



BOWMANS

Execution

ADDENDUM TO SETTLEMENT AGREEMENT

between

AFRICAN RAINBOW MINERALS LIMITED

ANGLO AMERICAN SOUTH AFRICA LIMITED

ANGLOGOLD ASHANTI LIMITED

AVGOLD LIMITED

FREEGOLD (HARMONY) PROPRIETARY LIMITED

FREE STATE CONSOLIDATED GOLD MINES (OPERATIONS) LIMITED

GOLD FIELDS LIMITED

GOLD FIELDS OPERATIONS LIMITED

NEWSHELF 899 PROPRIETARY LIMITED

BEATRIX MINES LIMITED

FARWORKS/682 LIMITED

DRIEFONTEIN CONSOLIDATED PROPRIETARY LIMITED

GFL MINING SERVICES LIMITED

GFI JOINT VENTURE HOLDINGS PROPRIETARY LIMITED

HARMONY GOLD MINING COMPANY LIMITED

UNISEL GOLD MINES LIMITED

LORAINÉ GOLD MINES LIMITED

RANDFONTEIN ESTATES LIMITED

SIBANYE GOLD LIMITED

LESLIE GOLD MINES LIMITED

BRACKEN MINES LIMITED

K2018259017 (SOUTH AFRICA) PROPRIETARY LIMITED

RICHARD SPOOR INC. ATTORNEYS

RICHARD SPOOR

ABRAHAMS KIEWITZ INCORPORATED

CHARLES ABRAHAMS

LEGAL RESOURCES CENTRE

MOTLEY RICE LLC

HAUSFELD LLP

AND

THE PERSONS LISTED IN SCHEDULE 1

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PARTIES:

This Addendum is made between:

- (1) **African Rainbow Minerals Limited**, a company registered in accordance with the laws of South Africa under registration number 1933/004580/06;
- (2) **Anglo American South Africa Limited**, a company registered in accordance with the laws of South Africa under registration number 1917/005309/06;
- (3) **AngloGold Ashanti Limited**, a company registered in accordance with the laws of South Africa under registration number 1944/017354/06;
- (4) **Avgold Limited**, a company registered in accordance with the laws of South Africa under registration number 1990/007025/06;
- (5) **Freegold (Harmony) Proprietary Limited**, a company registered in accordance with the laws of South Africa under registration number 2001/029602/07;
- (6) **Free State Consolidated Gold Mines (Operations) Limited**, a company registered in accordance with the laws of South Africa under registration number 1937/009266/06;
- (7) **Gold Fields Limited**, a company registered in accordance with the laws of South Africa under registration number 1968/004880/06;
- (8) **Gold Fields Operations Limited**, a company registered in accordance with the laws of South Africa under registration number 1959/003209/06;
- (9) **Newshef 899 Proprietary Limited**, a company registered in accordance with the laws of South Africa under registration number 2007/019941/07;
- (10) **Beatrix Mines Limited**, a company registered in accordance with the laws of South Africa under registration number 1977/002138/06;
- (11) **Farworks/682 Limited**, a company registered in accordance with the laws of South Africa under registration number 1964/004462/06;
- (12) **Driefontein Consolidated Proprietary Limited**, a company registered in accordance with the laws of South Africa under registration number 1993/002956/07;
- (13) **GFL Mining Services Limited**, a company registered in accordance with the laws of South Africa under registration number 1997/019961/06;
- (14) **GFI Joint Venture Holdings Proprietary Limited**, a company registered in accordance with the laws of South Africa under registration number 1998/023354/07;
- (15) **Harmony Gold Mining Company Limited**, a company registered in accordance with the laws of South Africa under registration number 1950/038232/06;
- (16) **Unisel Gold Mines Limited**, a company registered in accordance with the laws of South Africa under registration number 1972/010604/06;

- (17) **Loralne Gold Mines Limited**, a company registered in accordance with the laws of South Africa under registration number 1950/039138/06;
- (18) **Randfontein Estates Limited**, a company registered in accordance with the laws of South Africa under registration number 1889/000251/06;
- (19) **Sibanye Gold Limited**, a company registered in accordance with the laws of South Africa under registration number 2002/031431/06;
- (20) **Leslie Gold Mines Limited**, a company registered in accordance with the laws of South Africa under registration number 1959/001124/06;
- (21) **Bracken Mines Limited**, a company registered in accordance with the laws of South Africa under registration number 1959/001126/06;
- (22) **K2018259017 (South Africa) Proprietary Limited**, a company registered in accordance with the laws of South Africa under registration number 2018/259017/07;
- (23) **Richard Spoor Inc. Attorneys**, a company registered in accordance with the laws of South Africa under registration number 2011/011048/21;
- (24) **Richard Spoor**, an adult male with South African identity number 5907085022086;
- (25) **Abrahams Klewiltz Incorporated**, a company registered in accordance with the laws of South Africa under registration number 2012/086658/21;
- (26) **Charles Abrahams**, an adult male with South African identity number 670805 5168084;
- (27) **Legal Resources Centre**, a law clinic registered with the Law Society of the Northern Provinces and a non-profit organisation registered in accordance with the laws of South Africa with NPO number 023-004;
- (28) **Motley Rice LLC**, a company registered in accordance with the laws of South Carolina, United States of America under registration number 75-3051732;
- (29) **Hausfeld LLP**, a limited liability partnership registered in accordance with the laws of the District of Columbia under initial file number 28181; and
- (30) **the persons listed in Schedule 1 (the Class Representatives)**.

WHEREAS

- A. The Parties entered into the Settlement Agreement on or about 3 May 2018.
- B. The Parties wish to amend the Settlement Agreement, as set out in this Addendum.

IT IS AGREED AS FOLLOWS:

1. DEFINITIONS AND INTERPRETATION

1.1 Definitions

For the purposes of this Addendum and the preamble above, unless the context requires otherwise:

- 1.1.1 **Addendum** means this addendum and the schedules which form part of it;
- 1.1.2 **Parties** means the parties to this Addendum, and **Party** means any one of them as the context may require;
- 1.1.1 **Settlement Agreement** means the agreement titled "Gold Mineworkers' Class Action Settlement Agreement", including all schedules thereto, entered into on or about 3 May 2018 between the Parties; and
- 1.1.2 **Addendum Effective Date** means the last date on which this Addendum is signed by or on behalf of the Parties.

1.2 Interpretation

- 1.2.1 Capitalized words and expressions in this Addendum, but not defined in clause 1.1 shall have the meanings given to them in Schedule 4 of the Settlement Agreement.
- 1.2.2 Unless expressly provided to the contrary or inconsistent with the context, a reference in this Addendum to:
 - 1.2.2.1 this **Addendum** or any other agreement, document or instrument shall be construed as a reference to this Addendum or that other agreement, document or instrument as amended, varied, novated or substituted from time to time;
 - 1.2.2.2 a **clause**, **sub-clause** or **Schedules** is to a clause, sub-clause or schedules of or to this Addendum;
 - 1.2.2.3 a **person** includes any natural person, estate, firm, company, corporation, body corporate, juristic person, unincorporated association, government, state or agency of a state or any association, trust, partnership, syndicate, consortium, joint venture, charity or other entity (whether or not having separate legal personality);
 - 1.2.2.4 any one gender, whether masculine, feminine or neuter, includes the other two;
 - 1.2.2.5 the singular includes the plural and vice versa;
 - 1.2.2.6 a word or expression given a particular meaning includes cognate words or expressions;

- 1.2.2.7 the words **including**, **include** or **in particular** followed by specific examples shall be construed by way of example or emphasis only and shall not be construed, nor shall it to take effect, as limiting the generality of any preceding words, and the *eiusdem generis* rule shall not to be applied in the interpretation of such specific examples or general words; and
- 1.2.2.8 the words **other** or **otherwise** shall not be construed *eiusdem generis* with any foregoing words where a wider construction is possible.
- 1.2.3 All the headings and sub-headings in this Addendum are for convenience and reference only and shall be ignored for the purposes of interpreting it.
- 1.2.4 No rule of construction may be applied to the disadvantage of a Party because that Party was responsible for or participated in the preparation of this Addendum or any part of it.

2. AMENDMENTS

By its signature to this Addendum, each Party agrees that the Settlement Agreement be and is hereby amended, with effect from the Addendum Effective Date by the deletion of:

- 2.1 clause 1.1.68 in Schedule 4 of the Settlement Agreement and its replacement with the following new clause 1.1.68:

"1.1.68 Risk Work means the following:

1.1.68.1 risk work as defined in ODMWA as at the Addendum Effective Date; or

1.1.68.2 all or any of the following work: (i) work in the underground workings of a gold mine; (ii) work in a laundry where clothing of underground mineworkers is washed; (iii) work on a slimes dam of a gold mine; (iv) work in an assay laboratory of a gold mine where the composition of gold bearing ore is analysed, and where the mass of respirable dust from personal sampling is determined; (v) work in a metallurgical plant of a gold mine, including crushing, milling, transporting and smelting of ore; and (vi) work at conveyor belt operations which are undertaken to convey broken rock from the underground operations of a gold mine to surface."

- 2.2 Schedule 3 of the Settlement Agreement in its entirety and its replacement with a new Schedule 3, attached hereto, marked "A";
- 2.3 Schedule 7 of the Settlement Agreement in its entirety and its replacement with a new Schedule 7, attached hereto, marked "B";
- 2.4 Schedule 8 of the Settlement Agreement in its entirety and its replacement with a new Schedule 8, attached hereto, marked "C"; and
- 2.5 Schedule 9 of the Settlement Agreement in its entirety and its replacement with a new Schedule 9, attached hereto, marked "D".

3. **CONTINUATION OF THE SETTLEMENT AGREEMENT**

Save as amended under clause 2 all the terms and conditions of the Settlement Agreement shall continue in full force and effect.

4. **COUNTERPARTS**

This Addendum may be executed in any number of counterparts, each counterpart when read together shall constitute one and the same document.

[Signature pages to follow.]

SIGNED at _____ on this the _____ day of _____ 20__.

For and on behalf of
AFRICAN RAINBOW MINERALS LIMITED

Signatory:
Capacity:
Who warrants his authority hereto

Signatory:
Capacity:
Who warrants his authority hereto

SIGNED at _____ on this the _____ day of _____ 20__.

For and on behalf of
ANGLO AMERICAN SOUTH AFRICA LIMITED

Signatory:
Capacity:
Who warrants his authority hereto

SIGNED at _____ on this the _____ day of _____ 20__.

For and on behalf of
ANGLOGOLD ASHANTI LIMITED

Signatory:
Capacity:
Who warrants his authority hereto

SIGNED at _____ on this the _____ day of _____ 20__.

For and on behalf of
AVGOLD LIMITED

Signatory:
Capacity:
Who warrants his authority hereto

Signatory:
Capacity:
Who warrants his authority hereto

SIGNED at _____ on this the _____ day of _____ 20__.

For and on behalf of
FREEGOLD (HARMONY) PROPRIETARY LIMITED

Signatory:
Capacity:
Who warrants his authority hereto

SIGNED at _____ on this the _____ day of _____ 20__.

For and on behalf of
**FREE STATE CONSOLIDATED GOLD MINES
(OPERATIONS) LIMITED**

Signatory:
Capacity:
Who warrants his authority hereto

Signatory:
Capacity:
Who warrants his authority hereto

SIGNED at _____ on this the _____ day of _____ 20__.

For and on behalf of
GOLD FIELDS LIMITED

Signatory:
Capacity:
Who warrants his authority hereto

SIGNED at _____ on this the _____ day of _____ 20__.

For and on behalf of
GOLD FIELDS OPERATIONS LIMITED

Signatory:
Capacity:
Who warrants his authority hereto

SIGNED at _____ on this the _____ day of _____ 20__.

For and on behalf of
NEWSHELF 899 PROPRIETARY LIMITED

Signatory:
Capacity:
Who warrants his authority hereto

SIGNED at _____ on this the _____ day of _____ 20__.

For and on behalf of
BEATRIX MINES LIMITED

Signatory:
Capacity:
Who warrants his authority hereto

SIGNED at _____ on this the _____ day of _____ 20__.

For and on behalf of
FARWORKS/682 LIMITED

Signatory:
Capacity:
Who warrants his authority hereto

SIGNED at _____ on this the _____ day of _____ 20__.

For and on behalf of
**DRIEFONTEIN CONSOLIDATED PROPRIETARY
LIMITED**

Signatory:
Capacity:
Who warrants his authority hereto

SIGNED at _____ on this the _____ day of _____ 20__.

For and on behalf of
GFL MINING SERVICES LIMITED

Signatory:
Capacity:
Who warrants his authority hereto

SIGNED at _____ on this the _____ day of _____ 20__.

For and on behalf of
**GFI JOINT VENTURE HOLDINGS PROPRIETARY
LIMITED**

Signatory:
Capacity:
Who warrants his authority hereto

SIGNED at _____ on this the _____ day of _____ 20__.

For and on behalf of
HARMONY GOLD MINING COMPANY LIMITED

Signatory:
Capacity:
Who warrants his authority hereto

Signatory:
Capacity:
Who warrants his authority hereto

SIGNED at _____ on this the _____ day of _____ 20__.

For and on behalf of
UNISEL GOLD MINES LIMITED

Signatory:
Capacity:
Who warrants his authority hereto

Signatory:
Capacity:
Who warrants his authority hereto

SIGNED at _____ on this the _____ day of _____ 20__.

For and on behalf of
LORAINÉ GOLD MINES LIMITED

Signatory:
Capacity:
Who warrants his authority hereto

Signatory:
Capacity:
Who warrants his authority hereto

SIGNED at _____ on this the _____ day of _____ 20__.

For and on behalf of
RANDFONTEIN ESTATES LIMITED

Signatory:
Capacity:
Who warrants his authority hereto

Signatory:
Capacity:
Who warrants his authority hereto

SIGNED at _____ on this the _____ day of _____ 20__.

For and on behalf of
SIBANYE GOLD LIMITED

Signatory:
Capacity:
Who warrants his authority hereto

Signatory:
Capacity:
Who warrants his authority hereto

SIGNED at _____ on this the _____ day of _____ 20__.

For and on behalf of
LESLIE GOLD MINES LIMITED

Signatory:
Capacity:
Who warrants his authority hereto

Signatory:
Capacity:
Who warrants his authority hereto

SIGNED at _____ on this the _____ day of _____ 20__.

For and on behalf of
BRACKEN MINES LIMITED

Signatory:
Capacity:
Who warrants his authority hereto

Signatory:
Capacity:
Who warrants his authority hereto

SIGNED at _____ on this the _____ day of _____ 20__.

For and on behalf of
**K2018259017 (SOUTH AFRICA) PROPRIETARY
LIMITED**

Signatory:
Capacity:
Who warrants his authority hereto

Signatory:
Capacity:
Who warrants his authority hereto

Signatory:
Capacity:
Who warrants his authority hereto

Signatory:
Capacity:
Who warrants his authority hereto

SIGNED at White River on this the 14 day of November 2015

For and on behalf of
RICHARD SPOOR INC. ATTORNEYS

Signatory:
Capacity:
Who warrants his authority hereto

SIGNED at White River on this the 14 day of November 2015

RICHARD SPOOR

Signatory:
Identity Number:

SIGNED at _____ on this the _____ day of _____ 20__.

For and on behalf of
ABRAHAMS KIEWITZ INCORPORATED

Signatory:
Capacity:
Who warrants his authority hereto

SIGNED at _____ on this the _____ day of _____ 20__.

CHARLES ABRAHAMS

Signatory:
Identity Number:

SIGNED at JOHANNESBURG on this the 19 day of NOVEMBER 2018

For and on behalf of
LEGAL RESOURCES CENTRE



Signatory: **NERSAN MUTHUSAMI GOVENDER**
Capacity: **NATIONAL DIRECTOR**

Who warrants his authority hereto

SIGNED at _____ on this the _____ day of _____ 20____.

For and on behalf of
MOTLEY RICE LLC

Signatory:

Capacity:

Who warrants his authority hereto

SIGNED at _____ on this the _____ day of _____ 20____.

For and on behalf of
HAUSFELD LLP

Signatory:

Capacity:

Who warrants his authority hereto

SIGNED at White River on this the 19 day of November 2018

For and behalf of each of the

Class Representatives listed in Part A of

Schedule 1 duly authorised in terms of clause
13.4.2 of the Settlement Agreement

Signature:

Richard Spoon

Capacity:

Attorney

Who warrants his authority hereto

SIGNED at _____ on this the _____ day of _____ 20____.

For and behalf of each of the

**Class Representatives listed in Part B of Schedule
1 of the Settlement Agreement**, duly authorised
in terms of clause 13.4.3 of the Settlement
Agreement

Signatory: Charles Abrahams

Capacity:

Who warrants his authority hereto

SIGNED at Johannesburg on this the 19 day of November 2018

For and behalf of each of the

Class Representatives listed in Part C of

Schedule 1 of the Settlement Agreement, duly
authorised in terms of clause 12.4.4 of the
Settlement Agreement

Dwaine

Signatory: Legal Resources Centre

Capacity: NATIONAL DIKE CORY

Who warrants his authority hereto

SCHEDULE 1
CLASS REPRESENTATIVES

The Class Representatives shall be those of the persons listed below that are alive as at the Effective Date, as defined in the Settlement Agreement.

PART A

Item no	Name(s)	Surname
1.	Bongani	Nkala
2.	Siporono	Phahlam
3.	Thembekile	Mnāheni
4.	Matona	Mabea
5.	Alloys Mncedi	Msuthu
6.	Myekelwa	Mkenyane
7.	Masiko	Somi
8.	Zwelendaba	Mgidi
9.	Mthobeli	Gangatha
10.	Landile	Qebula
11.	Joseph	Lebone
12.	Zama	Gangi
13.	Malungisa	Thole
14.	Monokoa Thomas	Lepota
15.	Mzawubalekwa	Diya
16.	Msekeli	Mbuziweni
17.	Nanabezi	Mgoduswa
18.	Thulenkho	Kuswana
19.	Maleburu Regina	Lebitsa
20.	Mataaso Mable	Makone
21.	Matsekelo Cisilia	Masupha
22.	Matlisetso Maseipati Jesenta	Nong

PART B

Item no	Name(s)	Surname
1.	Dyamara	Jibhana
2.	Watu	Dala
3.	Mantso	Mokoena
4.	Ishmael	Motleke
5.	Thabo	Ntsala
6.	Zonisile	Nkompela
7.	Bangumzi	Balakisi
8.	Mbikanye	Sawule
9.	Zimoshile	Bozo
10.	Zamukulungisa	Dyantyi
11.	Malusi	Bovu
12.	Agrippa	Dlisani
13.	Mncedisi	Dlisane
14.	Siqhamo	Hoyi
15.	Luvoko	Madindala
16.	Mtutuzeli	Mtshange
17.	Monde	Mxesibe
18.	Mzwanele	Bunyonyo
19.	Msikayise	Nqose
20.	Buzile	Nyakaza
21.	Patrick Xolile	Sitwayi
22.	Xolisile	Butu
23.	Zolisa	Jejana
24.	Zimoshile	Bozo

PART C

Item no	Name(s)	Surname
1.	Malepa	Puso
2.	Noebejara	Tau
3.	Elia Mottalepula	Phetane
4.	Mottalepula	Mokoena
5.	Sekhobe	Letsie
6.	Tshehla Solomon	Hlalele
7.	Mona Ashton	Melao
8.	Nkosi Selata	Selata
9.	Edgar Ntjana	Ntjana
10.	Ezekiel Mutsana	Masupha

A

SCHEDULE 3
OPT OUT NOTICE

[attached hereto]

SCHEDULE 3
OPT OUT NOTICE

If you are currently or have been a **GOLD MINERWORKER** in South Africa, at any time after 12 March 1965, and have been exposed to silica dust or you have contracted silicosis or tuberculosis ("TB") OR you are a **DEPENDANT** (for example, the wife, child or life partner) of such a gold minerworker who has since passed away, **PLEASE READ THIS NOTICE CAREFULLY AS IT MAY AFFECT YOUR RIGHTS.**

On 3 May 2018, six mining companies, African Rainbow Minerals, Anglo American SA, AngloGold Ashanti, Gold Fields, Harmony, Sibanye-Stillwater and some of their affiliates, as well as class representatives and minerworkers' lawyers reached a settlement in the silicosis and TB class action litigation. The settlement has been approved by the High Court.

You may be eligible to claim compensation if you are currently or have been a **GOLD MINERWORKER** in South Africa at any time after 12 March 1965, and have been exposed to silica dust or you have contracted silicosis or TB or you are a dependant of a minerworker who worked at the affected gold mines during this time and has since passed away.

THE SETTLEMENT

Six companies - African Rainbow Minerals, Anglo American SA, AngloGold Ashanti, Gold Fields, Harmony and Sibanye-Stillwater and some of their affiliates ("**the participating gold mining companies**") have reached a conditional settlement to pay compensation to eligible gold minerworkers and the dependants of such minerworkers who have passed away. The proposed settlement will settle the claims against the participating gold mining companies arising from the class action that was initiated before the High Court for:

- the harm and loss suffered by minerworkers who contracted silicosis and/or TB during their work on certain gold mines in South Africa, and
- the harm and loss suffered by the dependants of minerworkers who died of these diseases.

The settlement was approved by the High Court in Johannesburg on [INSERT DATE].

WHO IS INCLUDED IN THE SETTLEMENT?

You are a class member, and will be included in the settlement, if you meet all the requirements of any of the four classes:

Class 1:	<p>All people:</p> <ol style="list-style-type: none"> 1. who as at the date when the settlement agreement comes into force, have undertaken risk work. In terms of the settlement agreement, risk work means "risk work" as defined in the Occupational Diseases in Mines and Works Act, 1973 or any of the following work: <ol style="list-style-type: none"> (i) work in the underground workings of a gold mine; (ii) work in a laundry where clothing of underground minerworkers is washed; (iii) work on a slimes dam of a gold mine; (iv) work in an assay laboratory of a gold mine where the composition of gold bearing ore is analysed, and where the mass of respirable dust from personal sampling is determined; (v) work in a metallurgical plant of a gold mine, including crushing, milling, transporting and smelting of ore; and (vi) work at conveyor belt operations which are undertaken to convey broken rock from the underground operations of a gold mine to surface; 2. who on or before the date when the settlement agreement comes into force, have contracted silicosis or have been exposed to silica dust;
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	<ol style="list-style-type: none"> 3. who undertake or have undertaken risk work on one or more of the mines listed in Annexure A of this notice after 12 March 1965; and 4. who did not settle their claims in previously finalised settlements with Anglo American South Africa Limited and AngloGold Ashanti Limited on 14 March 2016 and Anglo American South Africa Limited on 19 September 2013, respectively.
Class 2:	The dependants of any of the persons in Class 1 above who are deceased as at the date when the settlement agreement comes into force.
Class 3:	<p>All people:</p> <ol style="list-style-type: none"> 1. who as at the date when the settlement agreement comes into force have undertaken risk work; 2. who on, before or after the date when the settlement agreement will come into force have contracted Tuberculosis; and 3. who undertake or have undertaken risk work, after 12 March 1965, on one or more of the gold mines listed in Annexure A of this notice.
Class 4:	The dependants of any of the persons in Class 3 above who are deceased as at the date when the settlement agreement comes into force.

WHAT IS THE EFFECT OF THE SETTLEMENT?

The settlement is not yet in force because some of its conditions have not yet been met. If the conditions are met, the participating gold mining companies will establish a fund, called the TSHIAMISO TRUST.

If the settlement agreement comes into force:

- The participating gold mining companies will pay agreed contributions to the Tshiamiso Trust and the process of paying compensation can start.
- All class members can **submit a claim to the Tshiamiso Trust** for monetary compensation, except for those class members who opt out of the settlement.
- Details of how to submit a claim to the Tshiamiso Trust will be published in the media and on the website www.silicosissettlement.co.za.
- The Tshiamiso Trust will pay compensation to **eligible claimants**. An eligible claimant is a person who is a member of any of the classes and who meets the requirements of the Tshiamiso Trust to receive monetary compensation.
- Class members must submit a completed claim form to the Tshiamiso Trust and may have to undergo a medical examination to determine if they are eligible claimants.

Once the settlement agreement is in force, eligible claimants will be entitled to receive a once-off payment of between R10 000 and R250 000, depending on the nature and seriousness of the disease. In certain exceptional circumstances, this amount may be increased to up to R500 000.

The full terms of the final settlement as well as the Court's decision approving the settlement are available at www.silicosissettlement.co.za or can be obtained from the Class Lawyers (**contact details below**).

YOU DO NOT NEED TO PAY ANYONE TO ASSIST YOU TO MAKE YOUR CLAIM

WHAT MUST I DO TO REMAIN PART OF THE SETTLEMENT?

IF YOU ARE A CLASS MEMBER AND YOU WISH TO BE PART OF THE SETTLEMENT, NO ACTION IS NECESSARY AT THIS TIME.

While you do not have to do anything to participate in the settlement, if you wish to send your contact details expressing your interest in participating, you may do so by completing an information form or registering your interest at this website www.silicosissettlement.co.za.

OPTING OUT OF THE SETTLEMENT

IF YOU ARE A CLASS MEMBER, THE SETTLEMENT IS AUTOMATICALLY BINDING ON YOU UNLESS YOU TAKE STEPS TO OPT OUT. If you do not want to be part of the settlement, or you want the right to pursue your claim individually in court, then you must take steps to opt out of the settlement.

To opt out of the settlement, you must **COMPLETE AND SIGN EITHER FORM A; FORM B; OR FORM C (WHICHEVER APPLIES TO YOU) AND DELIVER IT, TOGETHER WITH THE REQUIRED SUPPORTING DOCUMENTS, TO THE INDEPENDENT AUDITOR [INSERT NAME] before [INSERT DATE – 60 days from last date of notice].**

The form must be signed before a commissioner of oaths. Every police station in South Africa has a commissioner of oaths.

TO OPT OUT, DELIVER YOUR OPT-OUT FORM AND THE SUPPORTING DOCUMENTS BY HAND OR BY FAX OR BY EMAIL USING THE FOLLOWING DETAILS:

[INSERT INDEPENDENT AUDITORS' CONTACT DETAILS]

Address for hand delivery: [INSERT]

Fax number: [INSERT]

Address for delivery by email: [INSERT]

You cannot opt out by phone but you can call the numbers below for more information on opting out.

Each class member seeking to opt out must fill out and sign a separate opt out form.

If you deliver an opt-out form, the Independent Auditor may contact you for further information.

THE OPT-OUT FORMS ARE AVAILABLE AT www.silicosissettlement.co.za OR THEY CAN BE OBTAINED FROM THE CLASS LAWYERS OR THE CLASS LAWYERS WILL DIRECT YOU TO THE NEAREST PLACE WHERE YOU CAN FIND THE OPT-OUT FORMS (CONTACT DETAILS BELOW).

*** PLEASE MAKE SURE THAT YOU COMPLETE THE CORRECT OPT-OUT FORM. IF YOU NEED ASSISTANCE IN THIS REGARD, USE THE INFORMATION SERVICES BELOW.**

FOR MORE INFORMATION ON THE CLAIMS PROCESS, THE SETTLEMENT AGREEMENT AND OPTING OUT:

- Visit www.silicosissettlement.co.za;
- Call the toll-free Call Centre at 0801 000 240. The Call Centre will operate at no cost to persons calling from within South Africa;
- Send a "please call me" to the following number [INSERT NUMBER]; or
- Contact the **CLASS LAWYERS** at:

Richard Spoor Incorporated Attorneys Tel. +27 (0)11 482 6081; Fax. +27 (0)11 482 1419 info@richardspoorinc.co.za ; P.O. Box 303 Parklands, 2121	Abrahams Kiewitz Incorporated Tel. +27 (0)21 914 4842 Fax. +27 (0)21 914 1455 classaction@ak.law.za ; P.O. Box 3048, Tygervalley, 7536, Cape Town	Legal Resources Centre Tel.: +27 (0)11 836 9831 Fax.: +27 (0)11 834 4273 silicosisclass@lrc.org.za P.O. Box 9495, Johannesburg, 2000
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Annexure A - participating mines

1. SA Land	28. Vaal Reefs 11 (Moab Khotsoeng)
2. Daggafontein	29. Western Deep Levels
3. East Daggafontein	30. Mponeng (South Mine WDL 1)
4. Elandsrand	31. Tau Tona (East Mine WDL 3)
5. Deelkraal (also called Elandskraal)	32. Savuka (West Mine WDL 2)
6. Kusasalethu	33. St Helena
7. Western Holdings (1,2,3,4,6,7) (ARMGold)	34. Evander (incl Kinross, Leslie, Bracken and Winkelhaak mines)
8. Matjhabeng (Western Holdings other 4 shafts Kudu, Nyala, Sable, Eland which were former Freddie's and Free State Geduld shafts)	35. Randfontein Estates
9. Saaiplaas 2,3	36. Doornkop
10. Saaiplaas 4,5 (Masimong) (FreeGold 3)	37. Cooke 1, 2 and 3 (Rand Uranium)
11. Free State Geduld	38. Cooke 4 (Ezulwini)
12. Free State Cons	39. Unisel
13. FreeGold 2 and 4	40. Harmony mine
14. Freddie's 7 and 9 (to Kades Barnea cc, Pamodzi, Target mine)	41. Merriespruit
15. Freegold 2, 4 (Tshepong, Phakisa)	42. Hartebeesfontein
16. President Brand	43. Loraine (Shafts 1,2 and 3)
17. President Steyn	44. Zandpan
18. Steyn 1,2 (to Kades Barnea, Pamodzi, Bambanani)	45. Virginia mine
19. Steyn 3,4 (FreeGold 1, then Bambanani)	46. Village Main Reef
20. Brand 1, 2, 3, 5 (Steyn 5 to 8)	47. Western Areas (to South Deep)
21. HJ Joel / Joel	48. South Deep
22. Western Reefs (merged with Vaal Reefs)	49. Beatrix (including Oryx)
23. Vaal Reefs (1,3,4,5,6,7)	50. Oryx (to Beatrix)
24. Vaal Reefs 2	51. Driefontein (including East Driefontein, West Driefontein and Driefontein Cons)
25. Vaal Reefs 8 (Great Noligwa)	52. Kloof (including Leeudoom from 1 Jan 1993, Libanon and Venterspos)
26. Vaal Reefs 9 (Kopanang)	53. St Helena (Beisa section)
27. Vaal Reefs 10 (Tau Lekoa)	

FORM A
SETTLEMENT CLASS OPT OUT

Class settlement between some South African gold mining companies and gold mineworkers and / or their dependants for claims for exposure to silica dust or the contraction of silicosis and/or tuberculosis (TB)

This Form must only be completed if you are a current or former gold mineworker and you want to opt out of the settlement

Completing this form EXCLUDES you from the settlement class.

- (I) DO NOT use this form if you wish to remain as part of the settlement arrangement.**
- (II) DO NOT use this form if you want to submit a claim to the Tshlamiso Trust.**

Name: _____ ID number: _____

Address: _____
(Postal Code)

Cellphone/ telephone: _____ Email: _____
(if available)

If you opt out of the settlement class, you will not be eligible to submit a claim to the Tshlamiso Trust and will not get any payment from the settlement.

If you opt out of the settlement class, you will not be legally bound by the settlement and will be entitled to pursue your claim individually in court.

YOUR EMPLOYMENT DETAILS		
Name of Gold Mine(s) where you work or have worked	Your Employee number(s) at (each) Gold Mine where you work or have worked	Your period of employment at (each) Gold Mine

PLEASE SEND THE FOLLOWING SUPPORTING DOCUMENTS WITH THE COMPLETED OPT-OUT FORM A

1. A copy of your identity document or passport;
2. Your proof of residence;
3. A copy of your proof of employment (for example, a letter(s) of employment or payslip(s) or any other document(s) proving employment).

(If you do not have all the above documents, urgently contact the toll-free Call Centre on [INSERT NUMBER] or send a "please call me" to [INSERT NUMBER])

DECLARATION

I am 18 years or older. I have read this document, I understand the legal consequences of signing this document and I am signing it freely.

By signing below, I hereby declare under oath that:

1. I wish to opt out of the Class Settlement approved by the High Court on [INSERT DATE], under Case Number [XXX], on my own behalf;
2. I understand the consequences of my decision to opt out and that, by opting out, I cannot claim any compensation from the Tshiamiso Trust established in terms of the Class Settlement; and
3. I consent to this information being processed in accordance with the requirements of the Protection of Personal Information Act, No 4 of 2013.

Full Name & Surname

Signature

Date

Thus signed and sworn / affirmed to at _____ on this the _____ day of _____ 20__, the deponent having acknowledged that s/he knows and understands the contents of this affidavit, that it is both true and correct to the best of his/her knowledge and belief, that s/he has no objection to taking the prescribed oath / affirmation and that the prescribed oath / affirmation will be binding on his/her conscience.

COMMISSIONER OF OATHS

FULL NAMES:

DESIGNATION:

ADDRESS:

FORM B

SETTLEMENT CLASS OPT OUT

Class settlement between some South African gold mining companies and mineworkers and / or their dependants for claims for exposure to silica dust or the contraction of silicosis and/or tuberculosis (TB)

This form must only be completed if you are

- (i) a dependant of a deceased gold mineworker;**
- (ii) you are 18 years of age or older; and**
- (iii) you want to opt out of the settlement.**

Completing this form EXCLUDES you from the settlement class.

- (i) DO NOT use this form if you wish to remain IN the settlement class.**
- (ii) DO NOT use this form if you want to submit a claim to the Tshiamiso Trust.**

Name: _____ ID number: _____

Address: _____
(Postal Code)

Cellphone/ telephone: _____ Email: _____
(if available)

If you opt out of the settlement class, you will not be eligible to submit a claim to the Tshiamiso Trust and will not get any payment from the settlement.

If you opt out of the settlement class, you will not be legally bound by the settlement and will be entitled to pursue your claim individually in court.

DETAILS OF THE DECEASED GOLD MINERWORKER		
Full Name and Surname		
Date of Birth		
Your relationship with the Deceased Gold Mineworker		
EMPLOYMENT DETAILS OF THE DECEASED GOLD MINERWORKER		
Name of Mine(s) where the Deceased Gold Mineworker Worked	Employee number of the Deceased Gold Mineworker at (each) Mine	Period of Employment of the Deceased Gold Mineworker at (each) Mine

PLEASE SEND THE FOLLOWING SUPPORTING DOCUMENTS WITH THE COMPLETED OPT-OUT FORM B

1. A copy of your identity document OR passport;
 2. Your proof of residence;
 3. A copy of the deceased gold mineworker's identity document OR passport;
 4. A copy of the deceased mineworker's death certificate; and
 5. A copy of the deceased gold mineworker's proof of employment (for example, a letter(s) of employment OR payslip(s) OR any other document(s) proving employment).
- (If you do not have all the above documents, urgently contact the toll-free Call Centre on [INSERT NUMBER] or send a "please call me" to [INSERT NUMBER])

DECLARATION

I am 18 years or older. I have read this document, I understand the legal consequences of signing this document and I am signing it freely.

By signing below, I hereby declare under oath that:

1. I wish to opt out of the Class Settlement approved by the High Court on [INSERT DATE], under Case Number [XXX], on my own behalf;
2. I understand the consequences of my decision to opt out and that by opting out, I and all other dependants of the deceased gold mineworker, by operation of law, cannot claim any monetary compensation from the Tshamiso Trust established in terms of the Class Settlement; and
3. I consent to this information being processed in accordance with the requirements of the Protection of Personal Information Act, No 4 of 2013.

Full Name & Surname

Signature

Date

Thus signed and sworn / affirmed to at _____ on this the _____ day of _____ 20__, the deponent having acknowledged that s/he knows and understands the contents of this affidavit, that it is both true and correct to the best of his/her knowledge and belief, that s/he has no objection to taking the prescribed oath / affirmation and that the prescribed oath / affirmation will be binding on his/her conscience.

COMMISSIONER OF OATHS

FULL NAMES:

DESIGNATION:

ADDRESS:

FORM C
SETTLEMENT CLASS OPT OUT

Class settlement between some South African gold mining companies and mineworkers and / or their dependants for claims for exposure to silica dust or the contraction of silicosis and/or tuberculosis (TB)

- This Form must only be completed if you are**
- (I) **the parent and/or guardian of a child who is under 18 years of age and is a dependant of a deceased gold mineworker; and**
 - (II) **you are exercising the child's right to opt out of the Settlement**

In this form, the child who is a dependant of the deceased gold mineworker is called a "minor dependant".

Completion of this form EXCLUDES the minor dependant of the deceased gold mineworker from the settlement class.

- (i) **DO NOT use this Form if you want the minor dependant to remain IN the settlement class.**
- (ii) **DO NOT use this form if you want to submit a claim to the Tshiamiso Trust on behalf of the minor dependant.**

DETAILS OF THE PARENT / GUARDIAN

Name: _____ ID number: _____

Address: _____
(Postal Code)

Cellphone/ telephone: _____ Email: _____
(if available)

If you opt-out of the settlement class on behalf of the minor dependant, no one will be eligible to submit a claim to the Tshiamiso Trust on behalf of the minor dependant and the minor dependant will not get any payment from the settlement.

If you opt out of the settlement class on behalf of the minor dependant, the minor dependant will not be legally bound by the settlement and you will be entitled to pursue his / her own claim individually in court on his / her behalf.

DETAILS OF THE MINOR DEPENDANT		
Full Name and Surname		
Date of Birth		
Physical Address		
Relationship of the Parent / Guardian with the Deceased Gold Mineworker, if any		
Relationship of the Minor Dependant with the Deceased Gold Mineworker		
DETAILS OF THE DECEASED GOLD MINERWORKER		
Full Name and Surname		
Date of Birth		
EMPLOYMENT DETAILS OF THE DECEASED GOLD MINERWORKER		
Name of Mine(s) where the Deceased Gold Mineworker Worked	Employee number of the Deceased Gold Mineworker at (each) Mine	Period of Employment of the Deceased Gold Mineworker at (each) Mine

PLEASE SEND THE FOLLOWING SUPPORTING DOCUMENTS WITH THE COMPLETED OPT-OUT FORM C

1. A copy of your identity document OR passport;
2. Your proof of residence;
3. A copy of the minor dependant's birth certificate OR identity document OR passport;
4. A copy of the deceased gold mineworker's identity document OR passport;
5. A copy of the deceased gold mineworker's death certificate; and
6. A copy of the deceased gold mineworker's proof of employment (for example, a letter(s) of employment OR payslip(s) OR any other document(s) proving employment).

(If you do not have all the above documents, urgently contact the toll-free Call Centre on [INSERT NUMBER] or send a "please call me" to [INSERT NUMBER])

DECLARATION

I am 18 years or older. I am the parent and/or legal guardian of the minor dependant. I **understand the legal consequences of signing this document on behalf of the minor dependant**. I have read this document, and I am signing it freely.

By signing below, I hereby declare under oath that:

1. I wish to opt out of the Class Settlement approved by the High Court on [INSERT DATE], under Case Number [XXX], on behalf of the minor dependant;
2. I understand the consequences of my decision to opt out on behalf of the minor dependant and that by opting out, the minor dependant and any other dependants of the deceased gold mineworker, by operation of law, cannot claim any monetary compensation from the Tshiamiso Trust established under the settlement; and
3. I consent to this information being processed in accordance with the requirements of the Protection of Personal Information Act, No 4 of 2013.

Full Name & Surname

Signature

Date

Thus signed and sworn / affirmed to at _____ on this the _____ day of _____ 20____, the deponent having acknowledged that s/he knows and understands the contents of this affidavit, that it is both true and correct to the best of his/her knowledge and belief, that s/he has no objection to taking the prescribed oath / affirmation and that the prescribed oath / affirmation will be binding on his/her conscience.

COMMISSIONER OF OATHS

FULL NAMES:

DESIGNATION:

ADDRESS:

FORM D

SETTLEMENT CLASS OPT OUT

Class settlement between some South African gold mining companies and mineworkers and / or their dependants for claims for exposure to silica dust or the contraction of silicosis and/or tuberculosis (TB)

This form must only be completed if you are

- (i) An executor of a deceased gold mineworker's estate ("the Estate");**
- (ii) you have the appropriate letters of executorship; and**
- (iii) you want to opt out of the settlement on behalf the Estate.**

Completing this form EXCLUDES the Estate from the settlement class.

- (i) DO NOT use this form if you wish for the Estate to remain IN the settlement class.**
- (ii) DO NOT use this form if you want to submit a claim to the Tshlamliso Trust on behalf of the Estate.**

DETAILS OF THE EXECUTOR

Name: _____ ID number: _____

Address: _____
(Postal Code)

Cellphone/ telephone: _____ Email: _____
(if available)

If you opt-out of the settlement class on behalf of the Estate, the Estate will not be eligible to submit a claim to the Tshiamiso Trust.

If you opt-out of the settlement class on behalf of the Estate, the Estate will not be legally bound by the settlement.

DETAILS OF THE DECEASED GOLD MINEWORKER

Full Name and Surname

Date of Birth

Date of Death

Physical Address

EMPLOYMENT DETAILS OF THE DECEASED GOLD MINEWORKER

Name of Mine(s) where the Deceased Gold Mineworker Worked

Employee number of the Deceased Gold Mineworker at (each) Mine

Period of Employment of the Deceased Gold Mineworker at (each) Mine

PLEASE SEND THE FOLLOWING SUPPORTING DOCUMENTS WITH THE COMPLETED OPT-OUT FORM C

1. A certified copy of your identity document OR passport;
2. A certified copy of your letters of executorship;
3. Your proof of residence;
4. A certified copy of the deceased gold mineworker's identity document OR passport;
5. A certified copy of the deceased gold mineworker's death certificate; and
6. A copy of the deceased gold mineworker's proof of employment (for example, a letter(s) of employment OR payslip(s) OR any other document(s) proving employment).

(If you do not have all the above documents, urgently contact the toll-free Call Centre on [INSERT NUMBER] or send a "please call me" to [INSERT NUMBER])

DECLARATION

I am 18 years or older. I am the executor of the abovementioned deceased gold mineworker's estate. I understand the legal consequences of signing this document on behalf of the Estate of the abovementioned deceased gold mineworker's estate. I have read this document, and I am signing it freely.

By signing below, I hereby declare under oath that:

1. I wish to opt out of the Class Settlement approved by the High Court on [INSERT DATE], under Case Number [XXX], on behalf of abovementioned deceased gold mineworker's estate;
2. I understand the consequences of my decision to opt out on behalf of the abovementioned deceased gold mineworker's estate and that by opting out, the abovementioned deceased gold mineworker's estate and any dependants of the abovementioned deceased gold mineworker, by operation of law, cannot claim any monetary compensation from the Tshiamiso Trust established under the Class Settlement; and
3. I consent to this information being processed in accordance with the requirements of the Protection of Personal Information Act, No 4 of 2013.

Full Name & Surname

Signature

Date

Thus signed and sworn / affirmed to at _____ on this the _____ day of _____ 20____,
the deponent having acknowledged that s/he knows and understands the contents of this affidavit, that
it is both true and correct to the best of his/her knowledge and belief, that s/he has no objection to taking
the prescribed oath / affirmation and that the prescribed oath / affirmation will be binding on his/her
conscience.

COMMISSIONER OF OATHS

FULL NAMES:

DESIGNATION:

ADDRESS:

SCHEDULE 7

FIRST NOTICE

NOTICE OF PROPOSED CLASS SETTLEMENT

[attached hereto]

SCHEDULE 7

FIRST NOTICE

NOTICE OF PROPOSED CLASS SETTLEMENT

If you are currently or have been a GOLD MINERWORKER in South Africa, at any time after 12 March 1965, and have been exposed to silica dust or you have contracted silicosis or tuberculosis ("TB") OR you are A DEPENDANT (e.g., the wife, child or life partner) of such a gold mineworker who has since passed away, PLEASE READ THIS NOTICE CAREFULLY AS IT MAY AFFECT YOUR RIGHTS.

If you have some other interest in the proposed settlement you should also read this notice.

THE PROPOSED SETTLEMENT

Six companies, African Rainbow Minerals, Anglo American SA, AngloGold Ashanti, Gold Fields, Harmony, Sibanye-Stillwater and some of their affiliates ("the participating gold mining companies") have reached a conditional settlement to pay compensation to eligible gold mineworkers and the dependants of such mineworkers who have passed away. The proposed settlement will settle the claims against the participating gold mining companies arising from the class action that was initiated before the High Court for:

- the harm and loss suffered by mineworkers who contracted silicosis and/or TB during their work on certain gold mines in South Africa, and
- the harm and loss suffered by the dependants of mineworkers who died of these diseases.

The proposed settlement is subject to certain conditions and must be approved by the High Court before it comes into force.

If the settlement is approved and all its other conditions are met, a Trust called the Tshiamiso Trust will be established and will exist for a minimum of 13 years.

All class members, except those that choose to opt out of the settlement, will be entitled to submit a claim to the Tshiamiso Trust for monetary compensation.

Eligible claimants will be entitled to receive a once-off payment of between R10 000 and R250 000, depending on the nature and seriousness of the disease. In certain exceptional circumstances, this amount may be increased to up to R500 000. An eligible claimant is a person who is a member of any of the classes and who meets the requirements of the Tshiamiso Trust to receive monetary compensation.

The participating gold mining companies are also required to pay the class lawyers a set amount for legal costs and to pay for the administration of the Tshiamiso Trust.

WHO IS A CLASS MEMBER?

You are a class member, and will be entitled to submit a claim to the Tshiamiso Trust, if you meet all the requirements of any of the four classes:

Class 1:	<p>All people:</p> <ol style="list-style-type: none"> 1. who as at the date when the settlement agreement comes into force, have undertaken risk work. In terms of the settlement agreement, risk work means "risk work" as defined in the Occupational Diseases in Mines and Works Act, 1973 or any of the following work: <ol style="list-style-type: none"> (i) work in the underground workings of a gold mine; (ii) work in a laundry where clothing of underground mineworkers is washed; (iii) work on a slimes dam of a gold mine; (iv) work in an assay laboratory of a gold mine where the composition of gold bearing ore is analysed, and where the mass of respirable dust from personal sampling is determined; (v) work in a metallurgical plant of a gold mine, including crushing, milling, transporting and smelting of ore; and
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	<p>(vi) work at conveyor belt operations which are undertaken to convey broken rock from the underground operations of a gold mine to surface;</p> <p>2. who on or before the date when the settlement agreement comes into force, have contracted silicosis or have been exposed to silica dust;</p> <p>3. who undertake or have undertaken risk work on one or more of the mines listed in Annexure A of this notice after 12 March 1965; and</p> <p>4. who did not settle their claims in previously finalised settlements with Anglo American South Africa Limited and AngloGold Ashanti Limited on 14 March 2016 and Anglo American South Africa Limited on 19 September 2013, respectively.</p>
Class 2:	The dependants of any of the persons in Class 1 above who are deceased as at the date when the settlement agreement comes into force.
Class 3:	<p>All people:</p> <p>1. who as at the date when the settlement agreement comes into force have undertaken risk work;</p> <p>2. who on, before or after the date when the settlement agreement will come into force have contracted Tuberculosis; and</p> <p>3. who undertake or have undertaken risk work, after 12 March 1965, on one or more of the gold mines listed in Annexure A of this notice.</p>
Class 4:	The dependants of any of the persons in Class 3 above who are deceased as at the date when the settlement agreement comes into force.

HOW DO YOU CLAIM COMPENSATION FROM THE TSHIAMISO TRUST?

You must be an eligible claimant to receive compensation from the Tshiamiso Trust.

If and when the settlement agreement comes into force, you as a class member will have to **submit a completed claim form** to the Tshiamiso Trust, with your personal information and employment history or, if you are a dependant, the employment history of the deceased mineworker. You may also have to undergo a medical examination if you are or were a mineworker.

If the settlement is approved by the High Court the details for submitting claims will be published at those gold mines listed in Annexure A that are still operating. The details will also be published in the media and on the website: www.silicosissettlement.co.za.

YOU DO NOT NEED TO PAY ANYONE TO ASSIST YOU TO MAKE YOUR CLAIM

WHO ARE THE CLASS REPRESENTATIVES AND CLASS LAWYERS?

The High Court has approved [xx] number of people to be **CLASS REPRESENTATIVES** and they will act on behalf of the classes in the settlement. These people live across South Africa and you may get their contact details by calling the call centre with the details provided below.

THE CLASS LAWYERS that have been approved by the High Court are: **RICHARD SPOOR INCORPORATED ATTORNEYS, ABRAHAMS KIEWITZ INCORPORATED** and the **LEGAL RESOURCES CENTRE**. See below for their contact details.

SETTLEMENT APPROVAL HEARING

A hearing to consider the approval of the proposed Settlement will be heard on [INSERT DATE] at the High Court in Johannesburg, Corner Pritchard and Kruls Streets, at 10:00 a.m.

The High Court has issued a Court order that says what you must do if you want to take part in the hearing. You can get a copy of the Court order, the settlement agreement and copies of the papers that have been filed at the High Court from any of the class lawyers (contact details below). Electronic copies of these documents will be available at www.silicosissettlement.co.za.

If you wish to provide the High Court with your comments on the proposed Settlement or if you want to object to the proposed Settlement, you must:

- Deliver a notice of appearance and an affidavit to Richard Spoor Inc Attorneys and file them at the High Court before [insert date]; and
- Deliver written argument, if any, to Richard Spoor Inc Attorneys for purposes of the hearing, which must also be filed at the Court, before [insert date].

The documents mentioned above can be delivered to Richard Spoor Inc Attorneys by hand, by fax or by email (details in box below).

The Court will consider all the affidavits and written arguments in deciding whether or not to approve the settlement. The Court will inform you if it wishes to hear oral argument from you at the hearing.

If no notice of appearance is filed on or before [insert date], the Court will decide the matter in the week starting on [insert date].

THE FINAL SETTLEMENT

If the Court approves the settlement, a summary will be published in newspapers, on radio stations and at various offices (including those of the goldmines listed in Annexure A that are still operating and certain advice offices, paralegal offices and community-based organisations).

The full terms of the Court's decision and the final settlement will:

- be made available at the offices of the class lawyers (addresses below);
- be posted on the following websites: www.silicosissettlement.co.za and at the websites of the class lawyers (see below); and
- be sent to each person that gave notice of appearance in the approval hearing.

OPTING OUT OF THE CLASS PROCEEDINGS

If you are a class member and you do not opt out, the final settlement will be binding on you and you will be able to submit a claim to the Tshiamiso Trust for monetary compensation. If you do not opt out you will not be entitled to pursue your own claim or a class action for monetary damages for silicosis or TB against the participating gold mining companies.

Information on how to opt out will be published if and when the High Court approves the settlement agreement.

FOR MORE INFORMATION, INCLUDING HOW TO OBTAIN A COPY THE SETTLEMENT AGREEMENT:

- Visit www.silicosissettlement.co.za, or the websites of the websites of the class lawyers (see below));
- Call the toll-free Call Centre at 0801 000 240. The Call Centre will operate at no cost to persons calling from within South Africa;
- Send a "please call me" to the following number [INSERT NUMBER]; or
- Contact the **CLASS LAWYERS** at:

Richard Spoor Incorporated Attorneys Tel. +27 (0)11 482 6081; Fax. +27 (0)11 482 1419 info@richardspoorinc.co.za ; P.O. Box 303 Parklands, 2121 Physical address: Eton Building, Sherborne Square 5 Sherborne Road Parktown, Johannesburg	Abrahams Kiewitz Incorporated Tel. +27 (0)21 914 4842 Fax. +27 (0)21 914 1455 classaction@ak.law.za ; P.O. Box 3048, Tygervally, 7536, Cape Town	Legal Resources Centre Tel.: +27 (0)11 836 9831 Fax.: +27 (0)11 834 4273 silicosisclass@lrc.org.za P.O. Box 9495, Johannesburg, 2000
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Annexure A - Participating mines

1. SA Land	28. Vaal Reefs 11 (Moab Khotsong)
2. Daggafontein	29. Western Deep Levels
3. East Daggafontein	30. Mponeng (South Mine WDL 1)
4. Elandsrand	31. Tau Tona (East Mine WDL 3)
5. Deelkraal (also called Elandskraal)	32. Savuka (West Mine WDL 2)
6. Kusasaletu	33. St Helena
7. Western Holdings (1,2,3,4,6,7) (ARMGold)	34. Evander (incl Kinross, Leslie, Bracken and Winkelhaak mines)
8. Matjhabeng (Western Holdings other 4 shafts Kudu, Nyala, Sable, Eland which were former Freddie's and Free State Geduld shafts)	35. Randfontein Estates
9. Saaiplaas 2,3	36. Doornkop
10. Saaiplaas 4,5 (Masimong) (FreeGold 3)	37. Cooke 1, 2 and 3 (Rand Uranium)
11. Free State Geduld	38. Cooke 4 (Ezulwini)
12. Free State Cons	39. Unisel
13. FreeGold 2 and 4	40. Harmony mine
14. Freddie's 7 and 9 (to Kades Barnea cc, Pamodzi, Target mine)	41. Merriespruit
15. Freegold 2, 4 (Tshepong, Phakisa)	42. Hartebeesfontein
16. President Brand	43. Loraine (Shafts 1,2 and 3)
17. President Steyn	44. Zandpan
18. Steyn 1,2 (to Kades Barnea, Pamodzi, Bambanani)	45. Virginia mine
19. Steyn 3,4 (FreeGold 1, then Bambanani)	46. Village Main Reef
20. Brand 1, 2, 3, 5 (Steyn 5 to 8)	47. Western Areas (to South Deep)
21. HJ Joel / Joel	48. South Deep
22. Western Reefs (merged with Vaal Reefs)	49. Beatrix (including Oryx)
23. Vaal Reefs (1,3,4,5,6,7)	50. Oryx (to Beatrix)
24. Vaal Reefs 2	51. Driefontein (including East Driefontein, West Driefontein and Driefontein Cons)

25. Vaal Reefs 8 (Great Noligwa)	52. Kloof (including Leeudoom from 1 Jan 1993, Libanon and Venterspos)
26. Vaal Reefs 9 (Kopanang)	53. St Helena (Beisa section)
27. Vaal Reefs 10 (Tau Lekoa)	

SCHEDULE 8
NEWSPAPERS

[attached hereto]

"C"

**SCHEDULE 8
LIST OF NEWSPAPERS**

South Africa		
Newspapers	Language/s	Distribution
Alex Pioneer	All Languages	Gauteng
Horizon	English, Afrikaans	Gauteng
Soweto Express & Soweto Times	Zulu, Xhosa, English, S Sotho, Pedi	Gauteng
Tshwane Sun Hammanskraal, Tswane Sun Central, Kruger 2 Canyon	Setswana and English	Gauteng
Kruger 2 Canyon	English	Limpopo
The Herald	N Sotho, Tsonga, Siswati & English,	Mpumalanga
Highlands Panorama	Siswati, Zulu, English, Afrikaans, N Sotho, Tsonga, Pedi	Mpumalanga
Polokwane Observer	N Sotho & English	Limpopo
Limpopo Mirror	N Sotho, English, Afrikaans, Ndebele, Tsonga	Limpopo
Zoutpansberger	Sesotho, English, Afrikaans, N Sotho	Limpopo
Mangaung Issue	Setswana, English, Afrikaans	Free State
Eastern Free State Issue	Setswana, Afrikaans, English	Free State
Maluti News	Zulu, Xhosa & Siswati	Free State
Northwest Independent, Overvaal	Zulu, English, Xhosa	Free State
Pinetown Izindaba, Amanzimtoti,	Xhosa, Afrikaans, English	North West
Galaxy, Northern Star, Stanger Weekly	Xhosa & English	Kwa-Zulu Natal
Ladysmith Herald, Stanger weekly	Afrikaans, Setswana, Xhosa & English	Kwa-Zulu Natal
Eastern Cape Today	Xhosa & English	Kwa-Zulu Natal
Pondo News	Xhosa and English	Eastern Cape
Kathu Gazette	English	Eastern Cape
De Aar Echo	English and Afrikaans	Northern Cape
Daily Sun	English	Major urban centres
Daily Dispatch	English	Eastern Cape
Sowetan	English	Nationwide
Isolezwe	Zulu and Xhosa	KwaZulu-Natal, Gauteng and Eastern Cape

Zimbabwe		
Newspapers	Language/s	Distribution
Sunday Mail	English	National
The Chronicle	English	National
The Herald	English	National
The Manica Post	English	National
Zambia		
Newspapers	Language/s	Distribution
Zambia Daily Mail	English	National
The Post	English	National
Swaziland		
Newspapers	Language/s	Distribution
Times of Swaziland	English	National
Swazi Observer	English	National
Mozambique		
Newspapers	Language/s	Distribution
Noticias	Portuguese	National
Domingo	Portuguese	National
Jornal Verdade	Portuguese	National
Malawi		
Newspapers	Language/s	Distribution
Malawi News	English, Chichewa	National
The Sunday Times	English	National
The Nation	English	National
Lesotho		
Newspapers	Language/s	Distribution
Public Eye	English, Sesotho	National
Lesotho Times	English, Sesotho	National
The Post	English	National
Botswana		
Newspapers	Language/s	Distribution
Botswana Gazette	English	National
The Voice	English, Setswana	National

SCHEDULE 9
RADIO STATIONS

[attached hereto]

SCHEDULE 9 **RADIO STATIONS**

South Africa		
Station	Language/s	Distribution
Alex FM	All Languages	Gauteng
Eldos FM	English, Afrikaans	Gauteng
Jozi FM	IsiZulu, IsiXhosa, English, Sesotho, Sepedi	Gauteng
Kasie FM	IsiZulu, Sesotho, English	Gauteng
Barberton Community Radio	Sesotho, SiSwati & English	Mpumalanga
Radio Middleburg	Zulu, Ndebele and English	Mpumalanga
Radio Kanyamazane	SiSwati, IsiZulu, English, Afrikaans	Mpumalanga
Radio Moutse	Sesotho, Xitsonga, SiSwati, English	Mpumalanga
Tubatse	Sesotho, Sepedi, English	Mpumalanga
Greater Lebowakgomo	Sesotho and English	Limpopo
Greater Tzaneen FM	Sesotho, Xitsonga, Afrikaans, English, Tshivenda, Sepedi	Limpopo
Makhado FM	Sesotho and English	Limpopo
Mokopane Radio	English, Afrikaans, Tshivenda, Sesotho, Tsonga	Limpopo
Musina	Sepedi and English	Limpopo
Phalaborwa	English, Sesotho	Limpopo
SKFM	Sesotho, Zulu and English	Limpopo
Radio Univen	Sesotho and English	Limpopo
Motheo FM	Setswana, Afrikaans, Sepedi, Sesotho	Free State
Qwa Qwa Radio	Setswana, English	Free State
Setso FM	Setswana, English	Free State
Aganang	Setswana, Afrikaans, English	North West
Radio Mafikeng	IsiZulu, IsiXhosa, SiSwati	North West
Modiri FM	IsiZulu, English, IsiXhosa	North West
Icora FM	IsiZulu, English	Kwa-Zulu Natal
Imbokodo	IsiXhosa & Sesotho, with English in the News	Kwa-Zulu Natal
Radio Khwezi	IsiXhosa, Afrikaans, English	Kwa-Zulu Natal
Zululand	IsiXhosa, English	Kwa-Zulu Natal
Alfred Nzo	English, IsiXhosa	Eastern Cape
Inkonjane	IsiXhosa, English, Sesotho, Afrikaans	Eastern Cape
Lukhanji	Afrikaans, Setswana, IsiXhosa, English	Eastern Cape

Unique FM	IsiXhosa, English	Eastern Cape
Unitra Community Radio	IsiXhosa, English and Sesotho	Eastern Cape
Vukani FM	IsiXhosa	Eastern Cape
Radio Riverside	Afrikaans, English, IsiXhosa and Setswana	Northern Cape
Radio Teemaneng	Setswana, IsiXhosa, Afrikaans and English	Northern Cape
Ulwazi	IsiXhosa, Afrikaans and English	Northern Cape
Zibonele FM	IsiXhosa, English	Western Cape
Ikwekwezi FM	IsiNdebele	Gauteng, Mpumalanga, Limpopo
Lesedi FM (SABC)	Sesotho	Gauteng, Mpumalanga, North West Province, Free State, Eastern Cape, KwaZulu-Natal, Northern Cape and Lesotho
Motsweding FM (SABC)	Setswana	North West, Northern Cape, Gauteng, Free State, Limpopo and Mpumalanga
North West FM	English and Setswana	Rustenburg, Zeerust, Mahikeng, Taung, Klerksdorp, Potchefstroom, Vryburg and Pretoria
OFM	English and Afrikaans	Free State, Northern Cape, North West and Gauteng
Thobela FM (SABC)	Sepedi	Gauteng, Limpopo and Mpumalanga, North West and Botswana
Tru FM (SABC)	Xhosa and English	Eastern Cape
Ukhozi FM (SABC)	Zulu	KwaZulu-Natal, Gauteng, Mpumalanga, Eastern Cape, Free State, North West and Limpopo
Westside FM	Zulu, English, Xhosa and others	Krugersdorp and surrounds
Umhlobo Wenene Radio (SABC)	Xhosa	Eastern Cape, Western Cape, Northern Cape, Free State, Gauteng, North West and KwaZulu-Natal
Kaya FM	English	Gauteng (greater Johannesburg metropolitan area, Pretoria, Springs, Vanderbijlpark and Carletonville)
Phalafala FM	Venda	Limpopo, Gauteng and North West

Ligwalagwala FM	SiSwati	Mpumalanga, Limpopo Gauteng and North West
Munganalonene FM	Xitsonga	Limpopo, Gauteng and North West
Zimbabwe		
Station	Language/s	Distribution
ZFM	English/Shona	National
Star FM	English/Shona	National
ZBC FM (official radio)	English/Shona/Ndebele	National
BBC WS Africa	English	International
Zambia		
Station	Language/s	Distribution
ZNBC (official radio)	English	National
BBC WS Africa	English	International
Swaziland		
Station	Language/s	Distribution
SBIS Radio 1	Siswati	National
SBIS Radio 2	English	National
TWR Voice of the Church	English	National
Mozambique		
Station	Language/s	Distribution
Radio Mozambique	All indigenous languages, English & Portuguese	National
BBC WS Africa	Portuguese	International
RDP Africa		National
Malawi		
Station	Language/s	Distribution
MBC Radio 1	English, Chichewa, Tumbuka, Ya, Lomwe, Tonga	National
MBC Radio 2	English	National
BBC WS Africa		International
Lesotho		
Station	Language/s	Distribution
Radio Lesotho	Sesotho and English	National
BBC WS Africa	English	International
People's Choice FM	Sesotho and English	National

Botswana		
Station	Language/s	Distribution
Radio Botswana RB1	English, Setswana	National
Radio Botswana RB2	English, Setswana	National
Duma FM	English, Setswana	National