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NEWMONT MINING CORP /DE/

Form 3

May 29, 2002

UNITED STATES SECURITIES AND EXCHANGE COMMISSION

WASHINGTON, D.C. 20549

FORM 3

INITIAL STATEMENT OF BENEFICIAL OWNERSHIP OF SECURITIES

1. Name and Address of Reporting Person

HARQUAIL, DAVID  
1700 LINCOLN STREET  
DENVER, CO 80203  
USA

2. Date of Event Requiring Statement (Month/Day/Year)  
5/14/02

3. IRS or Social Security Number of Reporting Person (Voluntary)

4. Issuer Name and Ticker or Trading Symbol

NEWMONT MINING CORPORATION  
NEM

5. Relationship of Reporting Person(s) to Issuer (Check all applicable)  
( ) Director ( ) 10% Owner (X) Officer (give title below) ( ) Other  
(specify below)

VICE PRESIDENT

6. If Amendment, Date of Original (Month/Day/Year)

7. Individual or Joint/Group Filing (Check Applicable Line)

(X) Form filed by One Reporting Person  
( ) Form filed by More than One Reporting Person

Table I -- Non-Derivative Securities Beneficially Owned

| 1. Title of Security    | 2. Amount of Securities Beneficially Owned | 3. Ownership Form: Direct (D) or Indirect (I) | 4. Nature of Beneficial |
|-------------------------|--|---|-------------------------|
| Exchangeable Shares (1) | 4,043                                      | I   | By retirement           |
| Exchangeable Shares (1) | 3,120                                      | I   | By spouse's r           |

Table II -- Derivative Securites Beneficially Owned

| 1. Title of Derivative Security | 2. Date Exercisable and Expiration Date (Month/Day/Year) | 3. Title and Amount of Underlying Securities | 4. Conversion or Exercise Price of Derivative Security | 5. Ownership Form of Derivative Security (Direct or Indirect) |
|---------------------------------|--|--|--|---|
| Stock Option (right to buy)     | 6/26/05  | Common Stock<br>64,000                       | \$14.69  | D   |
| Stock Option (right to buy)     | 6/26/05  | Common Stock<br>49,280                       | \$10.72  | D   |

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|                                       |       |         |              |       |         |         |
|---------------------------------------|-------|---------|--------------|-------|---------|---------|
| uy)                                   |       |         |              |       |         |         |
| -----                                 | ----- | -----   | -----        | ----- | -----   | -----   |
| Stock Option (right to b immed<br>uy) |       | 9/10/09 | Common Stock |       | 120,000 | \$19.25 |
|                                       |       |         |              |       |         | D       |
| -----                                 | ----- | -----   | -----        | ----- | -----   | -----   |

Explanation of Responses:

(1) The Exchangeable Shares are shares of stock of 4011686 Canada Inc., a corporation existing under the laws of Canada and wholly-owned subsidiary of the Registrant, that are convertible into common stock of the issuer on a one-for-one basis at the option of the holder at any time after February 16, 2002, pursuant to the terms set forth in the Provisions Attaching to the Exchangeable Shares (the "Provisions") set forth as Appendix 1 to Schedule B of that certain Arrangement Agreement, dated November 14, 2001, between Franco-Nevada Mining Corporation Limited and Newmont Gold Company (formerly known as Newmont Mining Corporation). Pursuant to that certain Voting and Exchange Trust Agreement between the Issuer, 4011686 Canada Inc. and Computershare Trust Company of Canada (the "Trustee"), holders of Exchangeable Shares are entitled to direct the Trustee to cast the votes attaching to the share of the Special Voting Stock of the Issuer held by the Trustee, on all matters submitted to the stockholders of the Issuer. The Exchangeable Shares remain exchangeable at the option of the holder until redeemed by the Issuer pursuant to, and subject to the conditions of, the Provisions.

(2) David Harquail has executed a power of attorney, a copy of which has been previously filed, authorizing Britt D. Banks to execute this Form 3 on his behalf.

SIGNATURE OF REPORTING PERSON

David Harquail by Britt D. Banks, Attorney-in-Fact (2)

DATE

May 28, 2002