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Re: Gilbert Development Corporation

To: Whom ever it may concern

My name is Tim Martin and I am the president of Martin Consulting, LLC. Martin Consulting is one of the leading mine safety consulting companies in the U.S. I have over 38 years experience as a mine safety professional and have worked as a corporate safety director for large mining organizations and have been directly involved in several of the most recent mining disasters in the U.S. helping manage the mine rescue and recovery at the Sago Mine disaster and the UBB Mine Disaster. I serve on the health and safety committee of the (NMA) National Mining Association in Washington, DC as well as other mining associations across the nation. Martin Consulting maintains offices in Ohio and West Virginia and perform work in numerous states.

I understand there may be some confusion on the safety performance of Gilbert Development Corp. vs. CML Metals due to Gilbert Development Corp. recently attempting to change their MSHA contractor ID. I hope this letter can clear up any miss-understandings and I am more than glade to answer any additional questions that may help anyone involved. I can be reached at my office at 304-521-2908 or by cell at 606-923-3442 and/or by e-mail at tmartin@martinconsulting.net.

Martin Consulting recently performed a risk analysis of CML Metals, CML Rail and Gilbert Development Corp./Crusher # 1 surface mine for insurance purposes and made the following assessment.

Gilbert Development Corp. was evaluated to be one of the best mining contractors that we have observed in many years. They had all the necessary safety systems in place and exhibited the highest professional conduct that we have seen in a long time. Every employee that we interviewed indicated that their vice president and director, Keith Gilbert; demanded safety in every aspect of their jobs as well as demanding that all equipment be maintained in excellent condition. I personally interviewed Mr. Gilbert during our inspection and was very impressed with his

management style and the excellent conditions I found during my inspection supported everything that the employees told me.

I have included the safety performance data below that compared Gilbert Development to the CML Metals and as you can see Gilbert Develop has an excellent record.

### **Safety and Compliance Performance Data:**

In reviewing the enclosed MSHA safety performance data it was determined that the operations had the following records:

#### **Gilbert Development Corp/ GDC Crusher # 1 Mine**

(0) Reportable Accidents 2012 (94,131) Employee Hours 2012 (1) 104a Citations

(0) Reportable Accidents 2013 (24,986) Employee Hours 2013 (4) 104a Citations

#### **CML Metals Corp/Concentrator Plant**

(1) Reportable Accidents 2012 (159,802) Employee Hours 2012 (10)

Citations 2012

(1) Reportable Accident, (3) Medical Accidents 2013 (47,753) Employee Hours 2013 (11) 104a Citations 2013 (1) B Order 2013

(3) 104 D---1 Orders 2013 (3) 104D---2 Orders 2013

To---date, CML Metals has a total of \$34,515.00 in MSHA assessment fines for 2013. **Operator:** Gilbert Development Corp