

CANADA
PROVINCE OF QUÉBEC
DISTRICT OF MONTRÉAL
COURT NO. : 500-11-040900-116
ESTATE NO.: 0000068-2011-QC

S U P E R I O R C O U R T

(Commercial Division)

(Sitting as a court designated pursuant to the
Companies' Creditors Arrangement Act,
R.S.C. 1985, c. C-36, as amended)

IN THE MATTER OF THE PLAN OF COMPROMISE AND
ARRANGEMENT OF:

KITCO METALS INC.

Petitioner

- and -

RSM RICHTER INC.

Monitor

PROOF OF CLAIM

1) PARTICULARS OF THE CREDITOR

- (i) Full legal name of the Creditor: _____ (the "Creditor")
- (ii) Full mailing address of the Creditor: _____
- (iii) Telephone number of the Creditor: _____
- (iv) Fax number of the Creditor: _____
- (v) Name of the authorized representative of the Creditor: _____
- (vi) E-mail address of authorized representative of the Creditor: _____

2) DECLARATION

I, _____ (name of Creditor or authorized representative of the Creditor)
hereby certify that (check and complete the appropriate boxes):

- ☐ I am a Creditor of Kitco Metals Inc.;
- ☐ I am _____ (indicate the title or function) of _____
which is a Creditor of Kitco Metals Inc.;
- ☐ I have knowledge of all the circumstances connected with the claim described herein.

3) CLAIM

- (i) CLAIM WHICH AROSE UP TO AND INCLUDING JUNE 8, 2011: \$ _____

(Note: All claims that are denominated in a foreign currency shall be converted to Canadian dollars at the Bank of Canada noon spot rate of exchange for exchanging currency to Canadian dollars on June 8, 2011. Exchange rates for the American dollar and the Euro, at that date, were the following: US \$1 = CA \$0.978; 1 EURO = CA \$1.4266)

(check and complete appropriate box)

☐ UNSECURED CLAIM OF CA\$ _____

That in respect of this debt, the Creditor does not hold any assets of the Petitioner as security.

☐ Regarding the amount of CA\$ _____ the undersigned does not claim a right to a priority.

☐ Regarding the amount of CA\$ _____ the undersigned claims a right to a priority under section 136 of the *Bankruptcy and Insolvency Act* (Canada) or would claim such a priority if the current proof of claim was filed pursuant to this Act.

☐ SECURED CLAIM OF CA\$ _____

That in respect of this debt, the Creditor holds assets of the Petitioner valued at CA\$ _____ as security, particulars of which are as follows.

(Give full particulars of the security, including the date on which the security was given and attach a copy of the security documents)

4) PARTICULARS OF CLAIM

The details relating to the claim as well as the supporting documents are submitted as follows:

- ☐ A detailed, complete statement of account;
- ☐ The invoices;
- ☐ Any agreement/contract/assessment giving rise to the claim, including calculations of the amounts claimed;
- ☐ Documents relating to the sale and/or the assignment of the claim and/or the agreement relating to the exercise of the Creditor's voting right during the Creditors' meeting;
- ☐ All other relevant documents.

5) FILING OF CLAIM

Pursuant to the claims and meetings procedure Order establishing the claims process granted by the Superior Court on April 18, 2012 and corrected on April 20, 2012, the Claims Bar Date has been fixed to July 20, 2012 at 5:00 P.M., Montréal Time, for claims which arose up to and including June 8, 2011.

Creditors who will not have filed a proof of claim with the supporting documents by the Claims Bar Date in compliance with the Order and instructions thereto will receive no other notice, and unless a new Order is rendered by the Superior Court, (i) shall not be entitled to participate as a Creditor to the proceedings, (ii) shall not be entitled to vote on any matter relating to these proceedings, including the Plan of compromise and arrangement of Kitco Metals Inc. (the "Plan"), (iii) shall not be entitled to assert any claim against Kitco Metals Inc., (iv) nor shall be entitled to receive any distribution under the Plan.

DATED at _____ this _____ day of _____, 201____.

(Signature of witness)

(Signature of the Creditor or of its authorized representative)

(Please print name)

(Please print name)

IN THE MATTER OF THE PLAN OF COMPROMISE AND ARRANGEMENT OF
KITCO METALS INC.

THIS INFORMATION SHEET IS SUPPLIED IN ORDER TO ASSIST YOU
IN COMPLETING THE PROOF OF CLAIM

PARAGRAPH 1 OF THE PROOF OF CLAIM AND GENERAL COMMENTS

- ☐ The Creditor must state the full and complete legal name of the company or the Creditor.
- ☐ The Creditor must give the complete address (including the postal code) where all notices and correspondence are to be forwarded. In addition, the Creditor and/or the authorized representative must indicate his/her telephone number, his/her facsimile and his/her e-mail address.

PARAGRAPH 2 OF THE PROOF OF CLAIM

- ☐ If the individual completing the proof of claim is not the Creditor himself/herself, he/she must state his/her position or title.

PARAGRAPHS 3 AND 4 OF THE PROOF OF CLAIM

- ☐ A detailed, complete statement of account must be attached to the proof of claim. Provide all particulars of the claim and supporting documents, including amount, description of transaction(s) or agreements(s) giving rise to the claim. The amount on the statement of account must correspond with the amount claimed on the proof of claim. The detailed statement of account must show the date, the invoice number and the amount of all the invoices or charges, together with the date, the number and the amount of all credits or payments. A statement of account is not complete if it begins with an amount brought forward. If the claim cannot be evidenced through a statement of account, the Creditor must provide a sworn affidavit providing all particulars of the claim, together with all supporting documents.
- ☐ If the claim is in a foreign currency, it shall be converted to Canadian dollars at the Bank of Canada noon spot rate of exchange for exchanging currency to Canadian dollars on the Determination Date, namely August 30, 2011 (US \$1 = CA \$0.978; 1 EURO = CA \$1.4266).

PARAGRAPH 5 OF THE PROOF OF CLAIM

- ☐ The proof of claim must be filed with the Monitor, RSM Richter Inc., at 2 Place Alexis Nihon, Suite 1820, Montréal, Québec, H3Z 3C2 and it must be received by the Monitor, by July 20, 2012, at 5:00 P.M., Montréal Time (Claims Bar Date), for claims which arose up to and including June 8, 2011.

The proof of claim may be filed by regular mail, by telecopier, by messenger or by any other means of electronic mail addressed to:

RSM Richter Inc.
(In its capacity as Court-appointed Monitor
of Kitco Metals Inc.)
Attention: Andrew Adessky, CA, CIRP
2 Place Alexis Nihon, Suite 1820
Montréal, Québec H3Z 3C2
Facsimile: 514.934.8603
Email: kitco@rsmrichter.com

Creditors are responsible for proving receipt of documents by the Monitor.

PARAGRAPH 6 SIGNATURE

- ☐ The proof of claim must be signed by the Creditor or its duly authorized representative, and have it witnessed.