

Plaintiff Reaches Settlement with Tetra Tech, Inc. in Canadian Gatos Silver Securities Class Action

TORONTO, Feb. 9, 2024 /CNW/ – The Court-appointed representative of a class of shareholders of Gatos Silver, Inc. (“Gatos Silver”) has reached a settlement with Tetra Tech, Inc. (“Tetra Tech”) in a securities class action in Canada.

The settlement class is defined as all persons and entities (other than certain “excluded persons”), wherever they may reside or be domiciled, who:

- (i) purchased Gatos Silver securities under Gatos Silver’s Canadian prospectuses filed in October 2020 and July 2021 and in the distributions to which they related; and
- (ii) acquired Gatos Silver securities during the period from October 28, 2020 until January 25, 2022 at 6:52 p.m. Eastern Standard Time (“Class Period”) on any Canadian exchange (including, without limitation, the Toronto Stock Exchange) or any Canadian alternative trading system.

The class action was commenced following Gatos’s disclosure in late January 2022 that the mineral reserve statement for its Cerro Los Gatos mine in Mexico was affected by error and materially overstated. The Plaintiff alleges that, among other things, the materially overstated mineral reserve statement was incorporated in Gatos’s offering and continuous disclosure documents released throughout the Class Period. Tetra Tech is alleged to have prepared the overstated mineral reserve statement but disputes its alleged involvement in any such overstatement.

Tetra Tech has agreed to pay CAD\$1,000,000 to settle the claims made against it in the class action. In connection with the settlement, the action will be dismissed against two employees of Tetra Tech who were also named as Defendants. The settlement and dismissal of the action against the Tetra Tech defendants is subject to the approval of the Ontario Superior Court of Justice. If approved by the Court, the settlement will settle, extinguish, and bar all claims relating in any way to or arising out of the proceeding against the Tetra Tech defendants. The settlement is a compromise of disputed claims and Tetra Tech does not admit any wrongdoing or liability.

The settlement is a partial settlement of the claims asserted in the action. The Plaintiff has separately reached a settlement-in-principle with the remaining Defendants, which is subject to the negotiation of a definitive agreement. If a final settlement agreement is reached with those Defendants, further notice will be provided to Class Members regarding that settlement, as ordered by the Court.

The class is represented by the law firms of Siskinds LLP, Eighty-One West Law PC, and CFM Lawyers LLP (together, “Class Counsel”). Class Counsel is seeking the approval of legal fees not to exceed 25% of the Settlement Amount (i.e. \$250,000), plus disbursements and applicable taxes.

A hearing to approve the settlement will be held on April 10, 2024, during which the Court will consider whether the proposed settlement and Class Counsel’s fees and disbursements are fair and reasonable and should be approved. Class Members who want to opt out of the settlement

must do so by no later than Tuesday, April 9, 2024. Class Members who wish to object to or comment on the settlement or Class Counsel's fee and disbursement request should do so by no later than March 20, 2024. If the settlement is approved, all Class Members (who have not opted out) will be bound by it.

For complete details regarding the proposed settlement, including how to opt out or object/comment, please consult the long-form notice available, in English and French, on Class Counsel's websites at <https://www.cfmlawyers.ca/active-litigation/gatos-silver-inc-tsx-gato/> and <https://www.siskinds.com/class-action/gatos-silver/>.

The manner of distribution of the settlement proceeds will be determined by further Court order. A further notice will be issued to Class Members when the settlement proceeds are available for distribution.

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SOURCE Siskinds LLP