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11 March 2022

Ms Kate Boyd
Deputy Secretary, General Counsel
GPO Box 5341
SYDNEY NSW 2001
By Email: Kate.Boyd@dpc.nsw.gov.au

Dear Ms Boyd,

We are in receipt of a letter from you to [REDACTED], dated 23 February 2022, which was recently referred to us by [REDACTED]. Given that the matter was referred to you by Hon Natalie Ward MLC and your response to [REDACTED], we expect that you are familiar with the various aspects of [REDACTED] request.

As a public company we are required to keep the market informed about any developments regarding our company which may be market sensitive. Your letter may fall into that category in our opinion.

Firstly, are you able to inform us as to when the Government will respond in substance to the outstanding matters raised in Report 72, 30 October 2019? That is a period of 28 months ago.

We also bring your attention in this regard to the report of the Committee on the Independent Commission Against Corruption's inquiry into the reputational impact on an individual being adversely named in the ICAC's investigations which was tabled in November 2021. In the final, unanimous and multi-partisan report, the Committee said *"the Legislative Council Standing Committee on Law and Justice's inquiry on the Mining Amendment (Compensation for Cancellation of Exploration Licence) Bill 2019, recommended for the Government to address the outstanding matters in relation to NuCoal, including the issue of compensation for 'innocent stakeholders. The Government's response reserves its position this matter. Given the time that has passed since then, the Committee urges the NSW Government to respond to the Legislative Council's Law and Justice report as a matter of urgency."*

Secondly, you state that it "would not be appropriate for the Government to comment whilst criminal proceedings arising out of the Independent Commission Against Corruptions' (ICAC) investigation in Operation Acacia are ongoing". It is not clear what you mean by this statement and we respectfully request that you explain exactly what it does mean?

As an example, do you mean that the outcome of the retrial of John Maitland or Ian McDonald currently set down to commence in October 2022 – guilty or not guilty – will in any way determine the Government's substantive response to our question in the first point above, given that NuCoal has been declared to be an innocent party by ICAC itself and the Supreme Court of NSW. Additionally, the two investigations of the Parliamentary Committees noted above have subsequently and exhaustively

examined the worthiness of NuCoal to be compensated. The two Committees have reached their conclusions and are waiting for you to positively respond to NuCoal's situation.

Accordingly, we ask that you provide a timely response to the two underlined questions.

Yours faithfully

A handwritten signature in black ink, appearing to read "Gordon Galt". The signature is fluid and cursive, with a small horizontal line at the end.

Gordon Galt
Chairman, NuCoal Resources Ltd