

Plaintiff Reaches Further Settlement in Canadian Gatos Silver Securities Class Action

TORONTO, ON, May 3, 2024 – The Court-appointed representative of a class of shareholders of Gatos Silver, Inc. (“Gatos Silver”) has reached a settlement with the remaining Defendants in the class action, including Gatos Silver.

Gatos Silver has agreed to pay US\$3,000,000 to settle the claims made against it in the class action. In connection with the settlement, the action will be dismissed against (i) the directors, officers, and employees of Gatos Silver who were also named as Defendants; (ii) Electrum Silver and its affiliates which were also named as Defendants; and (iii) certain underwriters against which the action had previously been discontinued.

Tetra Tech, Inc. (“Tetra Tech”) previously paid CAD \$1,000,000 to settle the claims made against it in the class action. The Court approved the Tetra Tech settlement on April 16, 2024.

The Settlement Class is defined as all persons and entities (other than certain “excluded persons”), wherever they may reside or be domiciled, who:

- (i) purchased Gatos Silver securities under Gatos Silver’s Impugned Prospectuses filed in October 2020 and July 2021 and in the distributions to which they related; or
- (ii) acquired Gatos Silver securities during the period from October 28, 2020 until January 25, 2022 at 6:52 p.m. Eastern Standard Time (“Class Period”) on any Canadian exchange (including, without limitation, the Toronto Stock Exchange) or any Canadian alternative trading system.

The class action was commenced following Gatos’s disclosure in late January 2022 that the mineral reserve statement for its Cerro Los Gatos mine in Mexico was affected by error and materially overstated. The Plaintiff alleges that, among other things, the materially overstated mineral reserve statement was incorporated in Gatos’s offering and continuous disclosure documents released throughout the Class Period.

The settlement and dismissal of the action against Gatos Silver and the other remaining Defendants is subject to the approval of the Ontario Superior Court of Justice. If approved by the Court, the settlement will settle, extinguish, and bar all claims of the Settlement Class against those Defendants relating in any way to or arising out of the proceeding. The settlement is a compromise of disputed claims. Gatos Silver and the other remaining Defendants do not admit any wrongdoing or liability.

The class is represented by the law firms of Siskinds LLP, Eighty-One West Law PC, and CFM Lawyers LLP (together, “Class Counsel”). Class Counsel is seeking the approval of legal fees not to exceed 25% of the Settlement Amount under the settlement with Tetra Tech (i.e., CAD \$250,000) and 25% of the Settlement Amount under the settlement with Gatos Silver and the other remaining Defendants (i.e., US \$750,000), plus disbursements and applicable taxes.

A hearing to approve the settlement with Gatos Silver and the other remaining Defendants will be held on June 28, 2024, during which the Court will consider whether the proposed settlement and Class Counsel’s fees and disbursements are fair and reasonable and should be approved, and consider a Plan of Allocation for the distribution of the net settlement funds to eligible Class Members. Class Members who wish to object to or comment on the settlement, Class Counsel’s fee and disbursement request, or Plan of Allocation should do so by no later than Friday, June 7, 2024. If the settlement is approved, all Class Members (who did not previously opt out) will be bound by it.

To be eligible for compensation from the settlements with Tetra Tech and Gatos Silver, Class Members must submit a Claim Form to the Administrator at <https://www.cdngatossettlement.com> by October 30, 2024.

For complete details regarding the proposed settlement, including how to object/comment and how to make a claim for compensation, please consult the long-form notice available, in English and French, on Class Counsel’s websites at <https://www.cfmlawyers.ca/active-litigation/gatos-silver-inc-tsx-gato/> and <https://www.siskinds.com/class-action/gatos-silver/>, or visit <https://cdngatossettlement.com>.

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