

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

Brown v. Kinross Gold U.S.A., Inc.

CV-S-02-0605-PMP-(RJJ)

This document relates to:
All actions.

NOTICE OF CLASS ACTION

TO: ALL PERSONS AND ENTITIES WHO:

(1) TENDERED SHARES OF THE \$3.75 SERIES B CONVERTIBLE PREFERRED STOCK OF KINAM GOLD INC. (“KINAM”) TO KINROSS GOLD CORPORATION (“KINROSS”) PURSUANT TO THE FEBRUARY 20, 2002, CASH TENDER OFFER (AS AMENDED FEBRUARY 22, 2002) MADE BY KINROSS;

(2) CONTINUE TO HOLD SHARES OF THE \$3.75 SERIES B CONVERTIBLE PREFERRED STOCK OF KINAM; OR

(3) DID NOT TENDER SHARES OF THE \$3.75 SERIES B CONVERTIBLE PREFERRED STOCK OF KINAM TO THE FEBRUARY 20, 2002, CASH TENDER OFFER (AS AMENDED FEBRUARY 22, 2002) MADE BY KINROSS BUT HAVE SINCE SOLD SUCH SHARES DIRECTLY TO KINROSS, KINAM OR KINROSS GOLD U.S.A. INC. (“KINROSS U.S.A.”).

YOU ARE HEREBY NOTIFIED pursuant to Rule 23 of the Federal Rules of Civil Procedure (“Rule 23”) and an Order of the United States District Court for the District of Nevada (“the Court”) of the pendency of this class action lawsuit (the “Action”).

This Notice is to inform you that a class action has been certified and that, if you fit into the class definition below, you will be deemed part of the Class unless you expressly exclude yourself from the Class in writing according to the instructions below. This Notice is also to inform you of the nature of the Action and of your rights in connection with it.

CLASS DEFINITION

1. On June 14, 2005, the Court entered an order certifying this Action as a class action on behalf of a Class defined as follows:

All persons and entities who: (1) tendered shares of the \$3.75 Series B Convertible Preferred Stock of Kinam Gold Inc. (“Kinam”) to Kinross Gold Corporation (“Kinross”) pursuant to the February 20, 2002, cash tender offer (as amended February 22, 2002) made by Kinross; (2) continue to hold shares of the \$3.75 Series B Convertible Preferred Stock of Kinam; or (3) did not tender shares of the \$3.75 Series B Convertible Preferred Stock of Kinam to the February 20, 2002, cash tender offer (as amended February 22, 2002) made by Kinross but have since sold such shares directly to Kinross, Kinam or Kinross Gold U.S.A. Inc. (“Kinross U.S.A.”).¹

The Defendants in this Action are Kinross Gold Corporation, Kinross Gold U.S.A. Inc., Kinam Gold Inc., and Robert M. Buchan.

2. If you tendered shares of the Preferred to Kinross in response to the Tender Offer, continue to hold shares of the Preferred, or did not tender and sold shares of the Preferred, as specified in the preceding paragraph, you are deemed to be a member of the Class unless you

¹ Excluded from the Class are Kinross, Kinam and Kinross U.S.A. (collectively “Defendants”), their officers and directors (including Robert M. Buchan), affiliates, legal representatives, heirs, predecessors, successors and assigns, and any entity in which any Defendant has a controlling interest or of which any Defendant is a parent or subsidiary.

expressly exclude yourself in writing according to the instructions below. This Notice is not an expression of an opinion by the Court as to the merits of any of the claims or defenses asserted by any party in this Action.

BACKGROUND OF THE Action

3. By an Order dated August 7, 2002, the Court appointed Robert A. Brown, Glenbrook Capital LP, Andrew D. Kaufman, George P. Drake, and CN&L Investment Corp., as the Lead Plaintiffs in the Action and approved Lead Plaintiffs' choice of Berger & Montague, P.C., and Reginald H. Howe, Esquire, as Plaintiffs' Co-Lead Counsel and Kummer Kaempfer Bonner & Renshaw as Plaintiffs' Liaison Counsel (collectively "Class Counsel").

4. On November 21, 2003, Lead Plaintiffs filed an Amended Class Action Complaint (the "Complaint") asserting claims for breach of contract (*e.g.* breach of the terms of Kinam's \$3.75 Series B Convertible Preferred Stock), breach of fiduciary duty, violations of the Securities Exchange Act of 1934 ("Exchange Act"), and violation of Nevada's anti-racketeering law.

5. On January 9, 2004, Defendants answered the Complaint. The Defendants deny all allegations of wrongdoing asserted against them. They have also asserted affirmative defenses to the claims alleged in this case. Accordingly, the Defendants assert that they are not liable to Lead Plaintiffs or members of the Class.

6. Thereafter, on March 1, 2004, Defendants moved to dismiss certain of Lead Plaintiffs' Exchange Act claims. On November 2, 2004, the Court granted Defendants' motion.

7. On January 6, 2005, Defendants moved to dismiss Lead Plaintiffs' remaining Exchange Act claim and claim for Defendants' alleged violation of Nevada's anti-racketeering law. On May 27, 2005, the Court granted Defendants' motion. Accordingly, plaintiffs' claims for claims

for breach of contract and breach of fiduciary duty remain.

8. The parties are currently engaged in discovery, which customarily includes the review and analysis of documents, the taking of depositions, and the exchange of expert reports. Under the current pre-trial order (which is subject to modification by the Court), trial may commence in the Summer of 2006.

9. This Notice is given to you in the belief that you may be a member of the Class whose rights may be affected by this Action. This Notice is intended to advise you of the pendency of the Action and of your rights with respect to the Action, including the right to remain a Class Member or to exclude yourself from the Class. **YOU NEED NOT TAKE ANY ACTION TO BE OR TO REMAIN A MEMBER OF THE CLASS.**

10. **If You Wish to Remain a Class Member, You Are Not Required to Do Anything at this Time.** If you remain a Class Member, you will be bound by any judgment in this Action, whether it is favorable or unfavorable. If there is a recovery, you may be entitled to share in the proceeds, less such expenses and attorneys' fees as the Court may allow out of any such recovery. If you remain a member of the Class and the Defendants or any other Defendant who may be joined in the Action prevails in the Action, you may not pursue a lawsuit on your own with regard to any of the issues decided in this Action. In the event of a recovery, you will be required to prove your membership in the Class and your purchase of the Preferred and may be required to provide additional information.

11. **IF YOU WISH TO EXCLUDE YOURSELF FROM THE CLASS, YOU MUST MAKE A REQUEST IN WRITING.** In order to be valid, each such request for exclusion must state the name and address of the person or entity requesting exclusion, must state that such person or entity

requests exclusion from the Class in *Brown v. Kinross Gold U.S.A., Inc.*, No. CV-S-02-0605, and must be signed by such person or entity (“Request for Exclusion”). Requests for Exclusion must be mailed to the Notice Administrator at the following address:

Notice Administrator
Brown v. Kinross
Heffler, Radetich & Saitta L.L.P.
1515 Market Street, Suite 1700
Philadelphia, PA 19102

To be effective, your Request for Exclusion must be **postmarked not later than December 20, 2005.**

DO NOT REQUEST EXCLUSION IF YOU WISH TO PARTICIPATE IN THIS ACTION AS A CLASS MEMBER.

12. If you exclude yourself from the Class, you will not be bound by any judgment in this Action, nor will you be entitled to share in any recovery in this Action, should any recovery be obtained, but you may individually pursue any legal rights you may have against any of the Defendants.

13. If you do not request exclusion from the Class by December 20, 2005, and you fit within the class description, you will be considered a member of the Class, and you will be bound by any final judgment in this Action.

14. If you do not exclude yourself from the Class in the manner set forth above, you may enter an appearance in the Action personally or through your own counsel at your own expense.

15. As a member of the Class, you will be represented by the court-appointed named class representatives Robert A. Brown, Glenbrook Capital LP, Andrew D. Kaufman, George P. Drake, and CN&L Investment Corp., by the following court-appointed Lead Counsel for the Class (“Lead

Class Counsel”):

BERGER & MONTAGUE, P.C.

Merrill G. Davidoff, Esquire
Michael Dell’Angelo, Esquire
1622 Locust Street
Philadelphia, PA 19103
(215) 875-3000 or
(888) 891-2289

and

Reginald H. Howe, Esquire
49 Tyler Road
Belmont, MA 02478

and by the following court-appointed Liaison Counsel for the Class:

KUMMER KAEMPFER BONNER & RENSHAW

Thomas F. Kummer, Esquire
L. Joe Coppedge, Esquire
3800 Howard Hughes Parkway, 7th Floor
Las Vegas, NV 89109

16. If you remain a Class member, you will not be personally responsible for any of the plaintiffs’ attorneys’ fees or costs. Any fees or costs ultimately allowed by the Court to the plaintiffs’ counsel will be paid out of the recovery in the Action, if any.

17. If this Notice was sent to you at your current address, you do not have to do anything further to receive further notices concerning this Action. If it was forwarded by the postal service, or if it was otherwise sent to you at an address which is not current, you should immediately contact the Notice Administrator at the address referred to in paragraph 11 above or toll-free by calling 1-800-528-7199.

SPECIAL NOTICE TO SECURITIES BROKERS AND OTHER NOMINEES

18. If you purchased or held the Preferred on or after February 4, 2002, for the beneficial interest of a person or entity other than yourself, the Court has directed that, within fourteen (14) days of your receipt of this Notice, you either: (a) provide to the Notice Administrator identified below the name and last known address of each person or entity for whom or which you purchased such stock during such time period; or (b) request additional copies of this Notice, which will be provided to you free of charge, and within seven (7) days mail the Notice directly to the beneficial owners of the securities referred to herein. If you choose to follow alternative procedure (b), the Court has directed that, upon such mailing, you send a statement to the Notice Administrator confirming that the mailing was made as directed. You are entitled to reimbursement of your reasonable expenses actually incurred in connection with the foregoing, including reimbursement of reasonable postage expenses and the reasonable costs of ascertaining the names and addresses of beneficial owners. Those reasonable expenses and costs will be paid upon request and submission of appropriate supporting documentation. All communications concerning the foregoing should be addressed to the Notice Administrator at the address provided in paragraph 11 above.

19. All communications concerning this Notice, including Requests for Exclusion, should be addressed to the Notice Administrator at the address provided in paragraph 11 above.

AVAILABILITY OF FILED PAPERS

20. This Notice does not fully describe all of the proceedings in this Action or the claims and contentions of the parties. The pleadings and other papers filed in this Action are available for inspection, during business hours, at the Office of the Clerk of the Court, United States District Court for the District of Nevada, 333 Las Vegas Boulevard South, Las Vegas, Nevada 89101.

Additionally, you may obtain a copy of the Amended Complaint by contacting Lead Class Counsel by telephone at 215-875-3000 or toll-free at 888-891-2289, or in writing to: Merrill G. Davidoff, Esquire or Michael Dell'Angelo, Esquire, Berger & Montague, P.C., 1622 Locust Street, Philadelphia, PA 19103.

21. If you have any questions about this Notice, you may consult an attorney of your own choosing, or Lead Class Counsel, whose names, addresses, and telephone numbers are listed in paragraphs 15 and 20 above.

Dated: September 21, 2005

BY ORDER OF THE UNITED STATES DISTRICT COURT