

NOTICE OF THE PROPOSED SETTLEMENT OF THE IMPERIAL METALS CORPORATION CLASS ACTION

Read this notice carefully as it may affect your rights.

This notice is directed to all persons and entities, excluding certain persons associated with the Defendants who acquired Imperial Metals Corporation's common shares, notes or other such securities from August 15, 2011 through to August 4, 2014, inclusive, and continued to hold some or all of those securities as of August 5, 2014.

On August 7, 2014, a proposed class action was commenced in the Ontario Superior Court of Justice (the "Action"). The Plaintiff alleges that Imperial Metals Corporation's continuous disclosure documents contained misrepresentations at law and within the meaning of Part XXIII.1 of the *Securities Act*, R.S.O. 1990, c. S.5 and, if necessary, the other provincial and territorial securities legislation from August 15, 2011 through to August 4, 2014, inclusive, by failing to disclose the adverse conditions at Imperial Metals Corporation's tailings storage facility at the Mount Polley mine.

The parties have reached a proposed settlement of the Action, without an admission of liability by the Defendants, subject to the approval by the Court. This notice provides a summary of the proposed settlement.

On February 7, 2023, the action was certified on consent for settlement purposes. The certified class includes persons, other than Excluded Persons, who acquired Imperial Metals Corporation's securities from August 15, 2011 through to August 4, 2014, inclusive, and continued to hold some or all of those securities as of August 5, 2014.

The persons included in the class are entitled to participate in the settlement.

THE TERMS OF THE PROPOSED SETTLEMENT

The Imperial Defendants will pay \$6 million, in full and final settlement of all claims against the Defendants. The \$6 million, less the lawyers' fees, disbursements and taxes, honorarium, and the costs of administration of the settlement will be distributed to the Class in accordance with a plan of allocation. The Settlement Agreement may be viewed at www.imperialmetalsclassaction.com and <https://www.siskinds.com/class-action/imperial-metals-corporation/>.

THE APPROVAL HEARING

The Court will be asked to approve the proposed settlement and the lawyers' fees, disbursements, expenses and taxes at a hearing to be held on May 11, 2023 at 10:00 a.m. at the courthouse located at 330 University Avenue, Toronto. The lawyers for the Class will ask the Court to approve legal fees of 25% percent of \$6 million which is \$1.5 million, plus disbursements and taxes.

OBJECTIONS

Class Members who do not oppose the proposed settlement are not required to appear at the hearing or take any other action at this time to indicate their desire to participate in the proposed settlement. Class Members who consider it desirable or necessary to seek the advice and guidance of their own lawyers may do so at their own expense.

At the approval hearing, the Court will consider an objection to the proposed settlement by a Class Member if the objection is submitted in writing, by prepaid mail or e-mail to the Administrator: Imperial Metals Class Action, c/o RicePoint Administration Inc., P.O. Box 3355, London, ON N6A 4K3, Email: imperialmetals@ricepoint.com. Class Members who wish to object must do so before April 21, 2023.

A written objection can be submitted in English or French and must include the following information:

- (a) the objector's full name, current mailing address, telephone number, fax number and email address (as may be available);
- (b) a statement that the Class Member acquired Imperial Metals Corporation's common shares, notes or other such securities from August 15, 2011 through to August 4, 2014, inclusive, and continued to hold some or all of those securities as of August 5, 2014;
- (c) a brief statement of the nature of and reasons for the objection; and
- (d) the objector intends to appear at the Approval Hearing in person or by counsel, and, if by counsel, the name, address, telephone number, fax number and email address of counsel.

OPTING OUT FROM THE CLASS ACTION

If you are a Class Member, you will be bound by the outcome of the Action, including the terms of the proposed settlement, if approved, unless you opt out of the Action. Class Members who do not opt out will (i) be entitled to participate in the settlement; (ii) be bound by the terms of the settlement; and (iii) not be permitted to bring other legal proceedings in relation to the matters alleged in the Action against the Defendants, or any person released by the approved settlement. Conversely, if you are a Class Member who opts out of the Action (an "**Opt Out Party**"), you will not be able to make a claim to receive compensation from the proposed settlement but will maintain the right to pursue your own claim against the Defendants relating to the matters alleged in the Action.

If you are a Class Member and wish to opt out, you must submit a written election ("**Opt Out Election**"), to the Administrator at the mail or email address set out in the preceding section. Your Opt Out Election must be postmarked or be sent via email by no later than **11:59pm Toronto (Eastern) time on April 21, 2023 ("Opt Out Deadline")** to be valid.

To be valid, the Opt Out Election: (a) must contain a statement of intention to opt out of the action by the Class Member or person authorized to bind the Class Member; (b) a listing of all transactions in Imperial Securities from and including August 15, 2011 to and including August 4, 2014 (the Class Period) showing, for each transaction, the type of transaction (purchase or sale), the number of Imperial securities purchased or sold and the date of the transaction, and state the number of securities held at the close of trading on the TSX on August 4, 2014; (c) the transactions must be supported by documents to evidence such transactions, in the form of trade confirmations, brokerage statements or other transaction records allowing the Administrator to verify the transactions; (d) must contain the name, address, telephone number and email address of the Class Member; and (e) may, at the option of the Class Member, contain a statement of the Class Member's reason for opting out.

An Opt Out Election that does not contain all of the required information or is postmarked or emailed after the Opt Out Deadline will not be valid, which means that you will be bound by the outcome of the Action, including the proposed settlement, if it is approved.

You may revoke an Opt Out Election by delivering to the Administrator by mail or courier a written statement that you wish to revoke the Opt Out Election, which must be postmarked on or before 11:59pm Toronto (Eastern) time on April 26, 2023.

QUESTIONS

Questions for the lawyers for the Class may be directed to:

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This notice has been approved by the Court. Questions regarding this notice should NOT be directed to the Court.