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10 ***Attorneys for Plaintiff***

11 UNITED STATES DISTRICT COURT  
12 DISTRICT OF NEVADA

13 OUSSAMA ATTIGUI, INDIVIDUALLY  
AND ON BEHALF OF THOSE SIMILARLY  
14 SITUATED,

15 Plaintiff,

16 vs.

17 TAHOE RESOURCES INC., ELIZABETH  
MCGREGOR, MARK SADLER, RONALD  
18 W. CLAYTON, and C. KEVIN MCARTHUR,

19 Defendants,

CASE NO. 2:17-cv-1868

**COMPLAINT FOR VIOLATIONS OF  
THE FEDERAL SECURITIES LAWS**

**CIVIL ACTION**

**JURY TRIAL DEMANDED**

20  
21 **CLASS ACTION COMPLAINT**

22 1. Plaintiff Oussama Attigui (“Plaintiff”), by his attorneys, except for his own acts,  
23 which are based on knowledge, alleges the following based upon the investigation of counsel,  
24

1 which included a review of United States Securities and Exchange Commission (“SEC”) filings  
2 by Tahoe Resources Inc. (“Tahoe” or the “Company”), as well as regulatory filings and reports,  
3 securities analyst reports and advisories by the Company, press releases and other public  
4 statements issued by the Company, and media reports about the Company. Plaintiff believes that  
5 additional evidentiary support will exist for the allegations set forth herein after a reasonable  
6 opportunity for discovery.

7 **NATURE OF THE ACTION**

8 2. This a federal securities class action on behalf of all investors who purchased or  
9 otherwise acquired Tahoe common stock between April 3, 2013 and July 5, 2017, inclusive (the  
10 “Class Period”), seeking remedies under the Securities Exchange Act of 1934 (the “Exchange  
11 Act”).

12 3. Tahoe operates multiple mines to develop precious metals assets in America.

13 4. On June 8, 2010, upon successful completion of its initial public offering, Tahoe  
14 acquired the Escobal mine assets located in Guatemala through its wholly-owned subsidiary  
15 Minera San Rafael, S.A. (“MRM”), a Guatemala corporation.

16 5. Tahoe made materially false and/or misleading statements, misrepresenting its  
17 Escobal mine assets exploitation license from the Guatemala’s Ministry of Energy and Mines  
18 (“MEM”).

19 6. As the truth was fully revealed to investors, the stock price declined from a close  
20 of \$8.27 per share of Tahoe stock on July 5, 2017, to a close of \$5.56 per share on July 6, 2017, ***a***  
21 ***drop of approximately 33%.***



1           13. Defendant C. Kevin McArthur (“McArthur”) was the Company’s Chief Executive  
2 Officer (“CEO”) and Director from the beginning of the Class Period until August 9, 2016.

3           14. Defendant Ronald W. Clayton (“Clayton”) was the Company’s CEO from August  
4 9, 2016 until the end of the Class Period.

5           15. Defendant Mark Sadler (“Sadler”) was the Company’s Chief Financial Officer  
6 (“CFO”) from the beginning of the Class Period until August 9, 2016.

7           16. Defendant Elizabeth McGregor (“McGregor”) was the Company’s CFO from  
8 August 9, 2016 until the end of the Class Period.

9           17. Defendants in paragraphs 13-17 are collectively referred to herein as the  
10 “Individual Defendants.”

11           18. Each of the Individual Defendants:

- 12           (a) directly participated in the management of the Company;
- 13           (b) was directly involved in the day-to-day operations of the Company at the  
14 highest levels;
- 15           (c) was directly or indirectly involved in drafting, producing, reviewing  
16 and/or disseminating the false and misleading statements and information  
17 alleged herein;
- 18           (d) was directly or indirectly involved in the oversight or implementation of  
19 the Company’s internal controls;
- 20           (e) was aware of or deliberately recklessly disregarded the fact that the false  
21 and misleading statements were being issued concerning the Company;  
22 and/or
- 23           (f) approved or ratified these statements in violation of the federal securities  
24

1 laws.

2 19. Because of the Individual Defendants' positions within the Company, they had  
3 access to undisclosed information about Tahoe's business, operations, operational trends,  
4 financial statements, markets and present and future business prospects via access to internal  
5 corporate documents (including the Company's operating plans, budgets and forecasts and  
6 reports of actual operations and performance), conversations and connections with other  
7 corporate officers and employees, attendance at management and Board meetings and  
8 committees thereof and via reports and other information provided to them in connection  
9 therewith.

10 20. As officers of a publicly-held company whose securities were, and are, registered  
11 with the SEC pursuant to the federal securities laws of the United States, the Individual  
12 Defendants each had a duty to disseminate prompt, accurate and truthful information with  
13 respect to the Company's financial condition and performance, growth, operations, financial  
14 statements, business, markets, management, earnings and present and future business prospects,  
15 and to correct any previously-issued statements that had become materially misleading or untrue,  
16 so that the market price of the Company's publicly-traded securities would be based upon  
17 truthful and accurate information. The Individual Defendants' misrepresentations and omissions  
18 during the Class Period violated these specific requirements and obligations.

19 21. The Individual Defendants, because of their positions with the Company,  
20 possessed the power and authority to control the contents of Tahoe's reports to the SEC, press  
21 releases, and presentations to securities analysts, money and portfolio managers, and institutional  
22 investors, *i.e.*, the market. Each Individual Defendant was provided with copies of the  
23 Company's reports and press releases alleged herein to be misleading prior to, or shortly after,  
24

1 their issuance and had the ability and opportunity to prevent their issuance or cause them to be  
2 corrected. Because of their positions and access to material non-public information available to  
3 them, each of these defendants knew that the adverse facts specified herein had not been  
4 disclosed to, and were being concealed from, the public, and that the positive representations  
5 which were being made were then materially false and/or misleading. The Individual Defendants  
6 are liable for the false statements pleaded herein, as those statements were each “group-  
7 published” information, the result of the collective actions of the Individual Defendants.

8 22. Each of the Individual Defendants are liable as a participant in a fraudulent  
9 scheme and course of business that operated as a fraud or deceit on purchasers of Tahoe common  
10 stock by disseminating materially false and misleading statements and/or concealing material  
11 adverse facts. The scheme: (i) deceived the investing public regarding Tahoe’s business,  
12 operations, management and the intrinsic value of its securities and (ii) caused Plaintiff and other  
13 shareholders to purchase Tahoe securities at artificially inflated prices

14 **SUBSTANTIVE ALLEGATIONS**

15 **A. Company Background**

16 23. Tahoe operates multiple mines to develop precious metals assets in America.

17 24. On June 8, 2010, upon successful completion of its initial public offering, Tahoe  
18 acquired the Escobal mine assets located in Guatemala through its wholly-owned subsidiary  
19 Minera San Rafael, S.A. (“MRM”), a Guatemala corporation.

20 **B. Material Misstatements and Omissions during the Class Period**

21 25. The Class Period begins on April 3, 2013, when Tahoe issued a press release  
22 about the Escobal exploitation license from Guatemala’s Ministry of Energy and Mines (“April  
23  
24

1 2013 Press Release”). The Company also attached the press release to a Form 8-K Filed with the  
2 SEC (“April 2013 Form 8-K”). The press release stated in relevant part:

3 **TAHOE’S ESCOBAL PROJECT RECEIVES FINAL**  
4 **PERMIT**

5 VANCOUVER, B.C. (April 3, 2013) – **Tahoe Resources**  
6 **Inc.** (TSX: THO, NYSE: TAHO) *is pleased to announce that it*  
7 *has received the Escobal exploitation license from Guatemala’s*  
8 *Ministry of Energy and Mines.* Construction activities remain on-  
9 budget and on-schedule for mill commissioning in the second half  
10 of 2013 and commercial production in early 2014.

11 26. The news was immediately controversial. As such, on April 8, 2013, the Center  
12 for International Environmental Law published an article entitled “Mining license approved in  
13 wake of violence, investigation into murder pending” stating in relevant part:

14 (Washington, D.C.) – After more than two years of delay, the  
15 Guatemalan Minister of Energy and Mines (MEM) announced on  
16 Wednesday, April 3, that it had approved the exploitation license  
17 for Tahoe Resources’ Escobal mine in San Rafael Las Flores,  
18 Guatemala. *The announcement comes less than two weeks after*  
19 *four indigenous Xinca leaders were abducted while returning*  
20 *from a community referendum in El Volcancito, in which more*  
21 *than 99 percent of people voted against the Escobal project. One*  
22 *of those abducted was found dead the next day.*

23 \* \* \*

24 More than 4,300 individuals from 43 countries have signed a letter  
to Guatemalan Attorney General Claudia Paz y Paz, requesting her  
office involve the International Commission Against Impunity in  
Guatemala (CICIG) to carry out a robust investigation into the  
attack and murder. *The letter also urges the government to protect*  
*human rights and environmental defenders as they exercise their*  
*rights to live in a safe and healthy environment and to free, prior*  
*and informed consent.*

Emphasis added.

27. However, Tahoe assured compliance with governmental law and regulations, and  
respect of local indigenous people.

1           28.     On Mars 17, 2014, Tahoe filed an annual report on Form 40-F with the SEC  
2 announcing the Company’s financial and operating results for the fiscal fourth quarter and fiscal  
3 year ended December 31, 2013 (“2013 40-F”), which was signed and certified under the  
4 Sarbanes Oxley Act of 2002 by the Individual Defendants. The Form 40-F stated in pertinent  
5 part:

6                   **Environment**

7                   We recognize that all development comes with some impacts. *We*  
8 *are dedicated to the highest standards of responsible*  
9 *environmental stewardship. We honour this commitment by*  
10 *meeting or exceeding local governmental regulations and*  
11 *operating our projects to North American standards.* See  
12 “Description of Our Business – Escobal mine – Environment” and  
13 “– Reclamation”. *We have review processes in place which are*  
14 *designed to prevent or minimize environmental incidents or*  
15 *impacts, to evaluate incidents and operating practices and to*  
16 *create action plans and operating procedures to prevent*  
17 *reoccurrence.* The Board oversees the Company’s environmental  
18 management through the Health, Safety, Environment and  
19 Community Committee.

20                   *In 2013, we continued to work with local communities to help*  
21 *them upgrade water systems and infrastructure programs.* The  
22 Company also advanced its partnership with San Carlos University  
23 in Guatemala to conduct health and environmental baseline  
24 studies. We also worked with independent consultants on  
community needs assessments to guide further programs in the  
vicinity of the Escobal mine.

\*\*\*

Governmental Laws and Regulations

*Our operations, exploration and development activities are*  
                  *subject to the laws and regulations of Guatemala that govern*  
                  *various matters including environmental protection,*  
                  *management and use of toxic substances and explosives,*  
                  *management of natural resources, exploration, development,*  
                  *production, and post-closure reclamation of mines, imports and*  
                  *exports, price controls, taxation, mining royalties, labour*



1                    *standards and occupational health and safety, including mine*  
2                    *safety and historic and cultural preservation.*

3                    \* \* \*

4                    *We have competent and well-trained individuals and consultants*  
5                    *to assist us with compliance with such laws and regulations,*  
6                    however, even with the application of considerable skill we may  
7                    inadvertently fail to comply with certain laws. Failure to comply  
8                    with laws and regulations could lead to financial restatements,  
9                    fines, penalties, loss, reduction or expropriation of entitlements, the  
10                    imposition of additional local, foreign or governmental parties as  
11                    joint venture partners with carried or other interests and other  
12                    material negative impacts on us.

13                    \* \* \*

14                    On July 8, 2011, an application was submitted to MEM for the  
15                    Escobal Exploitation concession, covering 20.0 km<sup>2</sup> of area  
16                    designated for mine development in the original Oasis exploration  
17                    concession. Upon filing of the exploitation concession application,  
18                    three new exploration concessions (Oasis I, II, III) were requested  
19                    to occupy the area liberated through elimination of the original  
20                    Oasis concession.

21                    In the second quarter of 2011, the Company completed additional  
22                    baseline studies and environmental analyses and submitted an  
23                    Exploitation EIS (“EIS”) to MARN for the Escobal mine  
24                    exploitation license. On October 21, 2011, MARN notified the  
                     Company that it had approved the Exploitation EIS. Once full EIS  
                     clearance was received, construction of the process plant and  
                     support facilities required for full production began. By year end,  
                     earthwork at the main plant site and tailings areas, warehouse,  
                     access road and office facilities were well underway. In addition,  
                     construction of the electrical substation and power line on the  
                     Escobal mine site commenced.

                     In the third quarter of 2011, the Company submitted an  
                     exploitation concession application and supporting documentation  
                     to MEM. MEM had completed all of the review possible without  
                     EIS approval by October 8, 2011. A final legal review commenced  
                     on October 24, 2011 when the Exploitation EIS was officially  
                     received at MEM. After completing a technical and legal review,  
                     MEM issued the Escobal exploitation license on April 3, 2013 for  
                     a period of 25 years.

1 Emphasis added.

2 29. On Mars 12, 2015, Tahoe filed an annual report on Form 40-F with the SEC  
3 announcing the Company's financial and operating results for the fiscal fourth quarter and fiscal  
4 year ended December 31, 2014 ("2014 40-F"), which was signed and certified under the  
5 Sarbanes Oxley Act of 2002 by the Individual Defendants. The Form 40-F stated in pertinent  
6 part:

#### 7 **ENVIRONMENT**

8 We recognize that all development comes with some impacts. *We*  
9 *are dedicated to the highest standards of responsible*  
10 *environmental stewardship. We honour this commitment by*  
11 *meeting or exceeding local governmental regulations and*  
12 *operating our projects to North American standards.* See  
13 "Description of Our Business – Escobal mine – Environment" and  
14 "– Reclamation". We have review processes in place which are  
designed to prevent or minimize environmental incidents or  
impacts, to evaluate incidents and operating practices and to create  
action plans and operating procedures to prevent reoccurrence. The  
Board oversees the Company's environmental management  
through the Health, Safety, Environment and Community  
Committee.

15 *In 2014, we continued to work with local communities to help*  
16 *them upgrade water systems and infrastructure programs.* The  
17 Company also advanced its partnership with San Carlos University  
18 in Guatemala to conduct health and environmental baseline  
studies. We also worked with independent consultants on  
community needs assessments to guide further programs in the  
vicinity of the Escobal mine.

19 \* \* \*

#### 20 **RECENT ACTIVITIES AT THE ESCOBAL MINE**

21 The Company achieved commercial production at the Escobal  
22 mine on January 14, 2014. In 2014, the mine processed a total of  
23 1.25 million tonnes of ore with average feed grades of 585 g/t Ag,  
0.42 g/t Au, 0.93% Pb, and 1.43% Zn; recovering 20.3 million  
24 ounces of silver, 10,893 ounces of gold, 10,359 tonnes of lead, and

1 13,394 tonnes of zinc in concentrate. Metal recoveries into each of  
2 the lead and zinc concentrates met or exceeded expectations.

3 The Escobal mine and processing facilities are operating at design  
4 capacity, with capital development and stope development and  
5 production at levels to sustain the 3,500 tpd processing rate. Mill  
6 throughput in 2014 averaged 3,413 tpd, including the first quarter  
7 ramp-up period. Now that the Escobal mine has reached  
8 operational design parameters, the Company is focused on  
9 optimizing mining and processing procedures.

10 ***In November 2014, the Company released the Escobal Feasibility  
11 Study which demonstrated the feasibility of the Escobal mine,  
12 updated the Mineral Resource Estimate, and supported the  
13 Company's initial declaration of Proven and Probable Mineral  
14 Reserves.***

15 Emphasis added.

16 30. On Mars 25, 2016, Tahoe filed an annual report on Form 40-F with the SEC  
17 announcing the Company's financial and operating results for the fiscal fourth quarter and fiscal  
18 year ended December 31, 2015 ("2015 40-F"), which was signed and certified under the  
19 Sarbanes Oxley Act of 2002 by the Individual Defendants. The Form 40-F stated in pertinent  
20 part:

21 ***Developments Regarding Indigenous Peoples***

22 To the best of our knowledge, although indigenous people may  
23 have inhabited the area of our Mines at one time, there are no  
24 indigenous populations currently living in the immediate area of  
the Escobal, La Arena or Shahuindo Mine sites. ***In 2015, MSR  
engaged with indigenous communities in Guatemala that  
expressed an interest in the Escobal Mine and during the year,  
more than 130 indigenous community members visited the  
Escobal Mine.*** In addition, indigenous peoples have participated in  
our Guatemalan avocado and coffee rust prevention programs and  
received donations of agricultural supplies and musical instruments  
through its social investment program. The Company also attended  
workshops with the Guatemalan government and other private  
sector organizations to promote the elimination of all forms of  
racial discrimination against indigenous groups.

1 \* \* \*

2 Governmental Laws and Regulations

3 *Our operations, exploration and development activities are*  
4 *subject to the laws and regulations of Guatemala and Peru that*  
5 *govern various matters including* environmental protection,  
6 management and use of toxic substances and explosives,  
7 management of natural resources, exploration, development,  
8 production, and post-closure reclamation of mines, imports and  
9 exports, price controls, taxation, mining royalties, labour standards  
10 and occupational health and safety, including mine safety and  
11 *historic and cultural preservation.*

12 \* \* \*

13 *We have competent and well-trained individuals and consultants*  
14 *to assist us with compliance with such laws and regulations,*  
15 however, even with the application of considerable skill we may  
16 inadvertently fail to comply with certain laws. Failure to comply  
17 with laws and regulations could lead to financial restatements,  
18 fines, penalties, loss, reduction or expropriation of entitlements, the  
19 imposition of additional local, foreign or governmental parties as  
20 joint venture partners with carried or other interests and other  
21 material negative impacts on us.

22 Emphasis added.

23 31. On Mars 10, 2017, Tahoe filed an annual report on Form 40-F with the SEC  
24 announcing the Company's financial and operating results for the fiscal fourth quarter and fiscal  
year ended December 31, 2016 ("2016 40-F"), which was signed and certified under the  
Sarbanes Oxley Act of 2002 by the Individual Defendants. The Form 40-F stated in pertinent  
part:

**ENVIRONMENT AND SOCIAL ACTIVITIES**

\* \* \*

We are dedicated to the highest standards of responsible  
environmental stewardship. We honour this commitment by  
meeting or exceeding local governmental regulations and aligning  
our policies and practices with international guidelines. See  
"Description of Our Business – Escobal Mine – Environment" and

1 “– Reclamation,” “– La Arena Mine – Environment,” “–  
2 Shahuindo Mine – Closure,” “– Bell Creek Mine – Environment”  
3 and “– Timmins West Mine – Environment.” We have  
4 environmental management processes in place which are designed  
5 to prevent or minimize environmental impacts, to implement  
6 mitigation measures where appropriate, and to improve  
7 performance. *Tahoe’s Board of Directors oversees the Company’s  
8 environmental management through the Health, Safety,  
9 Environment and Community Committee and reviews site  
10 performance on a quarterly basis. Tahoe’s Sustainability  
11 Steering Committee, chaired by Tahoe’s Executive Chair, and  
12 comprised of executive management and site leaders, oversees  
13 environmental and other social matters related to each operation  
14 on a quarterly basis. Tahoe’s Health, Safety, Environment and  
15 Community Committee receives quarterly reports from the  
16 Committee in monitoring the effectiveness of health, safety,  
17 environmental, community relations and sustainability policies  
18 and programs at Tahoe operations.*

19 \* \* \*

20 *Developments Regarding Indigenous Peoples*

21 To the best of our knowledge, although indigenous people may  
22 have inhabited the area of our Mines in Guatemala and Peru at one  
23 time, there are no indigenous populations currently living in the  
24 immediate area of the Escobal, La Arena or Shahuindo Mine sites.  
*In 2016, MSR engaged with indigenous communities in  
Guatemala that expressed an interest in the Escobal Mine and  
during the year, more than 130 indigenous community members  
visited the Escobal Mine.* In addition, indigenous peoples have  
participated in our Guatemalan avocado and coffee rust prevention  
programs and received donations of agricultural supplies and  
musical instruments through its social investment program. The  
Company also attended workshops with the Guatemalan  
government and other private sector organizations to promote the  
elimination of all forms of racial discrimination against indigenous  
groups.

*Governmental Laws and Regulations*

*Our operations, exploration and development activities are  
subject to the laws and regulations of Guatemala, Peru and  
Canada that govern various matters including environmental  
protection, management and use of toxic substances and  
explosives, management of natural resources, exploration,*

1 development, production, and post-closure reclamation of mines,  
2 imports and exports, price controls, taxation, mining royalties,  
labour standards and occupational health and safety, including  
3 mine safety and *historic and cultural preservation*.

4 \* \* \*

*We have competent and well-trained individuals and consultants  
5 to assist us with compliance with such laws and regulations,*  
6 however, even with the application of considerable skill we may  
7 inadvertently fail to comply with certain laws. Failure to comply  
8 with laws and regulations could lead to financial restatements,  
9 fines, penalties, loss, reduction or expropriation of entitlements, the  
imposition of additional local, foreign or governmental parties as  
10 joint venture partners with carried or other interests and other  
11 material negative impacts on us.

12 Emphasis added.

13 32. The statements in paragraphs 25-31 above were materially false and/or misleading  
14 because they misrepresented and failed to disclose the following adverse facts pertaining to the  
15 Company's business, operations, and prospects, which were known to Defendants or recklessly  
16 disregarded by them. Specifically, Defendants failed to disclose that: (1) Tahoe's exploitation  
17 license of the Escobal mine assets was in violation of the indigenous people's rights to be  
18 consulted; (2) Tahoe was not in compliance with governmental law and regulations; and (3) as a  
19 result of the foregoing, Defendants' statements about Tahoe's business, operations, and  
20 prospects, were false and misleading and/or lacked a reasonable basis.

21 **C. The Truth Emerges**

22 33. On July 5, 2017, after the market close, Tahoe issued a press release, also attached  
23 as exhibit 99.1 to the Form 8-K filed with the SEC announcing the suspension of the Escobal  
24 mining license ("July 2017 Press Release"). The press release stated in pertinent part:

**GUATEMALAN LOWER COURT ISSUES RULING ON  
TAHOE'S MINING LICENSE**

1 VANCOUVER, British Columbia – July 5, 2017 – **Tahoe**  
2 **Resources Inc.** (TSX: THO, NYSE: TAHO) (“Tahoe” or the  
3 “Company”) today reported that the Company has learned that *the*  
4 *Supreme Court of Guatemala has issued a provisional decision*  
5 *in respect of an action brought by the anti-mining organization,*  
6 *CALAS, against Guatemala’s Ministry of Energy and Mines*  
7 *(“MEM”). The action alleges that MEM violated the Xinca*  
8 *Indigenous people’s right of consultation in advance of granting*  
9 *the Escobal mining license to Tahoe’s Guatemalan subsidiary,*  
10 *Minera San Rafael.* The provisional decision is in respect of a  
11 request by CALAS for an order to temporarily suspend the license  
12 to operate the Escobal mine until the action is fully heard. The  
13 Company understands that no Xinca representative or community  
14 is currently participating in the CALAS lawsuit against MEM.

15 *The provisional decision suspends the Escobal mining license of*  
16 *Minera San Rafael while the action is being reviewed by the*  
17 *court.* The Company was not a party to the action commenced by  
18 CALAS and did not previously have standing to make submissions  
19 to the court in respect of the provisional application. This decision  
20 confers legal standing on the Company which will now take all  
21 legal steps possible to have the ruling reversed and the license  
22 reinstated as soon as possible, including immediately appealing the  
23 decision to the Constitutional Court.

24 The Guatemala Supreme Court is the initial trial court in  
Guatemala for constitutional actions filed against MEM. Appeals  
from these decisions are heard by Guatemala’s Constitutional  
Court. Based on a prior ruling by the Constitutional Court  
involving consultation obligations with respect to a large natural  
resource project, the Company believes that its operating license  
should remain in effect while any additional consultation is  
completed. Accordingly, the Company intends to both appeal the  
decision to the Constitutional Court and ask for the Supreme Court  
to reconsider its provisional ruling.

The Company believes that all consultation obligations relating to  
the permitting of the Escobal license were met. The last official  
census shows the San Rafael community to be 98.6% non-  
indigenous and with no Xinca community presence. Despite the  
fact that the Escobal mine is not located in or impacting any  
indigenous communities of Guatemala, the Company understands  
that MEM held a consultation process that complied with the  
requirements set forth in ILO Convention 169.



1 Based on its prior experience with Guatemalan court proceedings  
2 and evaluation of similar cases before the courts, the Company  
3 estimates the Constitutional Court could rule on the appeal within  
two to four months. We will be seeking to have the license  
reinstated during this period.

4 The Company also plans to file a motion for reconsideration with  
5 the Supreme Court, which is the lower court that issued the  
6 provisional decision. Based on prior cases, the Company cannot  
predict when the Supreme Court would rule on the motion for  
reconsideration.

7 In addition, the Company will also be requesting the Supreme  
8 Court to resolve CALAS's definitive constitutional claim. The  
9 definitive constitutional claim and appeal process could take  
between 12 and 18 months.

10 While the Company cannot determine at this time when or if the  
11 suspension will be rescinded and the license will be reinstated,  
12 including for purposes of conducting a consultation process, we  
13 believe ILO 169 does not apply here, and if it did apply, was  
14 already met. We understand that the effect of ruling in favour of  
15 CALAS could mean that consultation must occur before the  
suspension is revoked. It could also mean, as happened in similar  
cases in Guatemala, that the court could allow operations to  
resume while a consultation process is conducted. We believe that  
the timeframe to undertake the consultation processes, and for a  
reconsideration of our application for the issue of the license, could  
be in the range of six to 12 months.

16 Upon formal receipt of the order temporarily suspending the  
17 license for Escobal, the mine will be placed on stand-by and is  
18 planned to be maintained in a manner such that full production can  
be expeditiously resumed on a reversal of the suspension. During  
this time, the Company will continue to maintain its high standard  
of security and environmental protection.

19 Ron Clayton, President and CEO of Tahoe Resources Inc.,  
20 commented: "We are extremely disappointed in the Court's ruling  
21 suspending the license because we believe that there are no  
22 indigenous communities affected by Escobal's operations. While  
23 the lack of indigenous communities in our area makes ILO 169  
24 inapplicable, there is nevertheless extensive documentation  
evidencing that an ILO 169 consultation process was in fact  
conducted in the area of the mine. *We are acutely aware that an  
adverse ruling could have a significant adverse impact on our*



1           *shareholders, partners, employees, vendors and community*  
2           *populations, as tax and royalty payments, along with purchases*  
3           *of operating supplies will be suspended during any period that*  
4           *the mine is not operating. Escobal is our flagship mine which*  
5           *has been designed and operated to meet the highest*  
6           *environmental standards and we will make every effort to remove*  
7           *any suspension and bring Escobal back into operation as soon as*  
8           *possible.* We remain committed to protecting our employees'  
9           livelihoods, as well as those livelihoods of the Company's  
10          suppliers and the thousands of Guatemalan families that benefit  
11          from the responsible operation of the Escobal mine."

12           Emphasis added.

13           34.     As the truth was fully revealed to investors, the stock price declined from a close  
14           of \$8.27 per share of Tahoe stock on July 5, 2017, to a close of \$5.56 per share on July 6, 2017, *a*  
15           *drop of approximately 33%.*

16           35.     On July 6, 2017, Reuters reported that the Guatemala's Supreme Court on  
17           Thursday confirmed a preliminary decision to suspend two mining licenses belonging to the  
18           local unit of Canadian miner Tahoe Resources Inc, citing violation of indigenous people's rights  
19           to be consulted.

### 20                           **ADDITIONAL SCIENTER ALLEGATIONS**

21           36.     As alleged herein, Defendants acted with scienter in that they knew that the public  
22           documents and statements issued or disseminated in the name of the Company were materially  
23           false and misleading; knew that such statements or documents would be issued or disseminated  
24           to the investing public; and knowingly and substantially participated or acquiesced in the  
          issuance or dissemination of such statements or documents as primary violations of the federal  
          securities laws. As set forth elsewhere herein in detail, Defendants, by virtue of their receipt of  
          information reflecting the true facts regarding Tahoe, their control over, and/or receipt and/or  
          modification of Tahoe's allegedly materially misleading statements and/or their associations with

1 the Company which made them privy to confidential proprietary information concerning Tahoe,  
2 participated in the fraudulent scheme alleged herein.

3 **LOSS CAUSATION AND ECONOMIC LOSS**

4 37. During the Class Period, as detailed herein, Defendants engaged in a scheme to  
5 deceive the market and a course of conduct that artificially inflated the Company's stock price,  
6 and operated as a fraud or deceit on acquirers of the Company's common stock. As detailed  
7 above, when the truth about Tahoe's misconduct and its lack of operational and financial  
8 controls was revealed, the value of the Company's common stock declined precipitously as the  
9 prior artificial inflation no longer propped up its stock price. The decline in Tahoe's share price  
10 was a direct result of the nature and extent of Defendants' fraud finally being revealed to  
11 investors and the market. The timing and magnitude of the common stock price decline negates  
12 any inference that the loss suffered by Plaintiff and other members of the Class was caused by  
13 changed market conditions, macroeconomic or industry factors or Company-specific facts  
14 unrelated to the Defendants' fraudulent conduct. The economic loss, i.e., damages, suffered by  
15 Plaintiff and other Class members was a direct result of Defendants' fraudulent scheme to  
16 artificially inflate the Company's stock price and the subsequent significant decline in the value  
17 of the Company's share, price when Defendants' prior misrepresentations and other fraudulent  
18 conduct was revealed.

19 38. At all relevant times, Defendants' materially false and misleading statements or  
20 omissions alleged herein directly or proximately caused the damages suffered by the Plaintiff  
21 and other Class members. Those statements were materially false and misleading through their  
22 failure to disclose a true and accurate picture of Tahoe's business, operations and financial  
23 condition, as alleged herein. Throughout the Class Period, Defendants publicly issued materially  
24

1 false and misleading statements and omitted material facts necessary to make Defendants'  
2 statements not false or misleading, causing Tahoe's common stock to be artificially inflated.  
3 Plaintiff and other Class members purchased Tahoe's common stock at those artificially inflated  
4 prices, causing them to suffer the damages complained of herein.

5 **PRESUMPTION OF RELIANCE; FRAUD-ON-THE-MARKET**

6 39. At all relevant times, the market for Tahoe common stock was an efficient market  
7 for the following reasons, among others:

- 8 (a) Tahoe common stock met the requirements for listing, and were listed and  
9 actively traded on the NYSE, a highly efficient market;
- 10 (b) During the Class Period, Tahoe common stock were actively traded,  
11 demonstrating a strong presumption of an efficient market;
- 12 (c) As a regulated issuer, Tahoe filed with the SEC periodic public reports during  
13 the Class Period;
- 14 (d) Tahoe regularly communicated with public investors via established market  
15 communication mechanisms;
- 16 (e) Tahoe was followed by securities analysts employed by major brokerage  
17 firms who wrote reports that were distributed to the sales force and certain  
18 customers of brokerage firms during the Class Period. Each of these reports  
19 was publicly available and entered the public marketplace; and
- 20 (f) Unexpected material news about Tahoe was rapidly reflected in and  
21 incorporated into the Company's stock price during the Class Period.

22 40. As a result of the foregoing, the market for Tahoe common stock promptly  
23 digested current information regarding Tahoe from all publicly available sources and reflected  
24

1 such information in Tahoe's stock price. Under these circumstances, all purchasers of Tahoe  
2 common stock during the Class Period suffered similar injury through their purchase of Tahoe's  
3 common stock at artificially inflated prices, and a presumption of reliance applies.

4 41. Alternatively, reliance need not be proven in this action because the action  
5 involves omissions and deficient disclosures. Positive proof of reliance is not a prerequisite to  
6 recovery pursuant to ruling of the United States Supreme Court in *Affiliated Ute Citizens of Utah*  
7 *v. United States*, 406 U.S. 128 (1972). All that is necessary is that the facts withheld be material  
8 in the sense that a reasonable investor might have considered the omitted information important  
9 in deciding whether to buy or sell the subject security. Here, the facts withheld are material  
10 because an investor would have considered the Company's financials and adequacy of internal  
11 controls over financial reporting when deciding whether to purchase and/or sell stock in Tahoe.

12 **NO SAFE HARBOR; INAPPLICABILITY OF BESPEAKS CAUTION DOCTRINE**

13 42. The statutory safe harbor provided for forward-looking statements under certain  
14 circumstances does not apply to any of the material misrepresentations and omissions alleged in  
15 this Complaint.

16 43. To the extent certain of the statements alleged to be misleading or inaccurate may  
17 be characterized as forward looking, they were not identified as "forward-looking statements"  
18 when made and there were no meaningful cautionary statements identifying important factors  
19 that could cause actual results to differ materially from those in the purportedly forward-looking  
20 statements.

21 44. Defendants are also liable for any false or misleading "forward-looking  
22 statements" pleaded because, at the time each "forward-looking statement" was made, the  
23 speaker knew the "forward-looking statement" was false or misleading and the "forward-looking  
24

1 statement” was authorized and/or approved by an executive officer of Tahoe who knew that the  
2 “forward-looking statement” was false. Alternatively, none of the historic or present-tense  
3 statements made by the defendants were assumptions underlying or relating to any plan,  
4 projection, or statement of future economic performance, as they were not stated to be such  
5 assumptions underlying or relating to any projection or statement of future economic  
6 performance when made, nor were any of the projections or forecasts made by the defendants  
7 expressly related to or stated to be dependent on those historic or present-tense statements when  
8 made

9 **CLASS ACTION ALLEGATIONS**

10 45. Plaintiff brings this action on behalf of all individuals and entities who purchased  
11 or otherwise acquired Tahoe common stock on the public market during the Class Period, and  
12 were damaged, excluding the Company, the defendants and each of their immediate family  
13 members, legal representatives, heirs, successors or assigns, and any entity in which any of the  
14 defendants have or had a controlling interest (the “Class”).

15 46. The members of the Class are so numerous that joinder of all members is  
16 impracticable. Throughout the Class Period, Tahoe securities were actively traded on the NYSE.  
17 While the exact number of Class members is unknown to Plaintiff at this time and can be  
18 ascertained only through appropriate discovery, Plaintiff believes that there are hundreds or  
19 thousands of members in the proposed Class. Record owners and other members of the Class  
20 may be identified from records maintained by Tahoe or its transfer agent and may be notified of  
21 the pendency of this action by mail, using the form of notice similar to that customarily used in  
22 securities class actions. As of December 31, 2016, Tahoe had more than 311 million outstanding  
23 shares of common stock. Upon information and belief, these shares are held by thousands if not  
24

1 millions of individuals located geographically throughout the country and possibly the world.  
2 Joinder would be highly impracticable.

3 47. Plaintiff's claims are typical of the claims of the members of the Class as all  
4 members of the Class are similarly affected by the defendants' respective wrongful conduct in  
5 violation of the federal laws complained of herein.

6 48. Plaintiff has and will continue to fairly and adequately protect the interests of the  
7 members of the Class and have retained counsel competent and experienced in class and  
8 securities litigation. Plaintiff has no interests antagonistic to or in conflict with those of the Class.

9 49. Common questions of law and fact exist as to all members of the Class and  
10 predominate over any questions solely affecting individual members of the Class. Among the  
11 questions of law and fact common to the Class are:

12 (a) whether the federal securities laws were violated by the defendants'  
13 respective acts as alleged herein;

14 (b) whether the defendants acted knowingly or with deliberate recklessness in  
15 issuing false and misleading financial statements;

16 (c) whether the price of Tahoe securities during the Class Period was  
17 artificially inflated because of the defendants' conduct complained of herein; and

18 (d) whether the members of the Class have sustained damages and, if so, what  
19 is the proper measure of damages.

20 50. A class action is superior to all other available methods for the fair and efficient  
21 adjudication of this controversy since joinder of all members is impracticable. Furthermore, as  
22 the damages suffered by individual Class members may be relatively small, the expense and  
23 burden of individual litigation make it impossible for members of the Class to individually  
24

1 redress the wrongs done to them. There will be no difficulty in the management of this action as  
2 a class action.

3 **COUNT I**

4 **Violation of Section 10(b) and Rule 10b-5 Against All Defendants**

5 51. Plaintiff repeats and realleges each and every allegation contained above as if  
6 fully set forth herein.

7 52. During the Class Period, Defendants carried out a plan, scheme and course of  
8 conduct which was intended to and, throughout the Class Period, did: (1) deceive the investing  
9 public, including Plaintiff and other Class members, as alleged herein; and (2) cause Plaintiff and  
10 other members of the Class to purchase Tahoe common stock at artificially inflated prices. In  
11 furtherance of this unlawful scheme, plan and course of conduct, each of the Defendants took the  
12 actions set forth herein.

13 53. Defendants: (a) employed devices, schemes, and artifices to defraud; (b) made  
14 untrue statements of material fact and/or omitted to state material facts necessary to make the  
15 statements not misleading; and (c) engaged in acts, practices, and a course of business that  
16 operated as a fraud and deceit upon the purchasers of the Company's common stock in an effort  
17 to maintain artificially high market prices for Tahoe securities in violation of Section 10(b) of the  
18 Exchange Act and Rule 10b-5 promulgated thereunder. All Defendants are sued either as  
19 primary participants in the wrongful and illegal conduct charged herein or as controlling persons  
20 as alleged below.

21 54. Defendants, individually and in concert, directly and indirectly, by the use, means  
22 or instrumentalities of interstate commerce and/or of the mails, engaged and participated in a  
23  
24

1 continuous course of conduct to conceal adverse material information about the business,  
2 operations and future prospects of Tahoe as specified herein.

3 55. These Defendants employed devices, schemes, and artifices to defraud while in  
4 possession of material adverse non-public information, and engaged in acts, practices, and a  
5 course of conduct as alleged herein in an effort to assure investors of Tahoe's value and  
6 performance and continued substantial growth, which included the making of, or participation in  
7 the making of, untrue statements of material facts and omitting to state material facts necessary  
8 in order to make the statements made about Tahoe and its business operations and future  
9 prospects in the light of the circumstances under which they were made, not misleading, as set  
10 forth more particularly herein, and engaged in transactions, practices and a course of business  
11 that operated as a fraud and deceit upon the purchasers of Tahoe common stock during the Class  
12 Period.

13 56. Individual Defendants' primary liability, and controlling person liability, arises  
14 from the following facts: (1) Individual Defendants were high-level executives, directors, and/or  
15 agents at the Company during the Class Period and members of the Company's management  
16 team or had control thereof; (2) each Individual Defendant, by virtue of his responsibilities and  
17 activities as a senior officer and/or director of the Company, was privy to and participated in the  
18 creation, development and reporting of the Company's financial condition; (3) each Individual  
19 Defendant enjoyed significant personal contact and familiarity with the other Individual  
20 Defendant and was advised of and had access to other members of the Company's management  
21 team, internal reports and other data and information about the Company's finances, operations,  
22 and sales at all relevant times; and (4) each Individual Defendant was aware of the Company's  
23  
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1 dissemination of information to the investing public which they knew or recklessly disregarded  
2 was materially false and misleading.

3 57. Defendants had actual knowledge of the misrepresentations and omissions of  
4 material facts set forth herein, or acted with reckless disregard for the truth in that they failed to  
5 ascertain and to disclose such facts, even though such facts were available to them. Such  
6 Defendants' material misrepresentations and/or omissions were done knowingly or recklessly  
7 and for the purpose and effect of concealing Tahoe's operating condition and future business  
8 prospects from the investing public and supporting the artificially inflated price of its securities.  
9 As demonstrated by Defendants' overstatements and misstatements of the Company's financial  
10 condition throughout the Class Period, Defendants, if they did not have actual knowledge of the  
11 misrepresentations and omissions alleged, were reckless in failing to obtain such knowledge by  
12 deliberately refraining from taking those steps necessary to discover whether those statements  
13 were false or misleading.

14 58. As a result of the dissemination of the materially false and misleading information  
15 and failure to disclose material facts, as set forth above, the market price of Tahoe's securities  
16 was artificially inflated during the Class Period. In ignorance of the fact that market prices of  
17 Tahoe's publicly-traded securities were artificially inflated, and relying directly or indirectly on  
18 the false and misleading statements made by Defendants, or upon the integrity of the market in  
19 which the common stock trades, and/or on the absence of material adverse information that was  
20 known to or recklessly disregarded by Defendants but not disclosed in public statements by  
21 Defendants during the Class Period, Plaintiff and the other members of the Class acquired  
22 Tahoe' common stock during the Class Period at artificially high prices and were or will be  
23 damaged thereby.



1 the power to influence and control, and did influence and control, directly or indirectly, the  
2 decision-making of the Company, including the content and dissemination of the various  
3 statements that Plaintiff contends are false and misleading. The Individual Defendants provided  
4 with or had unlimited access to copies of the Company's reports, press releases, public filings  
5 and other statements alleged by Plaintiff to have been misleading prior to and/or shortly after  
6 these statements were issued and had the ability to prevent the issuance of the statements or to  
7 cause the statements to be corrected.

8 65. In particular, each of these Defendants had direct and supervisory involvement in  
9 the day-to-day operations of the Company and, therefore, is presumed to have had the power to  
10 control or influence the particular transactions giving rise to the securities violations as alleged  
11 herein, and exercised the same.

12 66. As set forth above, Tahoe, the Individual Defendants each violated Section 10(b),  
13 and Rule 10b-5 promulgated thereunder, by their acts and omissions as alleged in this Complaint.

14 67. By virtue of their positions as controlling persons, the Individual Defendants are  
15 liable pursuant to Section 20(a) of the Exchange Act. As a direct and proximate result of  
16 Defendants' wrongful conduct, Plaintiff and other members of the Class suffered damages in  
17 connection with their purchases of the Company's common stock during the Class Period.

18 68. This action was filed within two years of discovery of the fraud and within five  
19 years of each Plaintiff's purchases of common stock giving rise to the cause of action.

20 **PRAYER FOR RELIEF**

21 WHEREFORE, Plaintiff prays for relief and judgment as follows:

- 22 (a) Determining that this action is a proper class action, certifying Plaintiff as  
23 class representative under Federal Rule of Civil Procedure 23 and  
24

1 Plaintiff's counsel as class counsel;

- 2 (b) Awarding compensatory damages in favor of Plaintiff and the other  
3 members of the Class against all Defendants, jointly and severally, for all  
4 damages sustained as a result of the defendants' wrongdoing, in an  
5 amount to be proven at trial, including interest thereon;
- 6 (c) Awarding Plaintiff and the Class their reasonable costs and expenses  
7 incurred in this action, including counsel fees and expert fees;
- 8 (d) Granting extraordinary equitable and/or injunctive relief as permitted by  
9 law; and
- 10 (e) Such other and further relief as the Court may deem just and proper.

11 **JURY TRIAL DEMANDED**

12 Plaintiff hereby demands a jury trial.

13 Dated this 7th day of July 2017.

14 /s/ Sean P. Connell  
15 Sean P. Connell, Esq.  
16 Nevada Bar Number 7311  
17 **Muehlbauer Law Office, Ltd.**  
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19 *Attorneys for Plaintiff and Proposed Liaison*  
20 *Counsel for the Proposed Class*

21 -and-

22 Nicholas Porritt, Esq. (*pro hac to be submitted*)  
23 Adam Apton, Esq. (*pro hac to be submitted*)  
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*Attorneys for Plaintiff and Proposed Lead Counsel  
for the Proposed Class*

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

(b) County of Residence of First Listed Plaintiff (EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

DEFENDANTS

County of Residence of First Listed Defendant (IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- 1 U.S. Government Plaintiff, 2 U.S. Government Defendant, 3 Federal Question, 4 Diversity

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

Table with columns for Plaintiff (PTF) and Defendant (DEF) citizenship: Citizen of This State, Citizen of Another State, Citizen or Subject of a Foreign Country, Incorporated or Principal Place of Business In This State, Incorporated and Principal Place of Business In Another State, Foreign Nation.

IV. NATURE OF SUIT (Place an "X" in One Box Only)

Large table with categories: CONTRACT, REAL PROPERTY, CIVIL RIGHTS, TORTS, PRISONER PETITIONS, FORFEITURE/PENALTY, LABOR, IMMIGRATION, BANKRUPTCY, SOCIAL SECURITY, FEDERAL TAX SUITS, OTHER STATUTES.

V. ORIGIN (Place an "X" in One Box Only)

- 1 Original Proceeding, 2 Removed from State Court, 3 Remanded from Appellate Court, 4 Reinstated or Reopened, 5 Transferred from Another District, 6 Multidistrict Litigation - Transfer, 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity): Brief description of cause:

VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P. DEMAND \$ CHECK YES only if demanded in complaint: JURY DEMAND: Yes No

VIII. RELATED CASE(S) IF ANY

(See instructions): JUDGE DOCKET NUMBER

DATE SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY

RECEIPT # AMOUNT APPLYING IFP JUDGE MAG. JUDGE

**INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44**

## Authority For Civil Cover Sheet

The JS 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

- I.(a) Plaintiffs-Defendants.** Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.
- (b) County of Residence.** For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)
- (c) Attorneys.** Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".
- II. Jurisdiction.** The basis of jurisdiction is set forth under Rule 8(a), F.R.Cv.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.  
 United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here.  
 United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.  
 Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.  
 Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; **NOTE: federal question actions take precedence over diversity cases.**)
- III. Residence (citizenship) of Principal Parties.** This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.
- IV. Nature of Suit.** Place an "X" in the appropriate box. If there are multiple nature of suit codes associated with the case, pick the nature of suit code that is most applicable. Click here for: [Nature of Suit Code Descriptions](#).
- V. Origin.** Place an "X" in one of the seven boxes.  
 Original Proceedings. (1) Cases which originate in the United States district courts.  
 Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441. When the petition for removal is granted, check this box.  
 Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.  
 Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.  
 Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.  
 Multidistrict Litigation – Transfer. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407.  
 Multidistrict Litigation – Direct File. (8) Check this box when a multidistrict case is filed in the same district as the Master MDL docket.  
**PLEASE NOTE THAT THERE IS NOT AN ORIGIN CODE 7.** Origin Code 7 was used for historical records and is no longer relevant due to changes in statute.
- VI. Cause of Action.** Report the civil statute directly related to the cause of action and give a brief description of the cause. **Do not cite jurisdictional statutes unless diversity.** Example: U.S. Civil Statute: 47 USC 553 Brief Description: Unauthorized reception of cable service
- VII. Requested in Complaint.** Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P.  
 Demand. In this space enter the actual dollar amount being demanded or indicate other demand, such as a preliminary injunction.  
 Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.
- VIII. Related Cases.** This section of the JS 44 is used to reference related pending cases, if any. If there are related pending cases, insert the docket numbers and the corresponding judge names for such cases.

**Date and Attorney Signature.** Date and sign the civil cover sheet.

**CERTIFICATION OF NAMED PLAINTIFF PURSUANT TO FEDERAL SECURITIES LAWS**

I, oussama attigui , duly certify and say, as to the claims asserted under the federal securities laws, that:

1. I have reviewed the complaint and authorized its filing.
2. I did not purchase the security that is the subject of this action at the direction of plaintiff's counsel or in order to participate in this private action.
3. I am willing to serve as a representative party on behalf of the class, including providing testimony at deposition and trial, if necessary.
4. My transaction(s) in Tahoe Resources Inc which are the subject of this litigation during the class period set forth in the complaint are set forth in the chart attached hereto.
5. Within the last 3 years, I have not sought to serve nor have I served as a class representative in any federal securities fraud case.
6. I will not accept any payment for serving as a representative party on behalf of the class beyond the Plaintiff's pro rata share of any recovery, except as ordered or approved by the court, including any award for reasonable costs and expenses (including lost wages) directly relating to the representation of the class.

I hereby certify, under penalty of perjury, that the foregoing is true and correct.  
Executed this July 7, 2017.

Name: oussama attigui

Signed:

A handwritten signature in blue ink, appearing to read "oussama attigui", is written over a horizontal line. The signature is stylized and cursive.



Oussama Attigui

Tahoe Resources Inc. (TAHO) Common Stock

Class Period: April 3, 2013 and July 5, 2017, inclusive

| Date of Transaction | Buy (B) or Sell (S) | Quantity | Price (\$) |
|---------------------|---------------------|----------|------------|
| 2/7/2017            | B                   | 1,000    | 9.3417     |
| 2/7/2017            | B                   | 1,000    | 9.3550     |
| 5/4/2017            | B                   | 1,000    | 8.4372     |
| 5/11/2017           | S                   | (3,000)  | 9.2101     |
| 5/11/2017           | B                   | 1,000    | 9.2582     |
| 5/22/2017           | B                   | 200      | 9.62       |
| 5/22/2017           | B                   | 800      | 9.619      |
| 5/23/2017           | B                   | 1,000    | 9.3848     |
| 6/8/2017            | B                   | 553      | 9.0290     |

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9 aapton@zlk.com

10 *Attorneys for Plaintiff*

11 UNITED STATES DISTRICT COURT  
12 DISTRICT OF NEVADA

13 OUSSAMA ATTIGUI, INDIVIDUALLY  
AND ON BEHALF OF THOSE SIMILARLY  
14 SITUATED,

15 Plaintiff,

16 vs.

17 TAHOE RESOURCES INC., ELIZABETH  
MCGREGOR, MARK SADLER, RONALD  
18 W. CLAYTON, and C. KEVIN MCARTHUR,

19 Defendants,

CASE NO.

**CERTIFICATE OF INTERESTED  
PARTIES**

20  
21 Pursuant to LR 7.1-1, the undersigned, attorney of record for Plaintiff Oussama Attigui,  
22 certifies that there are no known interested parties other than the Plaintiff, named defendants,

23 ///

1 and yet to be determined class claimants.

2 Dated this 7th day of July 2017.

3 /s/ Sean P. Connell \_\_\_\_\_  
4 Sean P. Connell, Esq.  
5 Nevada Bar Number 7311  
6 **Muehlbauer Law Office, Ltd.**  
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12 *Attorneys for Plaintiff and Proposed Liaison*  
13 *Counsel for the Proposed Class*

14 -and-

15 Nicholas Porritt, Esq. (*pro hac to be submitted*)  
16 Adam Apton, Esq. (*pro hac to be submitted*)  
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22 aapton@zlk.com

23 *Attorneys for Plaintiff and Proposed Lead Counsel*  
24 *for the Proposed Class*



Civil Action No. \_\_\_\_\_

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* \_\_\_\_\_  
was received by me on *(date)* \_\_\_\_\_ .

I personally served the summons on the individual at *(place)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
\_\_\_\_\_, a person of suitable age and discretion who resides there,  
on *(date)* \_\_\_\_\_ , and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* \_\_\_\_\_ , who is  
designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

I returned the summons unexecuted because \_\_\_\_\_ ; or

Other *(specify)*: \_\_\_\_\_ .

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ \_\_\_\_\_ .

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_

\_\_\_\_\_  
*Server's signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc:



Civil Action No. \_\_\_\_\_

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* \_\_\_\_\_  
was received by me on *(date)* \_\_\_\_\_ .

I personally served the summons on the individual at *(place)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
\_\_\_\_\_, a person of suitable age and discretion who resides there,  
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Additional information regarding attempted service, etc: