

Reply to the Attention of Joan M. Young
Direct Line 604.893.7639
Direct Fax 604.893.2672
Email Address joan.young@mcmillan.ca
Our File No. 41315-0232
Date March 1, 2012

VIA PROCESS SERVER 604-683-8229

✓ Wilderness Committee
341 Water St. (4th Floor)
Vancouver, BC V6B 1B8

Attention: Diana Vanderveen, Chair, Board of Directors

Sven Biggs
341 Water St. (4th Floor)
Vancouver, BC V6B 1B8

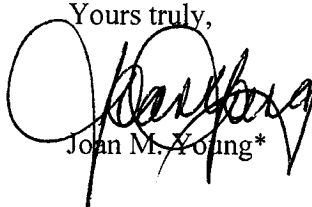
Dear Mesdames/Sirs:

**Re: Taseko Mines Limited v. Western Canada Wilderness
Committee and Biggs
Supreme Court, Vancouver Registry, Action # S 12 1589**

As you are aware, we are the solicitors for Taseko Mines Limited ("Taseko").

We enclose for service upon you a copy of our client's Notice of Civil Claim filed in the Vancouver Registry of the British Columbia Supreme Court against you.

Yours truly,



Joan M. Young*

JMY/
*Law Corporation

cc. Russell Hallbauer, President and CEO, Taseko Mines Limited
John McManus, Senior Vice-President, Taseko Mines Limited

**SUPREME COURT
OF BRITISH COLUMBIA
VANCOUVER REGISTRY**

No.
Vancouver Registry
S=121589

MAR 01 2012

IN THE SUPREME COURT OF BRITISH COLUMBIA



BETWEEN:

TASEKO MINES LIMITED

PLAINTIFF

AND:

**WESTERN CANADA WILDERNESS COMMITTEE also
known as WILDERNESS COMMITTEE and SVEN BIGGS**

DEFENDANTS

NOTICE OF CIVIL CLAIM

Name and address of each Plaintiff:

Taseko Mines Limited
c/o McMillan LLP
1500 – 1055 West Georgia Street
Vancouver, BC V6E 4N7

Name and address of each Defendant:

Western Canada Wilderness Committee
4th Floor – 341 Water Street,
Vancouver, BC V6B 3W2

Sven Biggs
c/o Western Canada Wilderness Committee
4th Floor – 341 Water Street,
Vancouver, BC V6B 3W2

This action has been started by the plaintiff for the relief set out in Part 2 below.

If you intend to respond to this action, you or your lawyer must

- (a) file a response to civil claim in Form 2 in the above-named registry of this court within the time for response to civil claim described below, and
- (b) serve a copy of the filed response to civil claim on the plaintiff.

If you intend to make a counterclaim, you or your lawyer must

- (a) file a response to civil claim in Form 2 and a counterclaim in Form 3 in the above-named registry of this court within the time for response to civil claim described below, and
- (b) serve a copy of the filed response to civil claim and counterclaim on the plaintiff and on any new parties named in the counterclaim.

JUDGMENT MAY BE PRONOUNCED AGAINST YOU IF YOU FAIL to file the response to civil claim within the time for response to civil claim described below.

Time for response to civil claim

A response to civil claim must be filed and served on the plaintiff,

- (a) if you were served with the notice of civil claim anywhere in Canada, within 21 days after that service,
- (b) if you were served with the notice of civil claim anywhere in the United States of America, within 35 days after that service,
- (c) if you were served with the notice of civil claim anywhere else, within 49 days after that service, or
- (d) if the time for response to civil claim has been set by order of the court, within that time.

Part 1: STATEMENT OF FACTS

The Parties

1. The Plaintiff, Taseko Mines Limited (“Taseko”), is a mining company incorporated pursuant to the laws of British Columbia and has an address for service in this litigation care of McMillan LLP, 1500 - 1055 West Georgia Street, Vancouver, British Columbia.
2. The Defendant, Western Canada Wilderness Committee, also known as Wilderness Committee (the “Defendant Wilderness Committee”), is a society incorporated under the *Society Act*, R.S.B.C. 1996, c. 433 and has a registered office at 4th Floor, 341 Water Street, Vancouver, British Columbia.
3. The Defendant, Sven Biggs (the “Defendant Biggs”), whose home address is unknown to the Plaintiff, is an outreach director for the Defendant Wilderness Committee and is employed by

the Defendant Wilderness Committee at its head office at 4th Floor, 341 Water Street, Vancouver, British Columbia.

The Prosperity Project

4. Taseko proposes to develop a gold-copper mine 125 kilometres to the southwest of Williams Lake, British Columbia in the Cariboo-Chilcotin area (the "Prosperity Project").

5. The Prosperity Project involves the proposed development of one of Canada's largest undeveloped gold-copper deposits, and is believed to be the seventh largest known gold-copper deposit in the world. The deposit is a gold-copper porphyry with a 1.0 billion tonne measured and indicated resource containing 5.3 billion pounds of copper and 13.3 million ounces of gold. The Prosperity Project has been in various stages of development for over 20 years.

6. Taseko has expended approximately \$120 million in development costs, with approximately \$30 million spent over the last five years, of which approximately \$17 million is associated with environmental assessment and supporting environmental studies and engineering.

7. Taseko is engaged in various activities related to the potential future construction of a mine or the extraction of ore at the site of the Prosperity Project.

8. The Prosperity Project requires both provincial and federal environmental approvals and permits in order to proceed to mine development and operation. The purpose of the environmental assessment is to determine whether a project is likely to have significant adverse effects after appropriate mitigation measures are taken, and if so, whether the project should be considered justified (notwithstanding those effects) because of the benefits that it provides

9. On January 14, 2010 the Prosperity Project was given an Environmental Assessment Certificate from the Province of British Columbia, which allowed the Prosperity Project to proceed to the provincial permitting process.
10. The federal government conducted its environmental assessment of the Prosperity Project by way of a Review Panel. In or about November 2010, the Government of Canada declined to issue a federal Environmental Assessment Certificate for Taseko's mine development plan for the Prosperity Project (the "Former Prosperity Project").
11. In response to the federal government's invitation to revise the Former Prosperity Project, the project design was modified to address the concerns identified under the federal environmental assessment, and in particular the project has been redesigned to avoid the loss of Fish Lake. One of the key changes in the new design is to relocate the tailings storage facility so that it is considerably further away from Fish Lake. Another key change is relocating stock piles so they no longer infringe on Fish Lake. This new project design distinguishes the "New Prosperity Project" from the "Prosperity Project".
12. In or about June 2011, Taseko, with the approval of the Government of Canada, submitted a new development plan for the Prosperity Project (the "New Prosperity Project").
13. On August 9, 2011, the Government of Canada accepted the revised project description submitted by Taseko for the New Prosperity Project.
14. The New Prosperity Project is currently under review under the Canadian *Environmental Assessment Act* and will be the subject of another Review Panel. No determination on whether

to grant an Environmental Certificate has been made by the Government of Canada regarding the New Prosperity Project.

15. The Former Prosperity Project and the New Prosperity Project do not propose to use Fish Lake or Little Fish Lake as a tailings storage facility.

The Website

16. The Defendant Wilderness Committee is an environmental organization with a stated objective of protecting Canada's biodiversity through strategic research and grassroots public education. By purporting to educate the public regarding environmental issues, the Defendant Wilderness Committee holds itself out to be a reliable source for environmental news and information.

17. The Defendant Wilderness Committee claims to be one of Canada's largest wilderness preservation groups with approximately 60,000 members, supporters and volunteers.

18. In furtherance of its objectives, the Defendant Wilderness Committee maintains a website at <http://wildernesscommittee.org> (the "Website") on which the Defendant Wilderness Committee publishes information and resources regarding various environmental campaigns.

19. In furtherance of its objectives, the Defendant Wilderness Committee also maintains a Facebook account at <http://facebook.com/wildernesscommittee> (the "Facebook account") on which the Defendant Wilderness Committee publishes information and resources regarding various environmental campaigns

20. In his role as Outreach Director for the Defendant Wilderness Committee, the Defendant Biggs has authored several posts on the Website in regards to various campaigns, including ones involving Taseko.

21. Beginning in or around 2010, the Defendant Wilderness Committee began publishing materials on the Website opposing Taseko's development of the Prosperity Project under the Save Fish Lake Campaign (the "Fish Lake Campaign"). The Fish Lake Campaign is published on the Website at http://wildernesscommittee.org/what_we_do/save_fish_lake.

22. Materials published by the Defendant Wilderness Committee and the Defendant Biggs on the Website under the Fish Lake Campaign form the subject matter of this action.

23. The Website is accessible to members of the public anywhere in the world via the Internet.

The Defamatory Statements

24. On or about February 1, 2012, the Defendant Wilderness Committee and/or Biggs published a post to the Fish Lake Campaign authored by the Defendant Biggs entitled "Save Fish Lake (Again!)" (the "Post"), which Post concerned the Plaintiff Taseko and its business. The Post and corresponding hyperlinks contain a series of false and defamatory statements of and concerning Taseko, including:

(a) At http://wildernesscommittee.org/sven/save_fish_lake_again

Taseko's original proposal was to use Fish Lake as their tailings pond, where they would store toxic waste rock produced by mining operations.

Taseko's engineers offered Little Fish Lake as an alternate site for the tailings pond.

However, eventually the toxins from the Little Fish Lake site would make their way downstream to Fish Lake.

Despite this history, the new mine plan that Taseko is seeking approval for proposes turning Little Fish Lake into a toxic tailings pond.

If you are confused as to why the company would return with a proposal that has already been deemed worse than the one that was just rejected, you are not alone.

In fact the whole idea of turning a lake, especially a lake called Fish Lake, into a dump site for toxic tailings probably seems like a crazy idea.

It's not just that this proposal has already been rejected once; or that it will **threaten tens of thousands of fish** and pollute the headwaters of a river network that supports the world's largest run of wild salmon; or that the locally blue-listed population of grizzly bears would be threatened by this project; or even that the Tsilhqot'in Nation, the area's First Nations people, are strongly opposed to the project. **The craziest thing about this project is that – if people like you and I don't take this opportunity to speak up – there is a good chance that this mine will get built;**

(b) At http://wildernesscommittee.org/write_wild_fish_lake

The "New Prosperity Mine" proposal would use nearby Little Fish Lake as a toxic dump site, and then drain down into Fish Lake eventually polluting that lake too.

The proposed replacement lake would also result in a massive loss of fish habitat, and would require constant maintenance of spawning channels and ongoing stocking of the lake by governments

(collectively, the "Defamatory Statements").

25. The Post encourages and provides a convenient method through an online writing tool for members of the general public to repeat and republish the Defamatory Comments by contacting the Canadian Environmental Assessment Agency, the Prime Minister and the Ministers of Environment, Fisheries and Oceans and Natural Resources to oppose the New Prosperity Project based on these Defamatory Comments.

26. Members of the public have used the online writing tool to re-publish the Defendants' Wilderness Committee and Biggs' defamatory statements in letters sent to Canadian Environmental Assessment Agency.
27. The Wilderness Committee also re-published the defamatory Post through links on its Facebook site www.facebook.com/wildernesscommittee.
28. The words in the Post referred to or were understood to refer to the Plaintiff Taseko.
29. In their natural and ordinary meaning, the Defamatory Statements were false in that they meant and were understood to mean that Taseko and Taseko's New Prosperity Project:
- (a) will be depositing toxic materials into a Fish Lake and Little Fish Lake;
 - (b) will pollute the headwaters of a major river system;
 - (c) will turn Fish Lake and Little Fish Lake into a toxic tailings pond;
 - (d) Taseko is proposing a "crazy" proposal; and
 - (e) Taseko is proposing a project has been reviewed and determined to be worse by the regulatory and permitting authorities than the Former Prosperity Project when no determination has been made by the federal regulatory or permitting authorities in connection with the New Prosperity Project.
30. In their natural and ordinary meaning, or alternatively, by way of innuendo, the Defamatory Statements were defamatory in that they meant and were understood to mean that Taseko:

- (a) has failed to address the concerns raised in the previous federal environmental review in submitting the new development plan for the New Prosperity Project;
- (b) has submitted a development plan for the New Prosperity Project that had been turned down by regulatory and permitting authorities for having a greater negative environmental impact than the development plan for the Former Prosperity Project when no such determination has been made;
- (c) is attempting to deceive the Government of Canada, the Government of British Columbia, or members of the general public through the submission of a plan which had already been reviewed and rejected, which is untrue;
- (d) is environmentally irresponsible; and
- (e) is a poor corporate citizen.

31. The Defamatory Statements were motivated by express malice of the Defendant Wilderness Committee and/or Biggs, arising from the known publication of falsehoods and continued publication of falsehoods after notification of their falsity, as part of a reckless and overzealous campaign to encourage the general public to oppose the Prosperity Project in all forms, including but not limited to the Former Prosperity Project and the New Prosperity Project.

32. The Defamatory Statements were published on the Website and the Facebook account, and were available to be seen by anyone with Internet access. The Defamatory Statements were in fact seen by many people throughout Canada. The Defamatory Statements remain accessible to the public.

33. On or about February 13, 2012, Taseko advised the Defendant Wilderness Committee and the Defendant Biggs that the Defamatory Comments were false and defamatory. Taseko further requested that the Defendant Wilderness Committee and the Defendant Biggs cease defaming Taseko in any and all forms, and in particular, that the Defamatory Comments be removed from the Website and an apology be issued.

34. On or about February 16, 2012, Taseko repeated these requests.

35. The Defendant Wilderness Committee and the Defendant Biggs have refused or neglected to apologize and remove the Defamatory Statements from the Website despite repeated requests to do so.

36. As a result of the Defamatory Comments, Taseko has suffered and continues to suffer injury to its reputation, as well as financial damages, the particulars of which will be provided prior to trial.

Part 2:RELIEF SOUGHT

- (a) The Plaintiff claims an interlocutory and permanent injunction enjoining the Defendant Wilderness Committee and the Defendant Biggs from continuing to defame Taseko and compelling the Defendant Wilderness Committee and the Defendant Biggs to remove or disable access to the Defamatory Statements;
- (b) The Plaintiff claims general damages
- (c) The Plaintiff claims special damages;
- (d) The Plaintiff claims punitive damages;

- (e) The Plaintiff claims aggravated damages;
- (f) The Plaintiff claims interest pursuant to the *Court Order Interest Act*;
- (g) The Plaintiff claims Costs;
- (h) Such further and other relief as this Honourable Court considers just.

Part 3:LEGAL BASIS

1. The Defendant Wilderness Committee and the Defendant Biggs have committed the tort of defamation.
2. *Libel and Slander Act*, RSBC 1996, c. 263.
3. The Defendant Wilderness Committee is vicariously liable for the acts and omissions of the Defendant Biggs as he was at all material times acting within the scope and course of employment as its authorized agent, servant or employee.

Plaintiff's address for service: **McMillan LLP**
1500-1055 West Georgia Street
PO Box 11117
Vancouver, BC
V6E 4N7
Telephone: (604) 689-9111
Attention: Joan M. Young

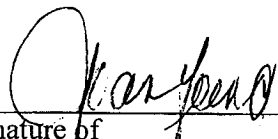
Fax number address for service: (604) 893-7639

E-mail address for service (if any): Nil

Place of trial: Vancouver, British Columbia

The address of the registry is: The Law Courts
800 Smithe Street
Vancouver, BC
V6Z 2E1

Date: February 28 , 2012



Signature of
 plaintiff lawyer for plaintiff

Joan M. Young for
McMillan LLP

Rule 7-1(1) of the Supreme Court Civil Rules states:

- (1) Unless all parties of record consent or the court otherwise orders, each party of record to an action must, within 35 days after the end of the pleading period,
 - (a) prepare a list of documents in Form 22 that lists
 - (i) all documents that are or have been in the party's possession or control and that could, if available, be used by any party at trial to prove or disprove a material fact, and
 - (ii) all other documents to which the party intends to refer at trial, and
 - (b) serve the list on all parties of record.

APPENDIX

Part 1: CONCISE SUMMARY OF NATURE OF CLAIM:

Defamation.

Part 2: THIS CLAIM ARISES FROM THE FOLLOWING:

[Check one box below for the case type that best describes this case]

A personal injury arising out of:

- a motor vehicle accident
- medical malpractice
- another cause

A dispute concerning:

- contaminated sites
- construction defects
- real property (real estate)

- personal property
- the provision of goods or services or other general commercial matters
- investment losses
- the lending of money
- an employment relationship
- a will or other issues concerning the probate of an estate
- a matter not listed here

Part 3: THIS CLAIM INVOLVES:

[Check all boxes below that apply to this case]

- a class action
- maritime law
- aboriginal law
- constitutional law
- conflict of laws
- none of the above
- do not know

Part 4:

Libel and Slander Act, RSBC 1996, c. 263