



IN THE COURT OF CHANCERY OF THE STATE OF DELAWARE

IN RE SOUTHERN PERU COPPER )  
CORPORATION SHAREHOLDER ) Consol. C.A. No. 961-VCS  
DERIVATIVE LITIGATION )  
)

**THE AMC DEFENDANTS' CROSS-MOTION FOR SUMMARY JUDGMENT,  
OR, IN THE ALTERNATIVE, FOR A DETERMINATION THAT PLAINTIFF  
BEARS THE BURDEN OF PROOF AS TO ENTIRE FAIRNESS**

Defendants Americas Mining Corporation, Germán Larrea Mota-Velasco, Genaro Larrea Mota-Velasco, Oscar Gonzalez Rocha, Emilio Carrillo Gamboa, Jaime Fernando Collazo Gonzalez, Xavier Garcia de Quevedo Topete, Armando Ortega Gómez, and Juan Rebolledo Gout (collectively, the "AMC Defendants"), by and through their undersigned counsel, hereby move pursuant to Court of Chancery Rule 56 for an order granting summary judgment in their favor or, in the alternative, for a determination that Plaintiff bears the burden of proof as to entire fairness. The grounds for this motion are set forth in the AMC Defendants Answering Brief in Opposition to Plaintiff's Motion for Partial Summary Judgment and Opening Brief in Support of Their Motion for Summary Judgment or, in the Alternative, for a Determination that Plaintiff Bears the Burden of Proof as to Entire Fairness filed herewith.

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August 10, 2010

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CERTIFICATE OF SERVICE

I hereby certify that on August 10, 2010, I electronically filed and caused to be served by LexisNexis File and Serve a copy of the foregoing **THE AMC DEFENDANTS' CROSS-MOTION FOR SUMMARY JUDGMENT, OR, IN THE ALTERNATIVE, FOR A DETERMINATION THAT PLAINTIFF BEARS THE BURDEN OF PROOF AS TO ENTIRE FAIRNESS** on the following counsel of record:

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