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ASIC AND AUSTRALIAN TREASURY

👤 Dave Evans · 🕒 Jul 6, 2024



Dave Evans
Regular

Jul 6, 2024

🔗 #1

I would like to provide evidence involving Michael Carrick (formerly Fat Tail and MMGA) and Geoff Jones (Chairman of Global Lithium) in which emails were sent to institutional and sophisticated holders of AVZ shares.

The first email offer to shareholders stated there was a takeover of AVZ Minerals.

The second offer stated there was a share buyback by AVZ Minerals.

Both involved Resource Capital Investments and Michael Carrick's prior acquisition of the AVZ shareholder register.

Now the emails read "Resource Capital Investments acting as Trustee for Resource Investments Trust are offering to buy your shares"

This latest offer began by targeting institutional, superannuation, and sophisticated investors but they have since targeted all investors.

The funds and share platforms that sent out emails should also be accountable for their part in the emails about a company takeover and then a share buyback as I imagine some shareholders have been caught out by these offers.

This follows on from Michael Carrick, Ty Dudbrook, Alliance Advisors, Leonard Math and Peter Huljich working with Chinese entities to overthrow the AVZ BOD in 2023.

Geoff Jones (Global Lithium) with strong ties to Zijin, CATH, Lithium Plus and Yibin has also tried to acquire AVZ shares for \$0.01 by making unsolicited offers to buy shares posing a question on whether he gained emails via Carrick's access to the AVZ shareholders register.

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[https://static1.squarespace.com/sta.../Resource+Capital+Investment+Announcemen
t.pdf](https://static1.squarespace.com/sta.../Resource+Capital+Investment+Announcemen
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ANNOUNCEMENT

Share Purchase Offer - AVZ Minerals Limited Institutional Shareholders

18 June 2024

Resource Capital Investments Pty Ltd ("Resource Capital") is pleased to announce an offer to all institutional shareholders of AVZ Minerals Limited ("**AVZ**") to purchase all their shares in AVZ (subject to Resource Capital's voting power in AVZ not exceeding 20%).

The Resource Capital offer:

- has been structured and is capable of being accepted only by institutional shareholders of AVZ; and
- **is not** a formal takeover offer under Chapter 6 of the Corporations Act.

AVZ currently has 3,528,729,748 shares on issue, together with a further 33,460,600 performance rights.

AVZ Has Been Delisted

On 13 May 2024, the ASX announced that **AVZ had been removed from the Official List and Delisted**, after being suspended continuously for two years, in accordance with the ASX Guidelines. This appears to have occurred after the Board resolved not to seek reinstatement and without seeking shareholders' approval.

All Key Promises Not Delivered

AVZ repeatedly claimed and promised:

- a "**supportive, collaborative and cooperative relationship**" with the DRC¹
- the grant of a **Mining Licence**²
- the execution of a **Memorandum of Understanding**³ with the DRC
- **US\$20m in Litigation Funding from Locke Capital**⁴

None of which were ever delivered.

AVZ is involved in Litigation

The ASX Activities Report for the Quarter ending 31 March 2024 dated 30 April 2024, details the extensive litigation, both domestically and internationally, that AVZ is involved in. These include:

- one ICSID case against the DRC Government;
- five ICC Arbitration proceedings;
- an Oppression case brought by Fat Tail Holdings;
- other DRC based litigation (including litigation over the seizure of all the Dathcom shares by Jean-Marcel Kabeya); and
- an Omni Bridgeway funded Class Action against AVZ.⁵

All AVZ Litigation is Unfunded

AVZ's ICSID claim (ICSID Case No. ARB/23//20), against the DRC, is currently **unfunded**, raising significant doubts as to the merits of AVZ's claim against the DRC Government. In our opinion it appears that there is a real likelihood that AVZ/Dathcom has lost title to PR 13359 lawfully. In addition, all other AVZ litigation appears to be unfunded.

Going Concern Issues

Resource Capital Investments Pty Ltd
ACN: 678 207 308

Address details: L1, 516 Hay Street, Subiaco WA 6008 AUSTRALIA

Contact Details: +61 (8) 6489 2900 / info@rescap.com.au

www.rescap.com.au



AVZ, in our opinion, desperately needs to raise funds, and again notwithstanding repeated announcements, no funds have been raised to date.

No Significant Value

For all of the above reasons, Resource Capital is of the opinion that **no significant value** can currently be placed on AVZ shares.

AVZ Institutional Shareholders

Resource Capital will send information to access the website www.rescap.com.au which contains a copy of the offer document to institutional shareholders of AVZ prior to the close of business on 19 June 2024. To gain a proper understanding of the offer it is necessary to read the offer document in full and the institutional shareholders of AVZ are encouraged to seek independent professional advice.

Resource Capital Offer

The Resource Capital offer to institutional shareholders of AVZ:

- is a formal offer;
- is unconditional;
- is for cash;
- carries no settlement risk;
- will allow institutional shareholders to remove this now delisted investment from their books if they so wish; and
- currently is the only formal (and highest) offer to all AVZ institutional shareholders for their AVZ shares.

Alliance Advisors

Resource Capital has retained Alliance Advisors (allianceadvisors.com) to act as an information agent with AVZ Shareholders. Please contact rescap@allianceadvisors.com for global institutional engagement.

A dedicated information website has been created at www.rescap.com.au, to provide further background to the offer.

Issued on 18 June 2024.

By order of the Board
RESOURCE CAPITAL INVESTMENTS PTY LTD

¹ Refer to the AVZ ASX Announcements dated 18 August 2021, 10 December 2021 and the 2022 AVZ Annual Report.

² Refer to the AVZ ASX Announcements dated 10 December 2021, 13 April 2022, 28 April 2022, 4 May 2022, AVZ September – December 2022 Quarterly Report dated 31 January 2023, AVZ ASX Announcement dated 6 February 2023.

³ Refer to the AVZ ASX Announcement dated 9 October 2023, AVZ Media Release dated 23 October 2023, and AVZ ASX Announcement dated 30 October 2023.

⁴ Refer to the AVZ ASX Announcements dated 17 November 2023, 2 April 2024, 30 April 2024, 16 May 2024, and 14 June 2024.

⁵ Refer to the AVZ ASX Announcement Dated 13 March 2024 – Disputes Updated.

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RESOURCE CAPITAL INVESTMENTS PTY LTD ACN 678 207 308

Company Summary

Name: RESOURCE CAPITAL INVESTMENTS PTY LTD
ACN: 678 207 308
Registration date: 14/06/2024
Next review date: 14/06/2025
Status: Registered
Type: Australian Proprietary Company, Limited By Shares
Locality of registered office: SUBIACO WA 6008
Regulator: Australian Securities & Investments Commission

 [View Summary \(PDF\)](#)

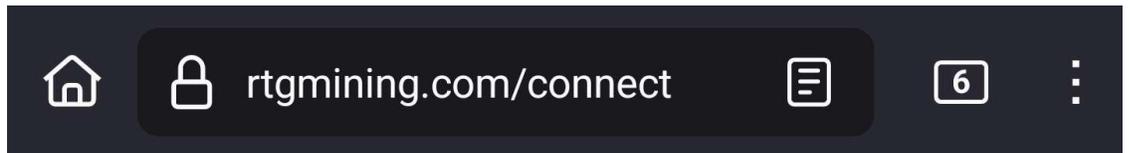
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Issued on 18 June 2024.

All the codes used in the emails below used the IRESS company identification system of AVZ.AU

Unsolicited offers claiming a takeover 📌**Member Direct alert: AVZ.AU Takeover**

Dear xxxxxxxxxxxxxxxx

As you hold shares in AVZ Minerals Limited - Delisted (AVZ.AU), you are able to participate in the recently announced Takeover. This is an elective Corporate Action, meaning you don't need to do anything if you don't want to.

Key details:

- Record date: 28/06/2024
- Member Direct election cut-off: 01/07/2024

Record date

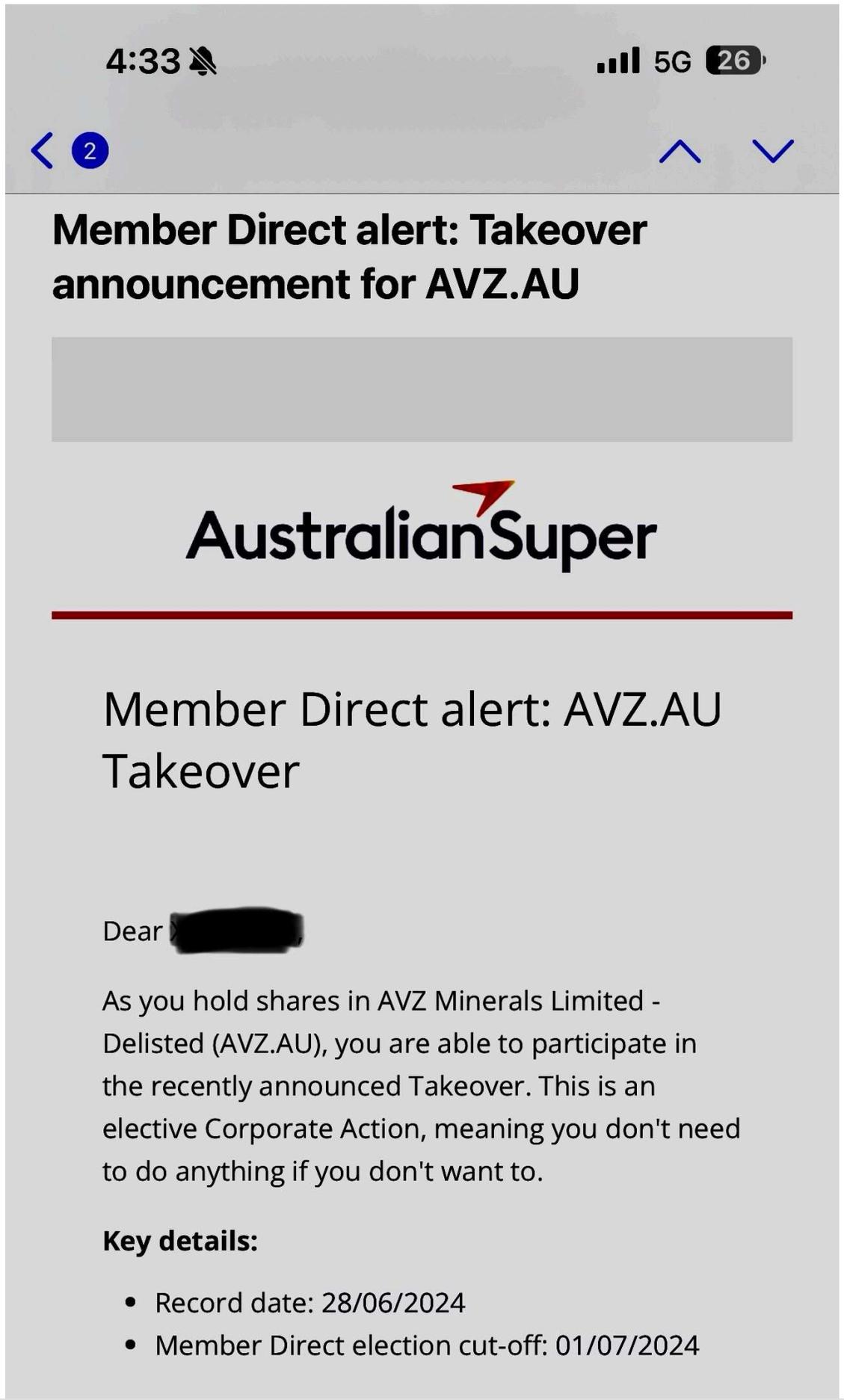
Your entitlement to participate will be based on your shareholding on the record date of 28/06/2024 and visible in your portfolio holdings from that date. Please consider this if you intend to buy or sell shares in AVZ.AU before then as it may affect your Takeover entitlement.

Member Direct election cut-off

Please submit your election through Member Direct if you wish to participate. The final date for submitting your decision is 01/07/2024. This is earlier than if you held these shares outside of Member Direct as we need time to process elections

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Your entitlement to participate will be based on your shareholding on the record date of 28/06/2024 and visible in your portfolio holdings from that date. Please consider this if you intend



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As you hold shares in AVZ Minerals Limited - Delisted (AVZ.AU), you are able to participate in the recently announced Takeover. This is an elective Corporate Action, meaning you don't need to do anything if you don't want to.

You can read the company announcements at www.asx.com.au. Note that you need to submit your election through Choiceplus.

For further information on how to participate in an elective corporate action, please refer to our Choiceplus FAQ section on our website by clicking [here](#).

Key details:

- Record date: **28/06/2024**
- Choiceplus election cut-off: **01/07/2024**

Record date

Your entitlement to participate will be based on your shareholding on the record date of **28/06/2024** and will be visible in your portfolio holdings from



From: elections.apac.st@ig.com.au <elections.apac.st@ig.com.au>

Sent: Tuesday, July 2, 2024 2:36 PM

To: Undisclosed recipients:

Subject: (ST) - AVZ Minerals Limited Buyback offer

Dear Client,

AVZ Minerals Limited has announced an off market buy back tender of some or all of your fully paid ordinary shares in the company.

Under the buyback process, eligible holders will be able to tender their ordinary shares at a fixed price of AUD 0.01 per share.

The company advised that you may tender partially or for your entire holding. In the event the company receives applications in excess of the offer amount, shareholders will be scaled back pro rata on the number of shares.....

.....
..

Unsolicited offers to buy shares 📌

🔥 9 users



Dave Evans

Regular

Jul 6, 2024

🔗 #2

Information pertaining to the above emails can be posted on these Government X accounts 📌

The two major Australian Government departments this scam should be reported to 📌

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From: elections.apac.st@ig.com.au
Date: July 2, 2024 at 6:07:04 PM AEST
To: Undisclosed recipients;
Subject: UPDATE: (ST) - AVZ Minerals Limited Tender offer

Dear Client,

RESOURCE CAPITAL INVESTMENTS PTY LTD AS TRUSTEE FOR THE RC INVESTMENTS TRUST MADE AN OFFER TO PURCHASE SOME OR ALL OF YOUR FULLY PAID ORDINARY SHARES IN AVZ MINERALS LIMITED.

UNDER THE OFFER, ELIGIBLE HOLDERS WILL BE ABLE TO TENDER THEIR ORDINARY SHARES AT A FIXED PRICE OF AUD 0.01 PER SHARE.

THE OFFER IS LIMITED TO A MAXIMUM NUMBER OF 702,217,270 AVZ SHARES. THE COMPANY HAS ADVISED THAT THERE IS NO FORMAL CLOSING DATE AS THE OFFER IS LIMITED TO A SPECIFIC NUMBER OF SHARES. AS SUCH, THE OFFER IS A ON A FIRST COME, FIRST SERVE BASIS. OFFER OF 0.01 AUD PER SHARE HELD.

The company advised that you may tender partially or for your entire holding.

More attempts to acquire AVZ shares 📌

An investor from Hong Kong who bought shares via Zhongtai International Securities received below "AVZ Minerals has announced that shareholders may

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09/07/2024

Another email that was sent to a shareholder who passed it on to me today 📌

🔥 11 users

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Last edited: Aug 25, 2024

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Stock Disclosure:

AVZ BHP BRN

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