

Gondephe, P

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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IN RE: NEVSUN RESOURCES LTD. :
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Civil Action No. 12 Civ. 1845 (PGG)

ORDER APPROVING PLAN OF ALLOCATION

Upon the application of Plaintiffs for an Order approving the proposed Plan of Allocation of the net settlement fund and upon all papers submitted in support thereof, and notice having been given to the Class of the application and that the Court would hold a hearing to consider the application, and the Court having held a hearing on January 22, 2015 at which all affected persons had the opportunity to be heard, and the Court being fully apprised of the facts and circumstances hereof, NOW THEREFORE,

IT IS HEREBY ORDERED, as follows:

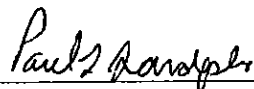
1. The Notice provided to potential members of the settlement class complied with the Court's preliminary approval order of October 24, 2014 and that such notice notified the settlement class of, *inter alia*, the pendency of the above-captioned actions, the proposed settlement with the Defendants, and the proposed Plan of Allocation. The notice provided was the best notice practicable under the circumstances and included individual notice by first class mail to all members of the settlement class who could be identified through defendants' records as well as notice published in *Investor's Business Daily* and by *PRNewswire*, and on the website for the settlement (www.nevsunresourcesettlement). Notice fully complied in all respects with the requirements of Rule 23 of the Federal Rules of Civil Procedure and due process.

2. The Court approves the Plan of Allocation as set forth in the Notice distributed to the Class as a fair and reasonable method to calculate claims of Settlement Class Members and to allocate the net settlement fund and distribute same to Settlement Class Members.

3. The settlement fund, after payment of the fees, costs and expenses of the Claims Administrator in administering the settlement, taxes and tax expenses on the income earned on the settlement fund, and any award of attorneys' fees and expenses, and award of reasonable costs and expenses to Lead Plaintiff (*i.e.*, the net settlement fund), shall be distributed to all Settlement Class Members who submit valid and timely proofs of claim as described in the Notice, in the amounts calculated by the Claims Administrator pursuant to the Plan of Allocation. Such distribution shall occur as soon as practicable after the completion of the review and verification of the proof of claim forms by the Claims Administrator and the submission of an appropriate order of the Court directing the distribution to the members of the Class.

IT IS SO ORDERED.

DATED: Feb. 13, 2015



THE HONORABLE PAUL G. GARDEPHE
UNITED STATES DISTRICT JUDGE xrk