

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

In re:

JERVOIS TEXAS, LLC, *et al.*,¹
Debtors.

Chapter 11

Case No. 25-90002 (CML)

(Jointly Administered)

NOTICE OF REVISED CLASS 4 OPT-OUT PROCEDURES

To all Holders of Claims in Class 4:

You are receiving this letter because you are a Holder of a Class 4 Prepetition ICO Bond Claim and are entitled to vote to accept or reject the *Joint Prepackaged Chapter 11 Plan of Reorganization of Jervois Texas, LLC and its Debtor Affiliates* [Docket No. 15] (as amended, supplemented or otherwise modified from time to time, the “Prepackaged Plan”). You previously should have received materials related to the solicitation of votes to accept or reject the Prepackaged Plan. The Prepackaged Plan is being proposed by Jervois Texas, LLC and its debtor affiliates (collectively, the “Debtors”) and is described in greater detail in the *Disclosure Statement for Joint Prepackaged Chapter 11 Plan of Reorganization of Jervois Texas, LLC and its Debtor Affiliates* [Docket No. 16] (as amended, supplemented, or otherwise modified from time to time, the “Disclosure Statement”).²

On January 28, 2025 (the “Petition Date”), the above-captioned debtors and debtors in possession (collectively, the “Debtors”) filed the Prepackaged Plan and the Disclosure Statement with the United States Bankruptcy Court for the Southern District of Texas (the “Bankruptcy Court”). The Prepackaged Plan contains certain discharge, release, exculpation, and injunction provisions, including the Third-Party Release.

Copies of the Prepackaged Plan and the Disclosure Statement may be obtained free of charge at <https://cases.stretto.com/Jervois> or upon request of the Debtors’ proposed counsel at the address specified in the Prepackaged Plan. The Prepackaged Plan and Disclosure Statement are also on file with the Clerk of the Court, 515 Rusk Street, Houston, Texas 77002, where they are available for review between the hours of 8:00 a.m. to 5:00 p.m., prevailing Central Time. The

¹ The Debtors in these chapter 11 cases, together with the last four digits of the Debtors’ federal tax identification number, are: Jervois Global Limited (N/A), Jervois Suomi Holding Oy (N/A), Jervois Finland Oy (N/A), Jervois Americas LLC (8097), Jervois Japan Inc. (N/A), Formation Holdings US, Inc. (0103), Jervois Mining USA Limited (1323), and Jervois Texas, LLC (9514). The Debtors’ service address is Suite 2.03, 1-11 Gordon Street, Cremorne Melbourne, VIC 3121 Australia.

² Capitalized terms otherwise undefined herein have the meanings ascribed to them in the Disclosure Statement or the Prepackaged Plan, as applicable.

Prepackaged Plan and the Disclosure Statement also are available for inspection, for a fee, at <https://pacer.gov> (account required).

This letter is being sent to inform you of modifications to your ability to opt-out of the Third-Party Release contained in the Prepackaged Plan, as set forth below:

Notwithstanding anything provided for in the Prepackaged Plan, the Disclosure Statement, or the Class 4 Ballot you previously received, if you vote to accept the Prepackaged Plan *you may still opt out of the Third-Party Release* by checking the box in Item 3 of the Class 4 Ballot, or completing the opt-out form available electronically on the Claim's and Balloting Agent's online portal (the "E-Opt Out Portal") referenced below. You may elect to opt out of the Third-Party Release contained in Article VIII.D of the Prepackaged Plan only if you (i) check the box in Item 3 of the Class 4 Ballot or (ii) submit your opt-out form via the E-Opt Out Portal below. If you (a) fail to submit a valid Ballot by the Voting Deadline, (b) submit the Ballot but abstain from voting to accept or reject the Prepackaged Plan without checking the box in Item 3 of the Class 4 Ballot or submitting an opt-out form via the E-Opt Out Portal, or (c) vote to accept or reject the Prepackaged Plan without checking the box in Item 3 of the Class 4 Ballot or submitting an opt-out form via the E-Opt Out Portal, in each case you will be deemed to consent to the releases set forth in Article VIII.D of the Prepackaged Plan. Please be advised your recovery under the Prepackaged Plan will be the same if you opt out of the Third-Party Release.

INSTRUCTIONS TO OPT OUT VIA THE E-OPT OUT PORTAL

To opt out of the Third-Party Release via the E-Opt Out Portal, please visit the Claims and Balloting Agent's online portal at <https://balloting.stretto.com/Jervois/Class4OptOutForm>, request password, and follow the instructions to submit your opt-out form.

To ensure that your election is counted, you must complete the opt-out form on or before the opt-out deadline, which is **February 25, 2025, at 5:00 p.m., prevailing Central Time.**

If you have any questions regarding the opt-out form or the instructions or procedures, please contact the Claims and Balloting Agent at: 855-331-7764 toll free (U.S. & Canada) or 1-949-208-9696 (international), or by email to jervoiscaseteam@stretto.com.