

JOINT AFFIDAVIT

We, JOSE "BOY" ANOY and APOLONIA BULAGAO, all of legal age, Filipinos and residents of Canatuan, Tabayo, Siocon, Zamboanga del Norte, after first having been duly sworn in accordance with law, depose and say:

1. That we personally know Alexander Loyloy who came to Canatuan, Tabayo, Siocon, Zamboanga del Norte in 1990 and engaged in the business of buying mine tailings from small scale miners and avanteros;

2. That at about the time TVI Resources Development Philippines, Inc., came to Canatuan, Tabayo, Siocon, Zamboanga del Norte, Alexander Loyloy had accumulated about fifty thousand (50,000) bags of mine tailings of high grade gold;

3. That TVI Resources Development Philippines, Inc. wanted to buy from Alexander Loyloy all the fifty thousand (50) bags of mine tailings of high grade gold but Alexander Loyloy would not sell to TVI the said mine tailings because they have a pending application with the Provincial Mining Regulatory Board of Zamboanga del Norte for a small scale miners "Minahan Ng Bayan" at Canatuan, Tabayo, Siocon, Zamboanga del Norte;

4. That because nobody were selling mine tailings in October 2003, Alexander Loyloy decided to go to Agusan del Sur and designated Jose "Boy" Anoy as his caretaker over his pile of fifty thousand (50,000) bags of high grade gold mine tailings;

5. That from November 11, 2003 to November 16, 2003 there were persistent reports that TVI men started sacking the mine tailings of Alexander Loyloy so that I, Apolonia Bulagao, went to Canatuan from Siocon Poblacion on November 11 and proceeded to the place where Alexander Loyloy's mine tailings were piled and I saw about one hundred fifty (150) bags of mine tailings were already sacked and piled; while I, Jose "Boy" Anoy, because I had a hearing in Siocon and in Pagadian City, went home to Canatuan, Tabayo, Siocon, Zamboanga del Norte on November 16, 2003;

6. That on November 17, 2003 I, Jose "Boy" Anoy together with Nelson Silaya and Dodong Danning went to the area where the mine tailings of Alexander Loyloy were piled and we saw Bobong Bello, Joel Palirit, Rogelio Musa, Jr. with four (4) others not from Canatuan who were sacking the mine tailings of Alexander Loyloy so I stopped them from sacking the mine tailings considering that I am the caretaker of the said mine tailings and told them not to continue sacking unless there is the written consent of Alexander Loyloy;

7. That on November 19, 2003 we, together with Leonardo Hortillano, Nelson Silaya, Alexander Martinez, Sonny Boy Guzman, Nonong Forigay, Dodong Danning and others went back to the said area and saw the men of the TVI Resources Development Philippines, Inc. sacking the mine tailings of Alexander Loyloy and I, Jose "Boy" Anoy, approached Engr. Edilberto Nercuit, an officer of TVI and asked him why they are sacking the mine tailings of Alexander Loyloy, and he answered that

is the order of the company, TVI Resources Development Philippines Inc. through Ret. Col. Valentino Edang. So we asked them to stop sacking but they blatantly and menacingly refused to stop sacking and when I was about to take pictures of their activities I was stopped by Engr. Edilberto Nercuit and he said he will smash and destroy my camera if I persist and he immediately ordered the six (6) TVI SCAA members armed with M-14 rifles to surround me, which they did;

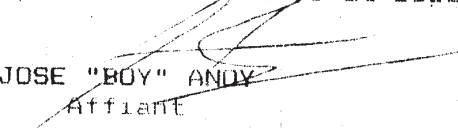
8. That I, Jose "Boy" Anoy, has no fighting chance as against the six (6) SCAA fully armed with M-14 rifles and the other TVI men because I was armed only with bolo; seeing the futility of stopping the men of TVI from sacking the mine tailings of Alexander Loyloy, we withdrew and left the premises just hoping that Alexander Loyloy will get justice for the depredation committed by a Canadian mining firm;

9. That on November 30, 2003 the TVI Resources Development Philippines Inc. started loading and hauling the sacked mine tailings of Alexander Loyloy from the pile site to the TVI CIP Processing Plant with the use of three (3) cargo trucks guarded by six (6) armed SCAA and several laborers majority of whom are not residents of Canatuan, Tabayo, Siocon, Zamboanga del Norte;

10. That as of today, TVI Resources Development Philippines, Inc. had already loaded and hauled to its CIP Processing Plant about forty thousand (40,000) bags of mine tailings belonging to Alexander Loyloy and it has yet to load about more than ten thousand (10,000+) bags of mine tailings;

11. That we are executing this joint affidavit to testify to the fact that the mine tailings of Alexander Loyloy were forcibly sacked, hauled and carried away by TVI Resources Development Philippines Inc. through its officers, workers and laborers.

IN WITNESS WHEREOF, we hereby affix our signatures this 18th day of December 2003 at Dipolog City, Philippines.

  
JOSE "BOY" ANOY  
Affiant

  
APOLONIA BULAGAO  
Affiant

SUBSCRIBED AND SWORN to before me this 19th day of December 2003 at Dipolog City, Philippines, affiants exhibiting their respective Community Tax Certificates for the current year and declared that the foregoing joint affidavit are their free act and voluntary deed.

  
ROBERTO B. L. [Signature]  
NOTARY PUBLIC, PHILIPPINES

CERTIFICATION

I HEREBY CERTIFY that I have personally examined the affiants and I am convinced that they voluntarily executed the foregoing joint affidavit and they understood the allegations or facts therein.

  
ROBERTO B. L. [Signature]  
NOTARY PUBLIC, PHILIPPINES

AFFIDAVIT COMPLAINT

1. ALEXANDER LUYLOY, of legal age, married, business-  
man, Filipino and a resident of Sicayab, Dipolog City, Phil-  
ippines, after first having been duly sworn in accordance  
with law, depose and say:

1. That I am a businessman owning more than fifty  
thousand (50,000+) bags of mine tailings of high grade gold  
situated and piled at Canatuan, Tabayo, Siocon, Zamboanga del  
Norte;

2. That the TVI Resources Development Philippines,  
Inc., a Canatuan Company, wanted to buy from me the above-  
mentioned mine tailings of high grade gold but I did not sell  
it to the said corporation because we have a pending applica-  
tion for a "Minahan Ng Bayan" with the Provincial Mining  
Regulatory Board of Zamboanga del Norte, where we can process  
it;

3. That in October 2003, due to the serious sickness of  
a member of our family in Agusan del Sur, my family and I  
went to Agusan del Sur leaving and designating a close  
friend, Jose "Boy" Anoy, as the caretaker of my properties at  
Canatuan, Tabayo, Siocon, Zamboanga del Norte including my  
more than fifty thousand (50,000+) bags of mine tailings of  
high grade gold;

4. That in the first week of December 2003, I received  
a report that my more than fifty thousand (50,000+) bags of  
mine tailings of high grade gold situated at Canatuan was  
robbed, that is, forcibly sacked, taken and carried by TVI  
through its officers, workers and laborers to its CIP Pro-  
cessing Plant and once there at the processing plant the said  
mine tailings were milled and the product thereof was appro-  
priated by TVI unto itself gaining and profiting to the tune  
of more than one million five hundred thousand pesos  
(Php1,500,000.00) to my damage and prejudice. (please see the  
affidavit of Nelson Silaya and the joint affidavit of Jose  
"Boy" Anoy and Apolonia Bulagao, herein attached).


5. That when I went and arrived at Canatuan, Tabayo,  
Siocon, Zamboanga del Norte last December 14, 2003 I was able  
to confirm that the report was true because my mine tailings  
was depleted from more than fifty thousand (50,000+) bags to  
only ten thousand (10,000) bags;

6. That in this connection, I hereby file a case of  
Robbery against the TVI Resources Development Philippines,  
Inc. and its officers, including the following:

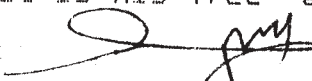
- a. Ray Magpantay - Canatuan, Tabayo, Siocon, ZDN;
- b. Edilberto Nercuit - Canatuan, Tabayo, Siocon, ZDN;
- c. Ret.Col. Edang - Canatuan, Tabayo, Siocon, ZDN;
- d. Joel Palirit - Canatuan, Tabayo, Siocon, ZDN;
- e. Rogelio Musa, Jr. - Guinabukan, R.T. Lim, ZDN;
- f. Natalio Bello - Canatuan, Tabayo, Siocon, ZDN;
- g. Teofisto Bueno - Canatuan, Tabayo, Siocon, ZDN;
- h. Bobong Bello - Canatuan, Tabayo, Siocon, ZDN;
- i. Johnny Bason - Canatuan, Tabayo, Siocon, ZDN;
- j. German Anoy - Canatuan, Tabayo, Siocon, ZDN;
- k. Bonder Anoy - Canatuan, Tabayo, Siocon, ZDN;

1. Sonny Boy Gutoman - Canatuan, Tabayo, Siocon, ZDN;  
m. Jing de los Santos - Canatuan, Tabayo, Siocon, ZDN;  
n. and 20 others whose real names are not yet available  
as John Does:

IN WITNESS HEREOF, I hereby affix my signature this  
18th day of December 2003 at Dipolog City, Philippines.


  
**ALEXANDER LOYLOY**  
Affiant-Complainant

SUBSCRIBED AND SWORN to before me this 19th day of  
December 2003 at Dipolog City, Philippines, affiant exhibit-  
ing his Community Tax Certificate for the current year and  
declared that the foregoing affidavit is his free act and  
voluntary deed.

  
**ROGELIO D. LAQUIHON**  
THIRD ASSISTANT PROV'L PROSECUTOR

**CERTIFICATION**

I HEREBY CERTIFY that I have personally examined the  
affiant and I am convinced that he voluntarily executed the  
foregoing affidavit and he understood the allegations of  
facts therein.

  
**ROGELIO D. LAQUIHON**  
THIRD ASSISTANT PROV'L PROSECUTOR

A F F I D A V I T

I, NELSON SILAYA, of legal age, Filipino and a resident of Canatuan, Tabayo, Siocon, Zamboanga del Norte, after first having been duly sworn in accordance with law, depose and say:

1. That on November 11, 2003 the TVI Resources Development Philippines, Inc. a mining corporation, by the command of its Area Manager, Ray Magpantay, Field Engineer, Ed Nercuit, and its Chief Security Officer, Col. Edang, and in collaboration and conspiracy with Joel Palirit, Rogelio Musa, Jr., Bobong Bello, Teofisto Bueno, German Anoy, Dondon Anoy, guarded by Natalio Bello, SCAA Team Leader, Johnny Bason and seven (7) other SCAA members through the use of intimidation, scheme, force and violence upon things and persons, forcibly sacked the mine tailings owned by Alexander Loyloy situated at Canatuan, Tabayo, Siocon, Zamboanga del Norte;

2. That Alexander Loyloy on November 11, 2003 was not in Canatuan, Tabayo, Siocon, Zamboanga del Norte for he was in Agusan and he arrived in Siocon, Zamboanga del Norte only on December 14, 2003;

3. That on November 30, 2003 the TVI management commanded the above-mentioned persons to load and haul the sacked mine tailings owned by Alexander Loyloy in three (3) cargo trucks and brought, hauled and unloaded the said mine tailings at the TVI CIP Processing Plant where it was milled and processed and the finished product thereof was appropriated by TVI unto itself;

4. That up to this date, December 16, 2003 TVI Resources Development Inc. had already hauled and brought to its CIP Processing Plant about forty thousand (40,000) sacks of mine tailings owned by Alexander Loyloy and the remaining mine tailings of Alexander Loyloy is just about ten thousand (10,000) sacks and TVI men as above enumerated are still hauling the remaining mine tailings of Alexander Loyloy;

5. That I am executing this affidavit to testify to the fact that the mine tailings owned by Alexander Loyloy were sacked and hauled by TVI to its CIP Processing Plant where it was milled and processed without the consent of Alexander Loyloy.

IN WITNESS WHEREOF, I hereby affix my signature this 18th day of December 2003 at Dipolog City, Philippines.

*Nelson*  
NELSON SILAYA  
Affiant

SUBSCRIBED AND SWORN to before me this 18th day of December 2003 at Dipolog City, Philippines, affiant exhibiting his Community Tax Certificate for the current year and declared that the foregoing affidavit is his free act and voluntary deed.

*[Signature]*  
ROCELIO D. LAGUINON  
MUNICIPAL ASSISTANT PROVL. PROSECUTOR

*[Handwritten mark]*

*Nelson*