

22 July 2022

The Company Announcements Officer
The Australian Securities Exchange
Level 40, 152-158 St Georges Terrace
Perth WA 6000

NME disputes MCT claim for \$1.28M - Update

The Company refers shareholders to its announcement made on 14 June 2022 headed “NME disputes MCT claim for \$1.28M”.

The Company has now lodged its defence to the proceeding brought against it by its Joint Venture Partner KYM Mining Pty Ltd (a wholly owned subsidiary of Metalicity Limited), in which KYM is seeking the sum of \$1,279,794.26.

In Supreme Court of Western Australia proceeding CIV 1582 of 2022, KYM claims that it is owed the sum by NME due to a purported approved budget under the Joint Venture Agreement. NME denies this on the basis that KYM has not complied with its obligations under the Joint Venture Agreement to prepare a meaningful budget for approval before incurring expenses of the JV.

NME also says that KYM has issued purported billing statements knowing that NME and KYM had commenced the contractual dispute resolution process in respect of these sums, with KYM disengaging the dispute resolution process.

In answer to KYM’s claim, NME by its defence denies that KYM is entitled to any sum from it as claimed.

Please refer to web page www.nexmetals.com for a copy of the defence as filed with the Supreme Court.

It is further noted that this matter is now listed for mediation in the Supreme Court of Western Australia on the 11 November 2022, which is approximately 6 weeks following the expiration of MCT’s takeover bid on 24 September 2022.

Shareholders are also reminded to submit their proxy forms for the extraordinary general meeting on 25 July 2022 in accordance with the announcement made by the Company on 5 July 2022, closure time for proxy lodgement is 9.00 am this Saturday 23 July. This can be done online at www.advanceshare.com.au.

This announcement is approved by the Board.

ENDS.