

SUPREME COURT OF QUEENSLAND

REGISTRY: Brisbane
NUMBER: BS3508/2015

IN THE MATTER OF LM INVESTMENT MANAGEMENT LIMITED (IN LIQUIDATION)
(RECEIVERS APPOINTED)
ACN 077 208 461

First Applicant: JOHN RICHARD PARK AND GINETTE DAWN MULLER AS
LIQUIDATORS OF LM INVESTMENT MANAGEMENT LIMITED
(IN LIQUIDATION) (RECEIVERS AND MANAGERS APPOINTED)
ACN 077 208 461 THE RESPONSIBLE ENTITY OF THE LM
FIRST MORTGAGE INCOME FUND ARSN 089 343 288

AND

Second Applicant: LM INVESTMENT MANAGEMENT LIMITED (IN LIQUIDATION)
(RECEIVERS AND MANAGER APPOINTED) ACN 077 208 461
THE RESPONSIBLE ENTITY OF THE LM FIRST MORTGAGE
INCOME FUND ARSN 089 343 288

AND

Respondent: DAVID WHYTE AS THE PERSON APPOINTED TO SUPERVISE
THE WINDING UP OF THE LM FIRST MORTGAGE INCOME
FUND ARSN 089 343 288 PURSUANT TO SECTION 601NF OF
THE CORPORATIONS ACT 2001

AFFIDAVIT OF ASHLEY RICHARDSON

I, **ASHLEY RICHARDSON** of C/- BDO, Level 10, 12 Creek Street, Brisbane in the State of
Queensland, Practice Assistant, state on oath:

1. I am employed by BDO as a Practice Assistant.

Postal Service of the members on 25 June 2015

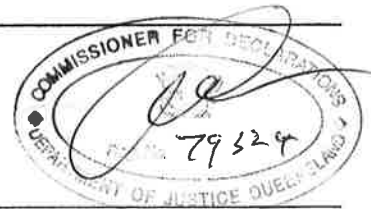
2. On 25 June 2015, Mr Daniel provided me with:-

Page 1

Signed:



Witnessed by:



AFFIDAVIT:
Form 46, R.431

TUCKER & COWEN
Solicitors
Level 15
15 Adelaide Street
Brisbane, Qld, 4000.
Tele: (07) 300 300 00
Fax: (07) 300 300 33

Filed on behalf of the Respondent,
Mr David Whyte

- (a) A copy of the "Notice to Members of Application by J Park & G Muller" (**Notice**); and
- (b) a list, that he informed me, and I believe, contained the postal addresses of members of the FMIF who did not receive a Notice when the Notice was originally posted to members on 12 May 2015 (**Second Postal List**),

and instructed me that each addressee on the Second Postal List was to receive a copy of the Notice by post.

- 3. On 25 June 2015, I printed 74 copies of the Notice and placed a copy of the Notice in pre-paid envelopes, where each envelope was addressed to a name and address contained on the Second Postal List.
- 4. On 25 June 2015, I took the 74 addressed envelopes containing a copy of the Notice and gave to James Postle, an employee of BDO, who arranged for this mail to be picked up by Australia Post. Of those 74 notices issued, 57 notices were sent domestically and 17 sent overseas. Exhibited hereto and marked "AR-1" is a copy of the Australia Post receipt.
- 5. All the facts and circumstances above deposed to are within my own knowledge save such as are deposed to from information only and my means of knowledge and sources of information appear on the face of this my Affidavit.

Sworn by **ASHLEY RICHARDSON** on the ^{17th} day of July 2015 at Brisbane in the presence of:

Deponent



Solicitor/A Justice of the Peace



SUPREME COURT OF QUEENSLAND

REGISTRY: Brisbane
NUMBER: BS3508/2015

IN THE MATTER OF LM INVESTMENT MANAGEMENT LIMITED (IN LIQUIDATION)
(RECEIVERS APPOINTED)
ACN 077 208 461

First Applicant: JOHN RICHARD PARK AND GINETTE DAWN MULLER AS
LIQUIDATORS OF LM INVESTMENT MANAGEMENT LIMITED
(IN LIQUIDATION) (RECEIVERS AND MANAGERS APPOINTED)
ACN 077 208 461 THE RESPONSIBLE ENTITY OF THE LM
FIRST MORTGAGE INCOME FUND ARSN 089 343 288

AND

Second Applicant: LM INVESTMENT MANAGEMENT LIMITED (IN LIQUIDATION)
(RECEIVERS AND MANAGER APPOINTED) ACN 077 208 461
THE RESPONSIBLE ENTITY OF THE LM FIRST MORTGAGE
INCOME FUND ARSN 089 343 288

AND

Respondent: DAVID WHYTE AS THE PERSON APPOINTED TO SUPERVISE
THE WINDING UP OF THE LM FIRST MORTGAGE INCOME
FUND ARSN 089 343 288 PURSUANT TO SECTION 601NF OF
THE CORPORATIONS ACT 2001

CERTIFICATE OF EXHIBIT

Exhibit "AR-1" to the Affidavit of ASHLEY RICHARDSON sworn this ^{17th} day of July 2015

Deponent

Richard

Solicitor/A Justice of the Peace



CERTIFICATE OF EXHIBIT:
Form 47, R.435

Filed on behalf of the Respondent,
Mr David Whyte

\\TCVREXCH1Data\Radix\DM\Documents\LM\Matter\1500120\01013821-003.docx

TUCKER & COWEN
Solicitors
Level 15
15 Adelaide Street
Brisbane, Qld, 4000
Tele: (07) 300 300 00
Fax: (07) 300 300 33

Domestic contract mailing statement



004904853

Mailing statement number

1. Parcels under 500g within Australia		Regular delivery		External Territory	
		Up to 250g	Over 250g up to 500g	Domestic	Imprint
Regular B30	LC - Local Country				
	RA - Rest of Australia				
	XT - External Territory				
Express Post B20	RA - Australia				
	XT - External Territory				

2. Letters within Australia		Regular delivery		External Territory	
		Full rate	Imprint	Domestic	Imprint
Small letters	B01	57			
	Up to 125g B03				
Large letters	Over 125g up to 250g B03				
	Over 250g up to 500g B03				

3. Letters within Australia		Priority delivery		External Territory	
		Full rate	Imprint	Domestic	Imprint
Small letters	C01				
	Up to 125g C03				
Large letters	Over 125g up to 250g C03				
	Over 250g up to 500g C03				
Seasonal cards				B15	

Destination	Regular • B31			Express Post • B21			Total all parcels			
	Actual weight parcels		Cubic weight parcels	Actual weight parcels		Cubic weight parcels	Total all parcels		Total all parcels	
	Quantity	Total weight (kg)	Quantity	Total weight (kg)	Quantity	Total weight (kg)	Quantity	Total weight (kg)	Quantity	Total weight (kg)
N1 - Sydney										
N2 - NSW Country										
V1 - Melbourne										
V2 - Victorian Country										
Q1 - Brisbane										
Q2 - QLD Country - South										
Q3 - QLD Country - North										
S1 - Adelaide										
S2 - SA Country										
W1 - Perth										
W2 - WA Country - Near										
W3 - WA Country - Far										
W4 - WA External Territories										
T1 - Tasmania										
NT1 - Northern Territory Near										
NT2 - Northern Territory Remote										
NF - Norfolk Island										
AAT - Aust. Antarctic Territories										
LC - Local Country										

5. Other services		Domestic		External Territory	
Received delivery	B40				

customer details

BDO
GPO BOX 457
BRISBANE QLD 4001

Charge Account Number: **6129280**
 Customer reference: **BDO B R I**

Phone: **07 3237 999** Date and time: **25/6/15** am pm

Name of person lodging (block capitals please): **SIMPSON POSTAL**
 The accuracy of this statement is subject to Australia Post checks.

Customer Declaration

The sender certifies that these articles have been prepared in accordance with Australia Post terms and conditions for lodgement and carriage and / or the special conditions of our contract with Australia Post and that details supplied are accurate.

Customer's name: **James** Customer's signature: *[Signature]*

Date and time: **/ /** am pm

Accepting officer: **[Signature]**

Name: **/ /** Date and time: **/ /** am pm

Signature: **[Signature]** Customer ID recorded:

Correct Altered

Parcels within Australia only

For light, bulky parcels over 1kg, charges will be based on the "cubic weight" where this is greater than the actual weight. The "cubic weight" is assessed by multiplying the parcels volume (in cubic metres) by 250.

External Territories

- WA External Territories (Christmas Is. 6798, Cocos (Keeling) Is. 6799)
- Aust Antarctic Territories 7151
- Norfolk Is. 2899

Customer Declaration

The sender certifies that these articles have been prepared in accordance with Australia Post terms and conditions for lodgement and carriage and / or the special conditions of our contract with Australia Post and that details supplied are accurate.

Customer's name: **James** Customer's signature: *[Signature]*

Date and time: **/ /** am pm

Accepting officer: **[Signature]**

Name: **/ /** Date and time: **/ /** am pm

Signature: **[Signature]** Customer ID recorded:

Correct Altered

