



**EIGHTH JUDICIAL DISTRICT COURT  
CLERK OF THE COURT**

REGIONAL JUSTICE CENTER  
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LAS VEGAS, NEVADA 89155-1160  
(702) 671-4554

Electronically Filed  
Oct 18 2019 06:04 a.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

Steven D. Grierson  
Clerk of the Court

Anntoinette Naumec-Miller  
Court Division Administrator

October 18, 2019

Elizabeth A. Brown  
Clerk of the Court  
201 South Carson Street, Suite 201  
Carson City, Nevada 89701-4702

RE: BULLION MONARCH MINING, INC. vs. BARRICK GOLDSTRIKE MINES, INC.; BARRICK  
GOLD EXPLORATION INC.; ABX FINANCECO INC.; BARRICK GOLD CORPORATION  
**S.C. CASE: 79652**  
D.C. CASE: A-18-785913-B

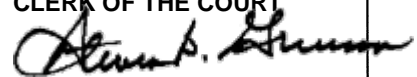
Dear Ms. Brown:

Pursuant to your Order Directing Entry of Written Order, dated October 11, 2019, enclosed is a certified copy of the Order Denying Barrick Goldstrike Mines Inc.'s Motion for Summary Judgment filed October 17, 2019 in the above referenced case. If you have any questions regarding this matter, please do not hesitate to contact me at (702) 671-0512.

Sincerely,  
STEVEN D. GRIERSON, CLERK OF THE COURT

A handwritten signature in black ink, reading "Heather Ungermann".

Heather Ungermann, Deputy Clerk



ODM  
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*Attorneys for Defendant Barrick Goldstrike Mines, Inc.*

DISTRICT COURT

CLARK COUNTY, NEVADA

BULLION MONARCH MINING, INC.,

Plaintiff,

vs.

BARRICK GOLDSTRIKE MINES, INC.; BARRICK GOLD EXPLORATION INC.; ABX FINANCECO INC.; BARRICK GOLD CORPORATION; and DOES 1 through 20,

Defendants.

Case No. A-18-785913-B

Dept. No. XI

Hearing Date: August 19, 2019

Hearing Time: 9:00 a.m.

**ORDER DENYING BARRICK GOLDSTRIKE MINES INC.'S  
MOTION FOR SUMMARY JUDGMENT**

The Court has reviewed and considered Defendant Barrick Goldstrike Mines Inc.'s ("Goldstrike") Motion for Summary Judgment and Bullion Monarch Mining, Inc.'s ("Bullion") response. Following arguments by Goldstrike's counsel, Ms. Kristine Johnson, and Bullion's counsel, Mr. Daniel Polsenberg, the COURT ORDERS that equitable tolling and NRS 11.500 are

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1 not mutually exclusive. If counsel wishes to address the facial constitutionality of portions of  
2 NRS 11.500, the Nevada Attorney General's office must be given notice so that can be fully ad-  
3 dressed. Given the allegation of continuing breaches, the motion is DENIED. After the Ninth Cir-  
4 cuit Court of Appeals rules, there may be certain other factual issues related to earlier breaches  
5 that can be raised by a motion for summary judgment, but by the way it has been presented, it is  
6 DENIED.  
7

8  
9 Dated this 16 day of October 2019

  
DISTRICT COURT JUDGE

10  
11  
12 Respectfully submitted by:  
13 PARSONS BEHLE & LATIMER  
14

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*Clerk of the Courts*  
*Steven D. Grierson*

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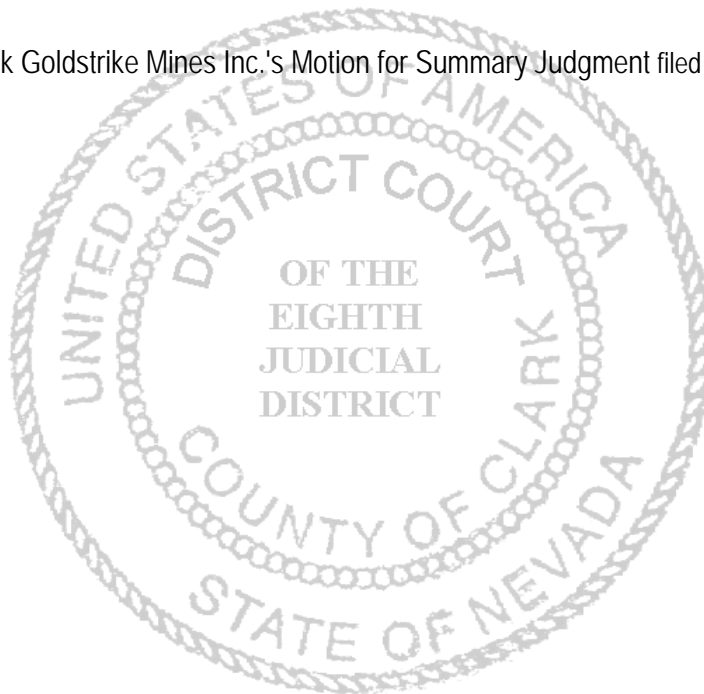
October 18, 2019

Case No.: A-18-785913-B

### **CERTIFICATION OF COPY**

**Steven D. Grierson**, the Clerk of the Court of the Eighth Judicial District Court, Clark County, State of Nevada, does hereby certify that the foregoing is a true, full, and correct copy of the hereinafter stated original document(s):

Order Denying Barrick Goldstrike Mines Inc.'s Motion for Summary Judgment filed 10/17/2019



now on file and of

**In witness whereof**, I have hereunto set my hand and affixed the seal of the Eighth Judicial District Court at my office, Las Vegas, Nevada, at 5:57 AM on October 18, 2019.

  
STEVEN D. GRIERSON, CLERK OF THE COURT