

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

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US BANKRUPTCY COURT
DISTRICT OF DELAWARE

IN RE:	CHAPTER 11
ALLIED NEVADA	CASE No. 15-10503(MFW)
GOLD CORP,et al., ¹	Jointly Administered
DEBTORS	

DECLARATION OF BRIAN TUTTLE

I, Brian Tuttle, submit this declaration under penalty of perjury pursuant to 28 U.S.C. 1746:

¹ The Debtors("Debtors") in these cases, along with the last 4 digits of each Debtor's federal tax identification number, are: Allied Nevada Gold Corp.(7115); Allied Nevada Gold Corp Holdings LLC (7115); Allied VGH Inc. (3601); Allied VNC Inc. (3291); ANG Central LLC (7115); ANG Cortez LLC (7115); ANG Eureka LLC(7115); ANG North LLC (7115); ANG Northeast LLC (7115); ANG Pony LLC (7115); Hasbrouck Production Company LLC (3601); Hycroft Resources and Development, Inc. (1989); Victory Exploration Inc.(8144); and Victory Gold Inc.(8139). The corporate headquarters for each of the following are located at, and the mailing address for each of the followingof each of the above debtors, except Hycroft Resources &Development, Inc., is 9790 Gateway Drive, Suite 200, Reno, Nevada 89521. The mailing address for Hycroft Resources &Development, Inc. is P.O. Box 3030, Winnemucca, NV 89446.

1. I am a shareholder in Allied Nevada and a party of interest representing myself in these matters. I submit this Declaration in support of pleadings filed including: 2nd MOTION TO APPOINT AN EXAMINER WITH ACCESS TO AND AUTHORITY TO DISCLOSE PRIVILEGED MATERIALS; OBJECTION-DEBTORS AMENDED PLAN OF REORGANIZATION AND MOTION FOR STANDING TO PROSECUTE; OBJECTION-DEBTORS AMENDED PLAN OF REORGANIZATION; MOTION TO APPOINT AN EXAMINER WITH ACCESS TO AND AUTHORITY TO DISCLOSE PRIVILEGED MATERIALS, and all briefs in support thereof.

2. On May 20th 2015 purported shareholder in Debtors' Equity Securities Roy Liu emailed my designated email address informing me he was a foreign investor of Allied Nevada Gold Corp. In the email, Mr. Liu thanked me for the time I put in investigating the Debtors' and offered to share information he gathered in his own investigation.

3. On or around August 9th 2015, after several correspondences Roy Liu informed me he was investigating all the publicly published trades in Debtors' Equity Securities and had comprised a spreadsheet of the data. Roy referenced my MOTION TO APPOINT AN EXAMINER WITH ACCESS TO AND AUTHORITY TO DISCLOSE PRIVILEGED MATERIALS and offered his help.

4. From time to time I would suggest things for Roy Liu to investigate and how we could exhibit the data we collectively obtained through our

investigations. We discussed exhibiting his findings in a forthcoming brief in support of my Motion to Appoint an Examiner. Mr. Liu sent me several charts with attached spreadsheets. He also offered exhibits connecting Debtors' Board of Directors with parties we suspected had a hand in some of the improper dealings of Debtors' affairs. Mr. Liu's work always came with verification including additional spreadsheets and/or documentation verifying our claims. Roy Liu's dedication and work ethic impressed me to say the least. Every detail was accurate and verified through my corresponding investigation, so I had no reason to question the accuracy of any of his work.

5. On or around 9/8/2015, I filed with this Court BRIEF IN SUPPORT OF MOTION TO APPOINT AN EXAMINER WITH ACCESS TO AND AUTHORITY TO DISCLOSE PRIVILEGED MATERIALS. Exhibited in the above referenced brief were several charts Roy Liu worked that I asked be anointed with events leading up to the bankruptcy. Also included were exhibits connecting Debtors' Board of Directors and Creditors with parties we suspected had a hand in some of the improper dealings.

6. On 9/11/2015 a Hearing was held on my MOTION TO APPOINT AN EXAMINER WITH ACCESS TO AND AUTHORITY TO DISCLOSE PRIVILEGED MATERIALS. At the onset of the Hearing, The Court sustained several objections of the Debtors and did not allow any of the charts or spreadsheets myself and Roy Liu worked on to be entered into evidence.

7. On September 19th 2015, I emailed Roy requesting he send me the spreadsheets and charts he worked on, so I could verify his work and testify to the authenticity. In response, Roy sent me a zip folder that included several additional folders which integrated spreadsheets for trading data in Debtors' Equity Securities and options including: short sales, trades in a sec, large orders and peaks. Upon my request, Mr. Liu forwarded me a list of websites I could use to verify the published data.

8. To verify the charts main reference point, Debtors' Equity Securities, I used stockcharts.com. Using a predefined range I was able to determine the charts Mr. Liu forwarded me were indeed accurate. Shortly after I was also to determine the spot price of gold on Mr. Liu's charts were accurate by using kitco.com to access historical daily gold charts.

9. After verifying the accuracy of Mr. Liu's charts in respect to the price of gold and Debtors' Equity Securities I moved onto the data comprised in respect to the options trading in Debtors' equity. The options trading data was verified by downloading the call and put options from <http://www.optionsclearing.com/webapps/volume-query>. I could not find one error in Mr. Liu's work.

10. After verifying the options data, I moved my investigation to the short selling data and exchanges traded on. The short selling data was investigated by cross referencing Mr. Liu's spreadsheets with several websites that published data

on different exchanges, those websites included:

<http://www.finra.org/industry/trf/trf-regulation-sho-2015>;

<http://regsho.finra.org/regsho-March.html>;

http://batstrading.com/market_data/shortsales; <http://www.nyxdata.com/page/875>.

Again I could not find one error in Mr. Liu's work.

11. After verifying the short selling data I moved my investigation to the data collected for dark pools using a website Mr. Liu recommended: <https://ats.finra.org>. Due to the data on the website only offering weekly reports going back to late April I was unable to verify all of Mr. Liu's data in respect to dark pool.

12. After hours of investigating Mr. Liu's charts and exhibits I have determined to the best of my ability the charts compiled by Mr. Liu, that were exhibited in myself, and Mr. Scaramellino's briefs, that were offered as evidence at the 9/11/2015 Hearing, are a correct accurate depiction of the sales in sales in Debtors' Equity Securities, the spot price of gold, the options trading in Debtors' Equity Securities and the exchanges they traded on.

13. Upon review of my own notes and emails, I have determined Mr. Liu's charts are accurate in respect to the dates and events anointed in said charts.

14. Upon review of my own notes, emails, pleadings, and verification Roy sent me I have determined Mr. Liu's exhibits are accurate in respect to the business connections of Debtors' Board of Directors and creditors with the parties referenced.

15. I am more than willing to turn over my investigation files to any Examiner appointed to assist in the investigation.

Pursuant to 28 U.S.C. 1746, I declare to the best of my knowledge and under penalty of perjury that the foregoing is true and correct.

Dated: Oct 1st 2015

A handwritten signature in black ink, appearing to read "Brian Tuttle", with a stylized, cursive flourish.

Brian Tuttle