

Court File No.

**ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST**

IN THE MATTER OF THE *COMPANIES' CREDITORS
ARRANGEMENT ACT*, R.S.C. 1985, c. C-36, AS AMENDED

AND IN THE MATTER OF A PLAN OF COMPROMISE OR
ARRANGEMENT OF JAGUAR MINING INC.

Applicant

**NOTICE OF MOTION
(Meeting Order and Claims Procedure Order)
(Returnable: December 23, 2013)**

JAGUAR MINING INC. ("**Applicant**") will make a motion to a judge presiding over the Commercial List on Monday, December 23, 2013, at 10:00 am, or as soon after that time as the motion can be heard, at 330 University Avenue, Toronto, Ontario.

PROPOSED METHOD OF HEARING: The motion is to be heard orally.

THE MOTION IS FOR

- (a) the granting of a Meeting Order (the "**Meeting Order**") in substantially the form of the draft Meeting Order included in the Applicant's Application Record dated December 23, 2013 the ("**Application Record**");
- (b) the granting of a Claims Procedure Order (the "**Claims Procedure Order**") in substantially the form of the draft Claims Procedure Order included in the Application Record; and
- (c) such other relief as counsel for the Applicant may request and this Court deems fit.

2. THE GROUNDS FOR THE MOTION ARE:

- (a) the Applicant is a corporation to which the *Companies' Creditors Arrangement Act* (the "**CCAA**") applies, and this Court has granted an initial order under the CCAA granting the Applicant the protection of this Court;
- (b) the Applicant is insolvent and is facing an imminent liquidity crisis;
- (c) the Applicant has prepared a draft Plan of Arrangement and Compromise (the "**Plan**") that has the support of most of those creditors who will be affected by that Plan;
- (d) in the circumstances, the Applicant must move forward expeditiously in implementing both a claims process and a process for the calling and conduct of a meeting of those creditors to be affected by the Plan;
- (e) the form of the Meeting Order and the form of the Claims Procedure Order included in the Application Record are satisfactory to the Applicant, the Ad Hoc Committee of Noteholders (being the major affected creditors), Global Resource Fund (being the Applicant's sole secured creditor) and the Monitor appointed under the Initial CCAA Order;
- (f) the terms of the Meeting Order and the Claims Procedure Order are reasonable in the circumstances; and
- (g) such further and other grounds as counsel for the Applicant may advise and this Court may permit.

THE FOLLOWING DOCUMENTARY EVIDENCE will be used at the hearing of the motion:

- (a) the Affidavit of David M. Petroff sworn December 23, 2013, including the exhibits thereto;
- (b) the Pre-Filing Report to the Court of then-proposed Monitor; and
- (c) such further and other material as counsel for the Applicant may advise and this Court may permit.

December 23, 2013

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TO THE ATTACHED SERVICE LIST

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AND IN THE MATTER OF A PLAN OF COMPROMISE OR ARRANGEMENT
OF JAGUAR MINING INC.

Applicant

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(as at December 23, 2013)

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Proceeding commenced at Toronto

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