

UNITED STATES DISTRICT COURT
DISTRICT OF IDAHO

IN RE ATLAS MINING SECURITIES LITIGATION

No. C-07-428

INSTRUCTIONS FOR PROOF OF CLAIM

In order for you to qualify to participate in the distributions described in the Notice, you must file this Proof of Claim on this form and you must provide the required documentation to substantiate your claim.

REQUIREMENTS FOR FILING A PROOF OF CLAIM

Your claim will be considered only upon compliance with all of the following conditions:

1. You must accurately complete all portions of this Proof of Claim form.

NOTE: The Proof of Claim contains space for listing your purchases and sales of Atlas common stock. You must carefully complete this list. Do not leave out any important information about your purchases and sales of Atlas common stock. This information is necessary to determine your share of the distribution of the Settlement. If you cannot list all of your transactions in the space provided on the Proof of Claim form, or if you believe that you must or should give additional information about any transaction, please attach additional sheets of paper to the Proof of Claim form to give this additional information. Please put your name on each additional sheet of paper.

2. You must **sign** the Proof of Claim form.

NOTE: If the Atlas stock was or is owned jointly, all joint owners must sign the Proof of Claim. Executors, administrators, guardians, conservators and trustees may complete and sign the Proof of Claim on behalf of persons or entities represented by them, but they must identify such persons or entities and provide proof of their authority (for example, currently effective letters testamentary or letters of administration) to complete and execute the Proof of Claim on their behalf and to bind them in accordance with the terms thereof. A Proof of Claim submitted by legal representatives of a claimant must be executed by all such representatives.

3. You must attach to the Proof of Claim form the original, or legible copies, of broker confirmation slips, monthly brokerage statements, or other satisfactory proof confirming the particulars of each purchase and sale you have made of Atlas common stock between January 19, 2005 and January 4, 2008, inclusive.
4. You must mail the completed and **signed** Proof of Claim and supporting documents by first class mail, postage prepaid, **postmarked no later than May 6, 2010**, to:

Atlas Mining Securities Litigation
c/o Rust Consulting, Inc.
P.O. Box 2249
Faribault, MN 55021-1649
Telephone: (877) 434-3064

Your failure to complete and mail the Proof of Claim by May 6, 2010, may preclude you from receiving any share of the available distributions. So that you will have a record of the date of your mailing and its receipt by the Claims Administrator, you are advised to use certified mail, return receipt requested.

PURCHASE AND SALE SCHEDULE

Separately list each of your purchases and sales of Atlas common stock below. Attach a separate schedule if more space is needed. (Be sure to include your name on any separate sheets.)

The date of purchase and sale is the "trade" or "contract" date, and not the "settlement" or "payment" date. The purchase price is the price paid without regard to commissions or other expenses. The sale price is the price received without regard to commissions or other expenses.

ANY PERSON WHO KNOWINGLY SUBMITS A FALSE PROOF OF CLAIM IS SUBJECT TO PENALTIES FOR PERJURY AND OTHER VIOLATIONS OF FEDERAL LAW.

UNITED STATES DISTRICT COURT
DISTRICT OF IDAHO
In re Atlas Mining Securities Litigation - No. C-07-428

**MUST BE POSTMARKED
NO LATER THAN
MAY 6, 2010**

For Official Use Only

PROOF OF CLAIM AND RELEASE

Use Blue or Black Ink Only

PART I. CLAIMANT IDENTIFICATION - Complete either Section A or B and then proceed to C. Please type or print.

A. Complete this Section ONLY if the Beneficial Owner is an individual, joint, or IRA account. Otherwise, proceed to B.

Last Name (Beneficial Owner)	First Name (Beneficial Owner)
<input type="text"/>	<input type="text"/>
Last Name (Joint Beneficial Owner, if applicable)	First Name (Joint Beneficial Owner)
<input type="text"/>	<input type="text"/>
Name of IRA Custodian, if applicable	
<input type="text"/>	
If this account is an IRA, and if you would like any check that you MAY be eligible to receive made payable to the IRA account, please include "IRA" in the "Last Name" box above (e.g., Jones IRA).	

B. Complete this Section ONLY if the Beneficial Owner is an Entity; i.e., corporation, trust, estate, etc. Then, proceed to C.

Entity Name
<input type="text"/>
Name of Representative, if applicable (Executor, administrator, trustee, c/o, etc.)
<input type="text"/>

C. Account/Mailing Information:

Specify one of the following:		
<input type="checkbox"/> Individual(s)	<input type="checkbox"/> Corporation	<input type="checkbox"/> UGMA Custodian
<input type="checkbox"/> IRA	<input type="checkbox"/> Partnership	<input type="checkbox"/> Estate
<input type="checkbox"/> Trust	<input type="checkbox"/> Other: <input type="text"/>	
Number and Street or P.O. Box		
<input type="text"/>		
City	State	Zip Code
<input type="text"/>	<input type="text"/>	<input type="text"/>
Foreign Province and Postal Code	Foreign Country	
<input type="text"/>	<input type="text"/>	
Telephone Number (Day)	Telephone Number (Evening)	
<input type="text"/>	<input type="text"/>	
E-mail Address	Account Number	
<input type="text"/>	<input type="text"/>	
Enter Taxpayer Identification Number below for the Beneficial Owner(s).		
Social Security No. (for individuals)	or	Taxpayer Identification No.
<input type="text"/>		<input type="text"/>

Market Maker -- check the box below:

I was a Market Maker in Atlas common stock during the Class Period.



PART II: SCHEDULE OF TRANSACTIONS IN ATLAS MINING COMPANY ("ATLAS") COMMON STOCK

YOU MUST SUBMIT DOCUMENTATION SUPPORTING THE INFORMATION BELOW.

BEGINNING HOLDINGS

- A. Number of shares of Atlas common stock *held as of the close of business on January 18, 2005.*
 (If none, write "zero" or "0") (If other than zero, must be documented)

Number of Shares

PURCHASES

- B. List (in chronological order) all purchases and/or acquisitions of Atlas common stock made between **January 19, 2005** and **October 8, 2007**, inclusive.

Check Box if result of an Option Exercised/Assigned	Date(s) of Purchase <i>(list chronologically)</i> Month/Day/Year	Number of Shares of Common Stock Purchased	Purchase Price Per Share of Common Stock	Amount Paid <i>(excluding commissions, taxes & fees)</i>
<input type="checkbox"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="checkbox"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="checkbox"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="checkbox"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

- C. Total number of shares of Atlas common stock purchased from **October 9, 2007** to **January 4, 2008**, inclusive. (If none, write "zero" or "0") (If other than zero, must be documented)

Number of Shares

SALES

- D. List (in chronological order) all sales of Atlas common stock made between **January 19, 2005** and **January 4, 2008**, inclusive.

Check Box if result of an Option Exercised/Assigned	Date(s) of Sale <i>(list chronologically)</i> Month/Day/Year	Number of Shares of Common Stock Sold	Sale Price Per Share of Common Stock	Amount Received <i>(net of commissions, taxes & fees)</i>
<input type="checkbox"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="checkbox"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="checkbox"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="checkbox"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

ENDING HOLDINGS

- E. Number of shares of Atlas common stock *held at the close of trading on January 4, 2008:*
 (If none, write "zero" or "0") (If other than zero, must be documented)

Number of Shares

IF YOU NEED ADDITIONAL SPACE TO LIST YOUR TRANSACTIONS, PHOTOCOPY THIS PAGE.





VERIFICATION

I (We), and the person I (we) represent(s), if any, submit to the jurisdiction of the United States District Court for the District of Idaho, for purposes of further inquiry with respect to this Proof of Claim, under the Federal Rules of Civil Procedure, and agree to be bound by and subject to the terms of the judgments and orders of that Court in connection with the Settlement in the above-captioned Action, and to furnish such additional proof or information with respect to this Proof of Claim as the Court shall require.

I (We) have read and am (are) familiar with the contents of the Instructions accompanying this Proof of Claim and I (we) verify that the information I (we) have set forth in the foregoing Proof of Claim, and in documents attached hereto, is true and correct and complete to the best of my (our) knowledge. I (We) am (are) not a Defendant(s) in the above-captioned Action and have not requested exclusion from the Class by December 22, 2009. I (We) have attached hereto the original or legible copies of broker confirmation slips or statements or, if not available, other proof of the dates and amounts of my (our) purchases and sales of Atlas common stock. I (We) further certify that I (we) have read and am (are) familiar with the accompanying Notice to which this Proof of Claim relates. I (We) understand and agree that this Proof of Claim will be processed and will be allowed, if at all, in accordance with the procedures set forth in the Notice.

I (We) further agree and understand that if the proposed Settlement is approved by the Court and becomes effective, all Released Claims, as defined in the Stipulation, will be satisfied, discharged and extinguished forever.

CERTIFICATION

I (We) certify that I am (we are) not subjected to backup withholding under the provisions of Section 3406(a)(1)(C) of the Internal Revenue Code.

NOTE: If you have been notified by the Internal Revenue Service that you are subject to backup withholding, please strike out the language that you are not subject to backup withholding in the certification above.

The Internal Revenue Service does not require your consent to any provision other than the certifications required to avoid backup withholding.

I declare under penalty of perjury under the laws of the United States of America that the foregoing information supplied by the undersigned is true and correct.

Executed this _____ day of _____, 20__ in _____, _____.
(City) (State/County)

Signature of Claimant

(Print your name here)

Signature of Joint Claimant, if any

(Print your name here)

Signature of person signing on behalf of Claimant

(Print your name here)

Capacity of person signing on behalf of Claimant, if other than an individual (e.g., Executor, President, Custodian, etc.)

**ACCURATE CLAIMS PROCESSING TAKES A SIGNIFICANT AMOUNT OF TIME.
THANK YOU FOR YOUR PATIENCE.**

