

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF DELAWARE

**ADDITIONAL ITEMS ON APPEAL TRANSMITTAL SHEET**

**Case Number:** 15-10553



If AP, related BK case number:

**District Court Case Number:** CA-15-694

Item(s) Transmitted:

Appellant Designations of Items	Docket #:	Date Entered:
	1227	10/30/15

**Notes:**

*I hereby certify that all designated items are available electronically through CM/ECF.*

**Date:** 10/30/15

**by:** Nancy L'Heureux  
**Deputy Clerk**

Bankruptcy Court Appeal (BAP) Number: 15-59

UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE

FILED  
OCT 30 AM 11:55  
CLERK  
US BANKRUPTCY COURT  
DISTRICT OF DELAWARE

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

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**APPELLANTS' DESIGNATION OF RECORD AND STATEMENT OF  
ISSUES PRESENTED ON APPEAL**

**(RE Docket No 1136, 1163)**

**Parties of interest**, Jordan Darga and Stoyan Tachev, on behalf of the Ad Hoc Committee of Equity Security Holders, who represent all objecting class 8 equity security holders ( "Appellants"), pursuant to Federal Rule of Bankruptcy procedure 8009 (B), hereby submit their statement of issues to be presented on appeal and their designation of items to be included in the record on appeal.

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<sup>1</sup> 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.

<sup>2</sup> Pleadings in this case are filed pro se. Pro se litigants are not subject to the same standards as practicing attorneys.

1. **STATEMENT OF ISSUES PRESENTED ON APPEAL**

Appellants present the following issues on appeal:

1. Whether the Bankruptcy Court committed an error of law or an abuse of discretion in overruling the Motion to appoint an examiner with access to and authority to disclose privileged materials, filed by Brian Tuttle on 08-11-2015.

a. Whether the Bankruptcy Court committed an error of law or an abuse of discretion by not admitting evidence, presented by Mr. Tuttle

b. Whether the Bankruptcy court committed an error of law or an abuse of discretion by overruling the Motion to appoint an examiner, not acknowledging the threshold of amount of Debtor's assets, stipulated in Paragraph 1104 (c)(2) of the Bankruptcy code.

2. Whether the Bankruptcy Court committed an error of law or an abuse of discretion in confirming the Amended Disclosure statement, filed by the Debtors on 08-27-2015.

a. Whether the Bankruptcy Court committed an error of law or an abuse of discretion in not allowing enough time for the parties of interest, involved in this case, to review the Disclosure statement after its amendment on 08-27-2015.

3. Whether the Bankruptcy Court committed an error of law or an abuse of discretion in confirming the Amended Plan of reorganization, filed by the Debtors on 08-27-2015

- a. Whether the Bankruptcy court committed an error of law or an abuse of discretion in failing to require preponderance of evidence about the feasibility of the Plan.
- b. Whether the Bankruptcy court committed an error of law or an abuse of discretion in failing to require evidence that the Plan has been proposed in good faith.
- c. Whether the Bankruptcy court committed an error of law or an abuse of discretion in confirming the Plan without all future members of the Debtors management being identified prior to confirmation of the Plan.

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## II. DESIGNATION OF ITEMS TO BE INCLUDED IN THE RECORD

In addition to all transcripts of the hearings provided by Mr. Brian Tuttle, Appellant designates the following items for inclusion in the record on appeal. Such designation of pleadings and matters of record includes all exhibits attached or referred to in the pleading or matters of record.

<b>Docket #</b>	<b>Document Name</b>	<b>Date Filed</b>
	<i>All dockets referenced herein are available at Appellants website <a href="http://www.AlliedNevadaFraud.com">www.AlliedNevadaFraud.com</a> under section titled "Dockets".</i>	
<b>819</b>	Motion to Appoint Examiner With Access to and Authority to Disclose Privileged Materials Filed by Brian Tuttle.  <b>Attachments:</b>  <b>Related:</b>	<b>8/11/2015</b>
<b>917</b>	Amended Chapter 11 Plan // Debtors' Amended Joint Chapter 11 Plan of Reorganization (related document(s)251, 756) Filed by Allied Nevada Gold Corp.  <b>Attachments:</b>  <b>Related: 251, 756</b>	<b>8/26/2015</b>
<b>919</b>	Amended Disclosure Statement // Amended Disclosure Statement for the Debtors' Amended Joint Chapter 11 Plan of Reorganization (related document(s)252, 253, 758, 917) Filed by Allied Nevada Gold Corp. (Attachments: # 1 Exhibit A # 2 Exhibit B # 3 Exhibit C # 4 Exhibit D # 5 Exhibit E # 6 Exhibit F)  <b>Attachments: 1, 2, 3, 4, 5, 6</b>  <b>Related: 252, 253, 758, 917</b>	<b>8/26/2015</b>
<b>922</b>	Amended Notice of Agenda of Matters Scheduled for Hearing Filed by Allied Nevada Gold Corp.. Hearing scheduled for 8/27/2015 at 02:00 PM at US Bankruptcy Court, 824 Market St., 5th Fl., Courtroom #4, Wilmington, Delaware.	<b>8/26/2015</b>

	<p><b>Attachments:</b></p> <p><b>Related:</b></p>	
<b>929</b>	<p>Minutes of Hearing held on: 08/27/2015 Subject: Omnibus. (vCal Hearing ID (201808)). (related document(s) 908) (LMC) Additional attachment(s) added on 8/27/2015</p> <p>Attachments: 1</p> <p>Related: 908</p>	<b>8/27/2015</b>
<b>931</b>	<p>Amended Chapter 11 Plan // Debtors' Amended Joint Chapter 11 Plan of Reorganization (related document(s)251, 756, 917) Filed by Allied Nevada Gold Corp.</p> <p><b>Attachments:</b></p> <p><b>Related: 251, 756, 917</b></p>	<b>8/27/2015</b>
<b>933</b>	<p>Amended Disclosure Statement // Amended Disclosure Statement for the Debtors' Amended Joint Chapter 11 Plan of Reorganization (related document(s)252, 253, 758, 919, 931) Filed by Allied Nevada Gold Corp. (Attachments: # 1 Exhibit A # 2 Exhibit B # 3 Exhibit C # 4 Exhibit D # 5 Exhibit E # 6 Exhibit F)</p> <p><b>Attachments: 1, 2, 3, 4, 5, 6</b></p> <p><b>Related: 252, 253, 758, 919, 931</b></p>	<b>8/27/2015</b>
<b>940</b>	<p>Order (I) Approving Proposed Disclosure Statement and the Form and Manner of the Notice of the Disclosure Statement Hearing, (II) Establishing Solicitation and Voting Procedures, (III) Scheduling a Confirmation Hearing, and (IV) Establishing Notice and Objection Procedures for Confirmation of Debtors' Amended Joint Chapter 11 Plan of Reorganization. (related document(s)253, 931, 933, 935) Signed on 8/28/2015. (Attachments: # 1 Exhibit 1 through 5 # 2 Exhibit 6 through 9)</p> <p><b>Attachments: 1, 2</b></p> <p><b>Related: 253, 931, 933, 935</b></p>	<b>8/28/2015</b>

<b>943</b>	<p>Notice of Confirmation Hearing // Notice of (A) Confirmation Hearing With Respect to Debtors' Amended Joint Chapter 11 Plan of Reorganization, (B) Objection and Voting Deadlines, (C) Solicitation and Voting Procedures, (D) Procedures Relating to the Assumption and Rejection of Executory Contracts and Unexpired Leases, and (E) Certain Other Information Filed by Allied Nevada Gold Corp.. Confirmation Hearing scheduled for 10/6/2015 at 10:00 AM at US Bankruptcy Court, 824 Market St., 5th Fl., Courtroom #4, Wilmington, Delaware.</p> <p><b>Attachments:</b></p> <p><b>Related:</b></p>	<b>8/28/2015</b>
<b>974</b>	Notice of appearance, filed by Jordan Darga	<b>9/8/2015</b>
<b>1023</b>	<p>Omnibus Objection to Claims // Debtors' First Omnibus (Non-Substantive) Objection to (Insufficient Documentation) Claims Pursuant to Bankruptcy Code Section 502(b), Bankruptcy Rules 3001, 3003, and 3007, and Local Bankruptcy Rule 3007-1. Filed by Allied Nevada Gold Corp.. Hearing scheduled for 10/27/2015 at 10:30 AM at US Bankruptcy Court, 824 Market St., 5th Fl., Courtroom #4, Wilmington, Delaware. Objections due by 10/13/2015. (Attachments: # 1 Notice # 2 Exhibit A (Proposed Order) # 3 Exhibit B (Jones Declaration))</p> <p><b>Attachments: 1, 2, 3</b></p> <p><b>Related:</b></p>	<b>9/18/2015</b>

<b>1024</b>	<p>Plan Supplement// Notice of Filing of Plan Supplement for the Debtors' Amended Joint Chapter 11 Plan of Reorganization (related document(s)931) Filed by Allied Nevada Gold Corp. (Attachments: # 1 Exhibit A (New Organizational Documents) # 2 Exhibit B (New First Lien Term Loan Credit Agreement) # 3 Exhibit C (New Intercreditor Agreement) # 4 Exhibit D (Notes Purchase Agreement) # 5 Exhibit E (New Second Lien Convertible Notes Indenture) # 6 Exhibit F (New Warrant Agreement) # 7 Exhibit G (List of Reorganized Debtors' Directors and Officers) # 8 Exhibit H (Schedule of Retained Causes of Action) # 9 Exhibit I (Schedule of Assumed Executory Contracts and Unexpired Leases) # 10 Exhibit J (Stockholders Agreement) # 11 Exhibit K (Management Incentive Plan) # 12 Exhibit L (Post-Emergence Key Employee Retention Plan) # 13 Exhibit M (Identity of Creditor Representative) # 14 Exhibit N (Identity of New Warrant Representative))</p> <p><b>Attachments: 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14</b></p> <p>Related: 931</p>	<b>9/18/2015</b>
<b>1048</b>	<p>Objection to Confirmation of Plan Filed by Jordan Darga (related document(s)943, 931).</p> <p><b>Attachments:</b></p> <p><b>Related: 943, 931</b></p>	<b>9/24/2015</b>
<b>1049</b>	<p>Objection to Debtors Amended Plan of Reorganization and Motion for Standing to Prosecute (related document(s)931) Filed by Brian Tuttle</p> <p><b>Attachments:</b></p> <p>Related: 931</p>	<b>9/24/2015</b>



<b>1060</b>	<p>Amended Plan Supplement// Notice of Filing of Amended Plan Supplement for the Debtors' Amended Joint Chapter 11 Plan of Reorganization (related document(s)931, 1024) Filed by Allied Nevada Gold Corp. (Attachments: # 1 Exhibit A (New Organizational Documents) # 2 Exhibit A-1 (Redlines of New Organizational Documents) # 3 Exhibit D (Note Purchase Agreement) # 4 Exhibit D-1 (Redline of Note Purchase Agreement) # 5 Exhibit F (New Warrant Agreement) # 6 Exhibit F-1 (Redline of New Warrant Agreement) # 7 Exhibit J (Stockholders Agreement) # 8 Exhibit J-1 (Redline of Stockholders Agreement))</p> <p><b>Attachments: 1, 2, 3, 4, 5, 6, 7, 8</b></p> <p><b>Related: 931, 1024</b></p>	<b>9/25/2015</b>
<b>1063</b>	<p>Objection to Debtors' Amended Plan of Reorganization (related document(s)931, 1024) Filed by James H. Roberson</p> <p><b>Attachments:</b></p> <p><b>Related: 931, 1024</b></p>	<b>9/28/2015</b>
<b>1091</b>	<p>Objection to Confirmation of Plan by the United States (related document(s)932) Filed by United States/USAO</p> <p><b>Attachments:</b></p> <p>Related: 932</p>	<b>10/1/2015</b>
<b>1100</b>	<p>Memorandum/Brief // Memorandum of Law in Support of Confirmation and Omnibus Reply to Objections to Confirmation of the Debtors Amended Joint Chapter 11 Plan of Reorganization (related document(s)931, 933, 1024, 1060) Filed by Allied Nevada Gold Corp. (Attachments: # 1 Exhibit A (Jones Declaration) # 2 Exhibit B (Klein Declaration) # 3 Exhibit C (Cummins Trade Agreement))</p> <p><b>Attachments: 1, 2, 3</b></p> <p><b>Related: 931, 933, 1024, 1060</b></p>	<b>10/2/2015</b>

<b>1103</b>	<p>Declaration of Christina Pullo of Prime Clerk LLC regarding the Solicitation of Votes and Tabulation of Ballots Cast on the Debtors Amended Joint Chapter 11 Plan of Reorganization (related document(s)931, 933, 940, 1100) Filed by Allied Nevada Gold Corp..</p> <p><b>Attachments:</b></p> <p><b>Related: 931, 933, 940, 1100</b></p>	<b>10/2/2015</b>
<b>1107</b>	<p>Supplemental Declaration of James Daloia of Prime Clerk LLC regarding the Solicitation of Votes and Tabulation of Ballots Cast on the Debtors Amended Joint Chapter 11 Plan of Reorganization (related document(s)931, 933, 940, 1100) Filed by Allied Nevada Gold Corp..</p> <p><b>Attachments:</b></p> <p><b>Related: 931, 933, 940, 1100</b></p>	<b>10/3/2015</b>
<b>1113</b>	<p>Notice of appearance, filed by Stoyan Tachev</p>	<b>10/5/2015</b>
<b>1114</b>	<p>Memorandum/Brief in Support of Objection to the Amended Plan of Reorganization Filed by Brian Tuttle</p> <p><b>Attachments:</b></p> <p><b>Related:</b></p>	<b>10/5/2015</b>
<b>1121</b>	<p>Affidavit/Declaration of Mailing of Hassan Alli-Balogun Regarding Notice of Agenda of Matters Scheduled for Hearing on October 6, 2015 at 10:00 A.M. (Eastern Time), Memorandum of Law in Support of Confirmation and Omnibus Reply to Objections to Confirmation of the Debtors' Amended Joint Chapter 11 Plan of Reorganization, Notice of Filing of Proposed Findings of Fact, Conclusions of Law, and Order Confirming Debtors' Amended Joint Chapter 11 Plan of Reorganization, and Declaration of Christina Pullo of Prime Clerk LLC Regarding the Solicitation of Votes and Tabulation of Ballots Cast on the Debtors' Amended Joint Chapter 11 Plan of Reorganization. Filed by Prime Clerk. (related document(s)1097, 1100, 1102, 1103)</p> <p><b>Attachments:</b></p> <p><b>Related: 1097, 1100, 1102, 1103</b></p>	<b>10/5/2015</b>

<p><b>1122</b></p>	<p>Amended Plan Supplement// Notice of Filing of Second Amended Plan Supplement for the Debtors' Amended Joint Chapter 11 Plan of Reorganization (related document(s)931, 1024, 1060) Filed by Allied Nevada Gold Corp. (Attachments: # 1 Exhibit A-1(a) # 2 Exhibit A-1(a) (Redline) # 3 Exhibit B (New First Lien Term Loan Credit Agreement) # 4 Exhibit B-1 (Redline New First Lien Term Loan Credit Agreement) # 5 Exhibit C (New Intercreditor Agreement) # 6 Exhibit C-1 (Redline New Intercreditor Agreement) # 7 Exhibit D (Notes Purchase Agreement) # 8 Exhibit D-1 (Redline Notes Purchase Agreement) # 9 Exhibit E (New Second Lien Convertible Notes Indenture) # 10 Exhibit E-1 (Redline New Second Lien Convertible Notes Indenture) # 11 Exhibit F (New Warrant Agreement) # 12 Exhibit F-1 (Redline New Warrant Agreement) # 13 Exhibit I (Schedule of Assumed Executory Contracts and Unexpired Leases) # 14 Exhibit J (Stockholders Agreement) # 15 Exhibit J-1 (Redline Stockholders Agreement) # 16 Exhibit K (Management Incentive Plan) # 17 Exhibit K-1 (Redline Management Incentive Plan) # 18 Exhibit L (Post-Emergence Key Employee Retention Plan) # 19 Exhibit L-1 (Redline Post-Emergence Key Employee Retention Plan) # 20 Exhibit N (Identity of New Warrant Representative))</p> <p><b>Attachments: 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18,19, 20</b></p> <p><b>Related: 931, 1024, 1060</b></p>	<p><b>10/5/2015</b></p>
<p><b>1129</b></p>	<p>Amended Plan Supplement// Notice of Filing of Third Amended Plan Supplement for the Debtors' Amended Joint Chapter 11 Plan of Reorganization (related document(s)931, 1024, 1060, 1122) Filed by Allied Nevada Gold Corp. (Attachments: # 1 Declaration F (New Warrant Agreement) # 2 Exhibit F-1 (Redline New Warrant Agreement))</p> <p><b>Attachments: 1, 2</b></p> <p><b>Related: 931, 1024, 1060, 1122</b></p>	<p><b>10/7/2015</b></p>

<b>1134</b>	<p>Amended Plan Supplement // Notice of Filing of Third Amended Plan Supplement for the Debtors' Amended Joint Chapter 11 Plan of Reorganization (related document(s)931, 1024, 1060, 1122) Filed by Allied Nevada Gold Corp. (Attachments: # 1 Exhibit F (New Warrant Agreement) # 2 Exhibit F-1 (Redline New Warrant Agreement))</p> <p><b>Attachments: 1, 2</b></p> <p><b>Related: 931, 1024, 1060, 1122</b></p>	<b>10/7/2015</b>
<b>1136</b>	<p>Findings Of Fact, Conclusions Of Law, And Order Confirming Debtors' Amended Joint Chapter 11 Plan Of Reorganization. (related document(s)931, 933, 1024, 1060, 1100, 1103, 1107, 1122, 1134, 1135) Signed on 10/8/2015.</p> <p><b>Attachments:</b></p> <p><b>Related: 931, 933, 1024, 1060, 1100, 1103, 1107, 1122, 1134, 1135</b></p>	<b>10/8/2015</b>
<b>1163</b>	<p>Notice of Appeal . Receipt Number 87273, Fee Amount \$298. (related document(s)1136) Filed by Ad hoc Committee of Shareholders. Appellant Designation due by 11/2/2015. (Attachments: # 1 Notice of Service/Certificate of Service # 2 Signed Order)</p> <p><b>Attachments: 1, 2</b></p> <p>Related: 1136</p>	<b>10/20/2015</b>
<b>1205</b>	<p>Motion to Allow Motion for Jury Trial or in the Alternative Motion for Rehearing Filed by Jordan Darga. Hearing scheduled for 11/24/2015 at 11:30 AM at US Bankruptcy Court, 824 Market St., 5th Fl., Courtroom #4, Wilmington, Delaware. The case judge is Mary F. Walrath. Objections due by 11/17/2015. (Attachments: # 1 Certificate of Service)</p> <p>Attachments: 1</p> <p><b>Related:</b></p>	<b>10/26/2015</b>

<b>1206</b>	Motion to Allow Motion for Jury Trial or in the Alternative Motion for Rehearing Filed by Stoyan Tachev. Hearing scheduled for 11/24/2015 at 11:30 AM at US Bankruptcy Court, 824 Market St., 5th Fl., Courtroom #4, Wilmington, Delaware. The case judge is Mary F. Walrath. Objections due by 11/17/2015. (Attachments: # 1 Certificate of Service)  Attachments: 1	<b>10/26/2015</b>
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Appellants respectfully submit this statement and this designation and request that they are included in the record on appeal.