settlement Amount before it is distributed to Class Members.

### **Administrator**

The Courts have appointed RicePoint Administration Inc. as the Administrator of the Settlement. The Administrator will, among other things: (i) receive and process the Claim Forms; (ii) make determinations of each Class Member’s eligibility for compensation pursuant to the Plan of Allocation; (iii) communicate with Class Members regarding their eligibility for compensation; and (iv) manage and distribute the Settlement Amount. The Administrator can be contacted at:

Telephone: 1-866-432-5534

Mailing Address: Agnico Eagle Mines Ltd. Securities Litigation  
Claims Administrator  
PO Box 3355  
London (Ontario) N6A 4K3  
CANADA

Website: [www.agnicosettlement.com](http://www.agnicosettlement.com)

### **Class Members' Entitlement to Compensation**

Class Members will be eligible for compensation pursuant to the Settlement if they timely submit a completed Claim Form, including any supporting documentation, with the Administrator.

To be eligible for compensation under the settlement, Class Members must submit their Claim Form postmarked **no later than May 20, 2016** (the "**Claims Bar Deadline**").

Only Class Members are permitted to participate in the Settlement. In particular, the following persons are not permitted to participate in the Settlement: (i) "**Excluded Persons**", which are defined as Agnico, the Releasees, and Agnico's past and present subsidiaries, affiliates, officers, directors, senior employees, partners, legal representatives, heirs, predecessors, successors and assigns, and any member of the family of a Releasee; and (ii) persons who have previously opted out of the class actions pursuant to the order of the Ontario Court dated September 16, 2013 or the order of the Quebec Court dated October 1, 2013.

The remainder of the Settlement Amount, after deduction of Class Counsel Fees and Administration Expenses (the "**Net Settlement Amount**"), will be distributed to Class Members in accordance with the Plan of Allocation.

Under the Plan of Allocation, each Class Member who has filed a valid claim will receive a portion of the Net Settlement Amount as set out in the Plan of Allocation.

If there is a positive balance after one hundred and eighty (180) days from the date of distribution of the Net Settlement Amount to Class Members, the Administrator shall, if feasible, allocate such balance among Class Members in an equitable and economic fashion. Any balance below \$25,000.00 which still remains thereafter shall be donated to a recipient to be approved by the Courts.

### **Copies of the Settlement Documents**

Copies of the Settlement Agreement, the Plan of Allocation, and the orders of the Courts approving the Settlement may be found on the websites of Class Counsel at [www.siskinds.com](http://www.siskinds.com) and [www.classaction.ca](http://www.classaction.ca), or by contacting Class Counsel at the contact information provided below.

### **Class Counsel**

The law firms of Siskinds LLP and Siskinds, Desmeules, Avocats, sncrl are Class Counsel. Inquiries may be directed to:

Siskinds LLP Nicole Young 680 Waterloo Street London, ON N6A 3V8 Tel: 1-877-672-2121 x 2380 Fax: 519-672-6065	Siskinds, Desmeules, Avocats, sncrl 480, Saint-Laurent, suite 501 Montreal, QC, H2Y 3Y7 Tel: 1-514-849-1970 Email:
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Email: <a href="mailto:nicole.young@siskinds.com">nicole.young@siskinds.com</a>  <a href="http://www.siskinds.com">www.siskinds.com</a> and <a href="http://www.classaction.ca">www.classaction.ca</a>	<a href="mailto:siskindsmontreal@siskindsdesmeules.com">siskindsmontreal@siskindsdesmeules.com</a>
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**Interpretation**

If there is a conflict between the provisions of this notice and the Settlement Agreement, the terms of the Settlement Agreement will prevail.

PLEASE DO NOT CONTACT THE COURTS WITH INQUIRIES ABOUT THE CLASS ACTIONS OR THE SETTLEMENT. All inquiries should be directed to the Administrator or Class Counsel.

DISTRIBUTION OF THIS NOTICE HAS BEEN AUTHORIZED BY THE ONTARIO SUPERIOR COURT OF JUSTICE AND THE SUPERIOR COURT OF QUEBEC