

**If you purchased and/or acquired Atlas Mining Common Stock
between January 19, 2005 and October 8, 2007,
you may be eligible to get money from a Settlement.**

A federal court authorized this Notice. It is not a solicitation from a lawyer. You are not being sued.

- **Security and Time Period:** Atlas Mining Company (“Atlas” or “the Company”) common stock (symbol “ALMI.OB”) purchased and/or acquired between January 19, 2005 and October 8, 2007, inclusive (“Class Period”).¹
- **Settlement Fund and Recovery:** The Settlement Fund is \$1,250,000 in cash plus any interest earned. Your recovery will depend on the timing of your purchases and sales. Lead Plaintiffs’ damages expert estimated that about 9.8 million shares of Atlas stock eligible to recover were purchased by Class Members during the Class Period and may have been damaged. If all Class Members participate, the average per-share recovery would be about \$0.13 before the deduction of attorneys’ fees, costs and expenses. Actual claims rates are often less than 100%, which results in higher distributions per share.
- **Reasons for Settlement:** Avoids the costs and risks of litigation, including the risk of no recovery.
- **If the Case Had Not Settled:** Continuing with the case could have resulted in loss of the case and no recovery at all. The parties disagree on both liability and damages. The parties also disagree about: (1) the method for determining if the price of Atlas common stock was artificially inflated; (2) the amount of any alleged price inflation; (3) whether there was wrongdoing by the Settling Defendants; (4) the extent that various facts influenced the trading price of Atlas common stock during the Class Period; and (5) whether the facts alleged were material, false, misleading or otherwise actionable under the federal securities laws.
- **Attorneys’ Fees and Expenses:** Class Counsel will ask the Court for fees of 30% of the Settlement Fund and expenses not to exceed \$55,000. Class Counsel has not received any payment for their work in this case. Class Counsel will also ask the Court to approve awards of \$3,750 for each of the Lead Plaintiffs for their representation of the Class. If the above amounts are approved by the Court, the average cost per share will be \$0.04.
- **For More Information:** visit www.AtlasMiningSettlement.com, contact the Claims Administrator or Class Counsel. **See Questions 21 and 23.**

Your Legal Rights and Options in this Settlement		
Submit A Claim Form	This is the only way to get a payment. Question 12.	May 6, 2010
Exclude Yourself (Get Out Of The Class)	You keep the right to sue the Settling Defendants on your own but you cannot get a payment. Question 14.	December 22, 2009
Remain In The Class And Object	Write to the Court about why you don’t like the Settlement. Question 16.	December 22, 2009
Go To A Hearing	Ask to speak about the fairness of the Settlement. Questions 17-19.	January 19, 2010 9:30 a.m.
Do Nothing	You will stay in the Class and be bound by the Settlement. You cannot sue the Settling Defendants on your own and you will not get a payment.	

¹ This Notice incorporates by reference the definitions in the Settlement Agreement as of September 3, 2009 (the “Stipulation”), and all capitalized terms used, but not defined herein, shall have the same meanings as in the Stipulation.

YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT AND DEADLINES

BASIC INFORMATION

1. Why Did I Get This Notice?

If you or someone in your family purchased and/or acquired Atlas common stock (symbol "ALMI.OB") between January 19, 2005 and October 8, 2007, you are included in the Class. This Notice will tell you about the lawsuit, and the proposed Settlement. It will also tell you about your rights and how to request money, if eligible, before the Court decides whether to approve the proposed Settlement of this lawsuit.

The Court in charge of the case is the United States District Court for the District of Idaho, and the case is called *In re Atlas Mining Securities Litigation*, No. C-07-428. James O'Hern and John O'Hern are called Lead Plaintiffs and the company and the individuals they sued are called Defendants. The Defendants in this case are Atlas Mining Company, NanoClay and Technologies Inc., a wholly-owned subsidiary and/or division of Atlas, and the following individuals: William T. Jacobson, Robert Dumont, Dr. Ronald Price and Barbara S. Suveg. These parties are referred to as the "Settling Defendants" or "Atlas." The Settling Defendants have reached a proposed Settlement that may affect your rights. The Complaint also names CBN, Atlas's independent auditor, as a Defendant. However, CBN is not a party to this Settlement. The claims against CBN are still being litigated.

2. What Is This Lawsuit About?

Lead Plaintiffs allege that Defendants violated the federal securities laws by making false and misleading statements during the Class Period regarding Atlas's business and prospects in publicly disseminated press releases and SEC filings regarding the extent of a deposit of valuable halloysite clay on Atlas property, the availability and quality of halloysite for sale, and claimed sales of halloysite. Lead Plaintiffs also contend that, on October 9, 2007, Atlas announced that its financial statements for the fiscal years ended December 31, 2004, 2005 and 2006 were materially false and misleading and had to be restated. Similarly, Lead Plaintiffs allege that Atlas admitted that restatements were necessary because Atlas had wrongfully inflated its revenues and under-reported net losses and long-term liabilities by improperly recognizing as revenues speculative sales of halloysite. Finally, Lead Plaintiffs allege that when Defendants disclosed the truth about the actual financial results, Class Members suffered damages as a result of the decline in the price of Atlas stock.

Defendants deny all of Lead Plaintiffs' allegations and further deny that they did anything wrong. Defendants also deny that Lead Plaintiffs or the Class suffered damages or that the price of Atlas common stock was artificially inflated by reasons of alleged misrepresentations, non-disclosures or otherwise.

3. Why Is This A Class Action?

In a class action lawsuit, one or more persons or entities called "class representatives" (in this case James O'Hern and John O'Hern) sue on behalf of others who have similar claims. The class representatives and the persons or entities they represent are the "class members." One judge decides the issues for all class members, except for those who exclude themselves.

4. Why Is There A Settlement?

The Court did not decide in favor of Lead Plaintiffs or Defendants. Instead, the parties negotiated a settlement, with the assistance of a mediator, Jed Melnick, Esq. The proposed Settlement allows both sides to avoid the risks and cost of lengthy and uncertain litigation, and permits Class Members to be compensated without delay. The Lead Plaintiffs and their attorneys think the proposed Settlement is best for the Class.

WHO GETS MONEY FROM THE SETTLEMENT

To see if you will get money from the proposed Settlement, you have to find out if you are a Class Member.

5. How Do I Know If I Am In The Class?

If you purchased and/or acquired Atlas common stock between January 19, 2005 and October 8, 2007, inclusive, you are in the Class.

6. Are There Exceptions To Being Included In The Class?

Yes. Settling Defendants, members of the immediate families of the Individual Defendants and the legal representatives, heirs, successors, or assigns of any such excluded person or entity are excluded. Also excluded from the Class are those Persons who timely and validly request exclusion from the Class. Certain Atlas shareholders are Class Members but have executed a Forbearance Agreement agreeing to forego their claims for payment from the Settlement. These shareholders are: David Taft (Atlas Board Member), IBS Capital, Andre Zeitoun (Atlas Chief Executive Officer), Chris Carney (Atlas Chief Financial Officer), and Eric Basroon.

Questions? Call toll-free 1-877-434-3064 or visit www.AtlasMiningSettlement.com

7. I Am Still Not Sure If I Am A Class Member

If you are still not sure whether you are included, visit www.AtlasMiningSettlement.com or call 1-877-434-3064, or write to the lawyers in this case at the addresses listed in response to **Question 21** below.

THE SETTLEMENT BENEFITS - WHAT YOU GET

8. What Does The Proposed Settlement Provide?

The following description of the proposed Settlement is only a summary. The Settlement Agreement on file with the Court and on the Atlas Settlement Web site, www.AtlasMiningSettlement.com, provides more details.

Atlas has agreed to pay \$1.25 million in cash to settle this case (the "Settlement Fund"). This \$1.25 million will be placed into a bank account that will earn interest. The Settlement Fund, plus interest, minus costs, fees and expenses (the "Net Settlement Fund"), will be divided among all eligible Class Members who send in valid Proof of Claim forms ("Claim Form"). Costs, fees and expenses include Court-approved attorneys' fees and expenses, and the costs of claims administration. Atlas has agreed to pay an additional \$75,000 to pay for the costs of notifying Class Members, including the costs of printing and mailing this Notice and publishing newspaper notice.

9. How Much Will My Payment Be?

Your share of the Net Settlement Fund will depend on the number of Class Members who submit a valid Claim Form and the number of shares of stock you purchased and/or acquired during the Class Period (January 19, 2005-October 8, 2007, inclusive) and when you sold them.

The formulas below will allow you to determine the amount you can get under the proposed Settlement. It is not intended to be an estimate of the amount you might have been able to get after a trial. Also, the amount you get will be based on the number of people who make claims. If every Class Member makes a claim, your share will be less than if only a few Class Members make a claim.

PLAN OF ALLOCATION

On October 9, 2007, the stock declined \$0.84. The corrective disclosure price is \$0.80 and the statutory PSLRA 90-day look back average price is \$0.72. Based on these amounts, an expert has developed a proposed Plan of Allocation of the Net Settlement Fund. If you purchased and/or acquired shares of Atlas common stock **during the Class Period**, the amount you can get will be calculated as follows:

- a. If you purchased and/or acquired Atlas stock during the Class Period and sold it before October 9, 2007, you will have no "Recognized Claim" and your claim per share will be \$0.
- b. If you purchased and/or acquired Atlas stock during the Class Period and sold it on October 9, 2007, before market close, your "Recognized Claim" per share will be equal to **the lesser of**:
 - (i) \$0.84 (October 9, 2007 Price Decline), or
 - (ii) the difference between the purchase price and the sale price.
- c. If you purchased and/or acquired Atlas stock during the Class Period and sold it on October 9, 2007, after market close, through January 4, 2008, your "Recognized Claim" per share will be **the lesser of**:
 - (i) \$0.84 (October 9, 2007 Price Decline), or
 - (ii) the difference between the purchase price and the sale price, or
 - (iii) the difference between the purchase price and the average closing price (rounded to the nearest cent) on the date you sold your stock as set forth in the table below.
- d. If you purchased and/or acquired Atlas stock during the Class Period and still retain it or sold it after market close on January 4, 2008, the "Recognized Claim" will be **the lesser of**:
 - (i) \$0.84 (October 9, 2007 Price Decline), or
 - (ii) the difference between the purchase price and \$0.80 (the corrective disclosure price).

Questions? Call toll-free 1-877-434-3064 or visit www.AtlasMiningSettlement.com

TABLE

<u>Sale Date</u>	<u>Average Closing Price</u>	<u>Sale Date</u>	<u>Average Closing Price</u>	<u>Sale Date</u>	<u>Average Closing Price</u>
10/9/2007	\$0.80	11/6/2007	\$0.59	12/5/2007	\$0.65
10/10/2007	\$0.74	11/7/2007	\$0.58	12/6/2007	\$0.65
10/11/2007	\$0.96	11/8/2007	\$0.53	12/7/2007	\$0.70
10/12/2007	\$1.00	11/9/2007	\$0.54	12/10/2007	\$0.74
10/15/2007	\$1.00	11/12/2007	\$0.55	12/11/2007	\$0.74
10/16/2007	\$0.98	11/13/2007	\$0.60	12/12/2007	\$0.72
10/17/2007	\$0.97	11/14/2007	\$0.60	12/13/2007	\$0.77
10/18/2007	\$0.94	11/15/2007	\$0.63	12/14/2007	\$0.80
10/19/2007	\$0.85	11/16/2007	\$0.58	12/17/2007	\$0.88
10/22/2007	\$0.84	11/19/2007	\$0.59	12/18/2007	\$0.85
10/23/2007	\$0.75	11/20/2007	\$0.55	12/19/2007	\$0.84
10/24/2007	\$0.72	11/21/2007	\$0.55	12/20/2007	\$0.85
10/25/2007	\$0.67	11/23/2007	\$0.57	12/21/2007	\$0.81
10/26/2007	\$0.70	11/26/2007	\$0.60	12/24/2007	\$0.90
10/29/2007	\$0.70	11/27/2007	\$0.66	12/26/2007	\$0.75
10/30/2007	\$0.66	11/28/2007	\$0.67	12/27/2007	\$0.71
10/31/2007	\$0.68	11/29/2007	\$0.74	12/28/2007	\$0.75
11/1/2007	\$0.63	11/30/2007	\$0.66	12/31/2007	\$0.80
11/2/2007	\$0.56	12/3/2007	\$0.67	1/2/2008	\$0.75
11/5/2007	\$0.60	12/4/2007	\$0.63	1/3/2008	\$0.76
				1/4/2008	\$0.80

- e. If you purchased and/or acquired Atlas stock before the Class Period or made multiple purchases or sales during the Class Period, the first-in, first-out (“FIFO”) method will be used. Under the FIFO method, any sales you made during the Class Period will be matched to shares you held before the Class Period.
- f. You will only be eligible to get money from the Net Settlement Fund if you had a net loss after all profits from transactions in Atlas stock during the Class Period are subtracted against all losses.
- g. The date of purchase or sale is the “contract” or “trade” date, not the “settlement” date.
- h. You had to purchase and/or acquire shares during the Class Period to be a Class Member. If shares were “transferred into,” “delivered into” or “received into” your account, you must provide documentation to prove those shares were purchased during the Class Period. Also, if you purchased and/or acquired shares but then “transferred out” or “delivered out” those shares to another person, you are not a Class Member. The person you transferred or delivered the shares to would be the Class Member.
- i. “Short” sales will not be recognized for any amount of loss on the cover or purchase transaction.
- j. Transactions in Atlas shares by market makers (firms that stood ready to buy and sell Atlas common stock during the Class Period on a regular and continuous basis at a publicly quoted price) are not eligible to make a Claim.
- k. If you obtained Atlas stock as a gift or grant from an estate, you are only a Class Member if that stock was purchased during the Class Period. Only one person can make a Claim per share. If you gave your stock as a gift, you no longer have a Claim; the person who now holds the stock holds the Claim.
- l. If any funds remain in the Net Settlement Fund by reason of uncashed checks or otherwise one year after the initial distribution, then any balance remaining will be re-distributed, if feasible, to those who cashed their checks and would receive at least \$10.00 from such re-distribution. If six months after this re-distribution, any funds are still in the Net Settlement Fund, those funds will be donated to one or more charities (as the Court approves upon the recommendation of Class Counsel).
- m. The Court has jurisdiction to allow, disallow or adjust claims of Class Members on equitable grounds.
- n. The Court must approve the described Plan of Allocation. You cannot file a claim against Lead Plaintiffs, Class Counsel, the Claims Administrator or others designated to enact this plan. If you do not make a timely Claim, and you do not exclude yourself, you are still in the Class and you cannot sue the Defendants in this Settlement for any of the claims in this lawsuit (**See Question 10**).

Questions? Call toll-free 1-877-434-3064 or visit www.AtlasMiningSettlement.com

10. What Claims Am I Releasing If I Stay In The Class?

If the Court gives final approval to the Settlement, you will not be able to sue the Settling Defendants for the claims stated in this lawsuit. This includes claims that you may not know exist.

The Stipulation defines "Released Claims" as: "any and all claims . . . demands, rights, liabilities and causes of action of every nature and description whatsoever, known or unknown, whether or not concealed or hidden, asserted or that might have been asserted, including, without limitation, claims for negligence, gross negligence, breach of duty of care and/or breach of duty of loyalty, fraud, breach of fiduciary duty, or violations of any state or federal statutes, rules or regulations, by the Lead Plaintiffs or any Settlement Class Member against the Settling Defendants or their Related Parties arising out of, relating to, or in connection with the purchase and/or acquisition of Atlas securities by the Lead Plaintiffs or any Settlement Class Member during the Settlement Class Period, and any and all claims arising out of, relating to, or in connection with the Settlement or resolution of this matter."

THE OPTIONS AVAILABLE TO CLASS MEMBERS UNDER THIS SETTLEMENT

11. You May Remain In The Class

If you are a Class Member, you are included in this proposed Settlement unless you ask to be excluded. As a Class Member, you will be represented by Lead Plaintiffs and Class Counsel. However, you may have your own attorney appear on your behalf at your expense. You can also file a claim to get money from the proposed Settlement. Even if you do not file a claim, you will still be bound by the proposed Settlement.

12. How Do I Get Money From The Proposed Settlement?

If you received this Notice by mail, you have also received a Claim Form. You must complete this Claim Form to see if you qualify to get money from the proposed Settlement. If you are reviewing this Notice online, or saw a copy in the newspaper, you may download a Claim Form online at www.AtlasMiningSettlement.com or request one by calling the Atlas Settlement Claims Administrator toll-free at 1-877-434-3064.

Even if you object to the proposed Settlement, you should complete a Claim Form to qualify to get money if the proposed Settlement is approved. Completed Claim Forms **must be postmarked no later than May 6, 2010**. Claim Forms must be mailed to: Atlas Mining Securities Litigation, c/o Rust Consulting, Inc., P.O. Box 2249, Faribault, MN 55021-1649. If your Claim Form is late, you may not get any money from the proposed Settlement.

The Claims Administrator will determine if you are eligible to get money from the proposed Settlement following the terms explained in Question 9 above. You will be notified by mail if your Claim is accepted or rejected.

13. When Would I Get My Payment?

The Court will hold a hearing on **January 19, 2010, at 9:30 a.m.**, to decide whether to approve the proposed Settlement. If the judge approves the proposed Settlement, there may be appeals. Appeals are always uncertain, and resolving them can take time, perhaps more than a year. It also takes time for all the Claim Forms to be processed. If there are no appeals, depending on the number of claims filed, the Net Settlement Fund could be distributed as early as nine months after the Fairness Hearing. Please be patient.

14. You May Exclude Yourself From The Class

To exclude yourself from the Class, you must mail a written request stating:

- Your name, address, and telephone number;
- The name and number of the lawsuit: *In re Atlas Mining Securities Litigation*, No. C-07-428;
- Your purchases and sales of Atlas stock during the Class Period including the dates, the number of shares and price paid for each purchase of Atlas stock; and
- A statement that you want to be excluded from the Class.

All exclusion letters must be sent by first class mail (although registered mail is preferred). You cannot exclude yourself from the Class by phone or email. Exclusions must be **postmarked no later than December 22, 2009**, to:

Jennifer Sarnelli, Esq.
Lite DePalma Greenberg & Rivas, LLC
Two Gateway Center, 12th Floor
Newark, NJ 07102

15. What Happens If I Exclude Myself From The Class, Or If Instead, I Remain In The Class?

If you exclude yourself from the Class, you will not get any money from the proposed Settlement. You will no longer be part of the Class, and nothing that happens in the lawsuit will affect you. You will not be bound by the proposed Settlement and can sue Atlas on your own.

Questions? Call toll-free 1-877-434-3064 or visit www.AtlasMiningSettlement.com

If you do not exclude yourself, you will be bound by the proposed Settlement if the Court grants final approval. This means that you cannot sue Atlas for any of the claims in this lawsuit.

16. You May Remain In The Class And Object To The Settlement

You can object to the proposed Settlement if you wish, but you do not have to. You can also hire your own lawyer to speak for you at your own expense. This is called making an appearance (**See Question 17**). You can still share in any benefits the Class might receive from the proposed Settlement if you appear in the case. You can only object if you do not exclude yourself from the Class.

Any objection, to be heard at the Fairness Hearing, must be in writing and **postmarked on or before December 22, 2009**. Any such objection must include the following information:

- (i) Your name, address, telephone number and, if applicable, e-mail address;
- (ii) A statement that you purchased Atlas stock between January 19, 2005 and October 8, 2007;
- (iii) A detailed statement of the basis of your objections to the Settlement; and
- (iv) Any supporting papers, including all documents and writings you want the Court to consider.

The objection must be mailed to Class Counsel at:

Jennifer Sarnelli, Esq.
Lite DePalma Greenberg & Rivas, LLC
Two Gateway Center, 12th Floor
Newark, NJ 07102

If you object to the proposed Settlement or otherwise request to be heard at the Fairness Hearing, you are submitting to the jurisdiction of the Court. In the event that the Court overrules your objection, you should complete a Claim Form so that you can obtain a share of the proposed Settlement Fund if you are eligible.

If you do not object to any part of the proposed Settlement, you will have waived your right to object. You will forever be barred from objecting to the proposed Settlement, or from otherwise being heard in this or any other proceeding.

17. How Do I Appear In The Lawsuit?

If you want to speak, or have another lawyer instead of Class Counsel speak for you in the lawsuit (at your own cost), you must give the Court a paper called a Notice of Appearance. Class Counsel cannot speak for any objector. The Notice of Appearance must include: the name and number of the lawsuit (*In re Atlas Mining Securities Litigation*, No. C-07-428), your name and the name of the lawyer who will appear. A Notice of Appearance must be filed with the Court on or before **January 4, 2010**. The Notice of Appearance must be filed with the Clerk of Court, United States District Court for the District of Idaho, 550 W. Fort Street, Room 400, Boise, ID 83724.

THE COURT'S FAIRNESS HEARING

18. When And Where Will The Court Decide Whether To Approve The Settlement?

The Court will hold a hearing on **January 19, 2010, at 9:30 a.m.**, at the United States District Court for the District of Idaho, 550 W. Fort Street, Boise, ID 83724. At this hearing, the Court will consider whether the proposed Settlement is fair, reasonable and adequate. If there are objections, the Court will consider them. The Court will listen to people who have asked to speak at the hearing. The Court will also decide whether to approve the payment of fees and expenses to Class Counsel, including the awards to Lead Plaintiffs and the Plan of Allocation. We do not know how long the hearing will take or whether the Court will make its decision on the day of the hearing or sometime later. The Court may change the hearing date. Please check the Web site for updated information. You will not get another mailing about this case or the hearing date.

19. Do I Have To Come To The Hearing?

No. Class Counsel will answer questions the Judge may have. But, you are welcome to come at your own expense. If you send an objection, you do not have to come to Court to talk about it. As long as you mailed your written objection on time, the Court will consider it. You may also pay your own lawyer to attend, but you are not required to do so.

IF YOU DO NOTHING

20. What Happens If I Don't Do Anything At All?

If you do nothing, you will get no money from this proposed Settlement. But, unless you exclude yourself, you will not be able to start a lawsuit, continue with a lawsuit, or be part of any other lawsuit against the Defendants about the same issues in this case.

Questions? Call toll-free 1-877-434-3064 or visit www.AtlasMiningSettlement.com

THE LAWYERS REPRESENTING CLASS MEMBERS

21. Do I Have A Lawyer In This Lawsuit?

Yes. The Court has appointed the following law firms to represent the Class:

Joseph J. DePalma
Jennifer Sarnelli
Katrina Carroll
Lite DePalma Greenberg & Rivas, LLC
Two Gateway Center, 12th Floor
Newark, NJ 07102
Lead Counsel for the Class

B. Newal Squyres
Ted C. Murdock
Holland & Hart LLP
101 S. Capitol Blvd., Suite 1400
Boise, ID 83701
Liaison Counsel for the Class

These lawyers are called Class Counsel. You won't be charged personally for these lawyers, but they will ask the Court to award them a fee and for reimbursement of their expenses to be paid out of the Settlement Fund.

22. How Will The Lawyers Be Paid?

Class Counsel will ask the Court for reimbursement for their fees and expenses based on the money they have obtained from Atlas on behalf of the Class. You won't have to pay any of these fees and expenses. If the Court grants Class Counsel's request, the fees and expenses would be deducted from the money paid by Atlas.

Class Counsel will request 30% of the Settlement Fund as fees and up to \$55,000 in expenses. Atlas has agreed not to object to this request. These fees and expenses are to compensate Class Counsel for the time and money they have spent on this case. The Court will determine if this request is fair, reasonable and adequate. Class Counsel will also ask the Court to approve awards of \$3,750 for each of the Lead Plaintiffs for their representation of the Class. If the above amounts are approved by the Court, the average cost per share will be \$0.04.

GETTING MORE INFORMATION

23. Are More Details And Information Available?

This Notice is just a summary. More details are in the Complaint filed by Class Counsel and the other legal documents that have been filed with the Court in this lawsuit. Anyone can look at and copy these legal documents at any time during regular office hours at the Office of the Clerk of Court, United States District Court for the District of Idaho, 550 W. Fort Street, Room 400, Boise, ID 83724. Copies of some of the important documents, like the Complaint, are also available online at www.AtlasMiningSettlement.com.

In addition, if you have any questions about the lawsuit or this Notice, you may:

- Visit the Atlas Settlement Web site at www.AtlasMiningSettlement.com
- Call toll-free: 1-877-434-3064
- Write the Claims Administrator: Atlas Mining Securities Litigation, c/o Rust Consulting, Inc., P.O. Box 2249, Faribault, MN 55021-1649
- Email: info@AtlasMiningSettlement.com

Please do not call the Court or the Clerk of the Court for additional information about the Settlement.

24. Special Notice To Nominees

If you hold any Atlas common stock purchased between January 19, 2005 and October 8, 2007, inclusive, as a nominee for a beneficial owner, then, within ten (10) days after you receive this Notice, you must either: (1) send a copy of this Notice by first class mail to all such Persons; or (2) provide a list of the names and addresses of such Persons to the Claims Administrator at the address listed in Question 23. If you choose to mail the Notice and Proof of Claim yourself, you may obtain from the Claims Administrator (without cost to you) as many additional copies of these documents as you require.

Regardless of whether you choose to complete the mailing yourself or elect to have the mailing performed for you, you may obtain reimbursement for or advancement of *reasonable* administrative costs actually incurred or expected to be incurred in connection with forwarding the Notice and would not have been incurred but for the obligation to forward the Notice, upon submission of appropriate documentation to the Claims Administrator.

DO NOT CONTACT THE COURT.

DATED: September 30, 2009

BY ORDER OF THE COURT
UNITED STATES DISTRICT COURT
DISTRICT OF IDAHO

Questions? Call toll-free 1-877-434-3064 or visit www.AtlasMiningSettlement.com