



# The Mining and Lands Commissioner Le Commissaire aux mines et aux terres

File No. MA 011-98

L. Kamerman )  
Mining and Lands Commissioner ) Tuesday, the 26th day  
of January, 1999.

## THE MINING ACT

### IN THE MATTER OF

Mining Claims L-961253 to 961257, both inclusive, 1097076, 1097080 to 1097082, both inclusive, 1097084, 1111046, 1118532, 1118533, 1118587, 1118591, 1118593, 1132023, 1132024, 1130968, 1130969, 1145821, 1145856, 1145857, 1146075, 1146076, 1147154 to 1147156, both inclusive, 1167853 to 1167857, both inclusive, 1168043 to 1168045, both inclusive, 1168672, 1168673, 1178980, 1179097, 1179146, 1179147, 1185652, 1186147, 1186148, 1198560, 1198569, 1198588, 1198637, 1198716, 1202648 to 1202650, both inclusive, 1202652 and 1212005 situate in the Townships of Bryce and Tudhope, in the Larder Lake Mining Division, hereinafter referred to as the "Mining Claims";

### AND IN THE MATTER OF

An application under section 105 of the Mining Act for a declaration concerning the ownership of the Mining Claims and their transfer from the Respondent to the Applicant and such other relief as the tribunal deems just.

### B E T W E E N:

DIAMOND ROCK RESOURCES INC.  
Applicant  
- and -  
JOHN R. EWANCHUK  
Respondent

## NOTICE AND ORDER TO FILE SUPPLEMENTARY SUBMISSIONS

WHEREAS the hearing of this Motion by this tribunal occurred on the 12th day of January, 1999, in the courtroom of this tribunal with Mr. Robert B. Cohen, appearing on behalf of the Applicant to this Motion and Respondent in these proceedings and Mr. Geoffrey C. Kubrick appearing on behalf of the Respondent to the Motion and Applicant in these proceedings;

**AND WHEREAS** this tribunal acted upon its jurisdiction pursuant to subsection 119(1) of the **Mining Act** to receive other evidence considered proper in addition to the evidence adduced by counsel on behalf of the parties, such evidence being a Request for Corporate Information from the Ontario Ministry of Consumer and Commercial Relations, Companies Branch, regarding whether Diamond Rock Resources Inc. had applied for an extra-provincial licence;

**YOU ARE HEREBY ADVISED** pursuant to sections 119 and 120 of the **Mining Act** that the tribunal has obtained a Statement of No Record in connection with Diamond Rock Resources Inc. obtained from the Companies Branch, a copy of which is attached as Schedule "A" to this Notice and Order to File Supplementary Submissions;

**AND YOU ARE HEREBY FURTHER ADVISED** pursuant to sections 119 and 120 of the **Act** that this Office has undertaken a search using the Ministry of Northern Development and Mines', "Claims Client System", for the client number for Diamond Rock Resources Inc. and has found that no such client number exists.

**YOU ARE FURTHER ADVISED** pursuant to section 120 of the **Act** that, while you are provided with the opportunity to cross-examine any experts providing expert evidence to the tribunal, the **Act** is silent with respect to documentary evidence obtained and the tribunal has determined, this being evidence obtained after the hearing of the motion, and in the interest of fairness, Mr. Cohen, Counsel for the Applicant in this Motion, Mr. John R. Ewanchuk, is hereby given until the 5th day of February, 1999, to make submissions on the aforementioned documentation and search and Mr. Kubrick, Counsel for the Respondent in this Motion, Diamond Rock Resources Inc., is given until the 19th day of February, 1999, to make submissions on the aforementioned documentation and search.

**DATED** this 26th day of January, 1999.

ORIGINAL SIGNED BY  
L. KAMERMAN

L. Kamerman  
MINING AND LANDS COMMISSIONER

Request ID: F/00001/045  
Demande n°:  
Transaction ID: 10713488  
Transaction n°:  
Category ID: UN/B  
Catégorie:

Province of Ontario  
Province de l'Ontario  
Ministry of Consumer and Commercial Relations  
Ministère de la Consommation et du Commerce  
Companies Branch  
Direction des compagnies

Date Report Produced: 1999/01/19  
Document produit le:  
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SCHEDULE "A"

*STATEMENT OF NO RECORD*  
*ÉTAT D'ABSENCE DE DOSSIER*

Date Report Produced:

Rapport produit le:

JANUARY 19 JANVIER, 1999

Corporation Name:

Dénomination Sociale:

DIAMOND ROCK RESOURCES INC

Ontario Corporation Number:

Numéro de la Société (Ontario):

After entering the information exactly as it is printed above, a record could not be found for the above corporation name and/or the above Ontario corporation number.

Nous n'avons trouvé aucun dossier pour la dénomination sociale/ou le numéro de la société (Ontario) indiqués ci-dessus.

Not all Corporate files transferred to the Government Record Centre or Archives from Companies Branch prior to June 27, 1992 have been recorded in the Ontario Business Information System. Additional historical information may exist.

Les dossiers de renseignements sur les sociétés qui ont été transférés au Centre d'entreposage des dossiers ou aux Archives avant le 27 juin 1992 n'apparaissent pas tous dans le Système d'information sur les entreprises de l'Ontario (SINEO). Il se peut qu'il y ait d'autres renseignements concernant cette société.