

16 November 2021

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

The Company has now filed with the Supreme Court of Western Australia a Writ of Summons and Statement of Claim (CIV 2220 of 2021) against Kym Mining Pty Ltd

Nex Metals Explorations Ltd (Nex or the “**Company**”) announces that the company has filed with the Supreme Court of Western Australia, a Writ of Summons and Statement of Claim (CIV 2220 of 2021) against the Defendant, Kym Mining Pty Ltd (ACN 632 846 694) (‘Kym Mining’). The Writ of Summons and Statement of Claim (CIV 2220 of 2021) has today been served on Kym Mining and its solicitors have filed with the Supreme Court of Western Australia a Memorandum of Appearance to the action CIV 2220 of 2021.

The Company announced on 15 November 2021, that a Writ of Summons with an Indorsement of Claim (CIV 2220 of 2021) had that day been with the Supreme Court of Western Australia against the Defendant, Kym Mining.

Kym Mining is a wholly owned subsidiary of Metalicity Limited (‘MCT’). The Company is seeking by the Writ of Summons and the Statement of Claim (CIV 2220 of 2021), amongst other things, a Declaration by the Supreme Court in respect of farm-in agreement with MCT and Kym Mining entered into by all the parties on or about 4 May 2019. (‘the Agreement’). MCT is a guarantor of the Agreement.

The claim by NME against Kym and the relief sought by NME against Kym amongst other things are –

- (a) A declaration upon the proper construction of the Agreement;
- (b) A declaration that Kym Mining has not provided notice to Nex verifying the amount of the Stage 1 Project Expenditure that Kym Mining has incurred, as defined in the farm-in agreement entered into by all the parties on or about 4 May 2019, in compliance with clause 7.6 of the Agreement; and
- (c) A declaration that Kym Mining by reason of the failure to comply with the requirements of the Agreement, Kym Mining has not acquired the right to transfer of a 51% interest in the tenements held by Nex the tenements being the Kookynie and Yundamindra gold project.

This announcement has been approved by the Managing Director, Kenneth Allen

Yours Faithfully



Kenneth M Allen

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