

SUPREME COURT OF QUEENSLAND

REGISTRY: Brisbane
NUMBER: 3508 of 2015

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

First Applicants: **JOHN RICHARD PARK AND GINETTE DAWN MULLER AS LIQUIDATORS OF LM INVESTMENT MANAGEMENT LIMITED (IN LIQUIDATION)(RECEIVERS 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 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**

ORDER

Before: Justice Jackson
Date: 2 December, 2015
Initiating document: Originating Application filed 8 April, 2015; Amended
Originating Application filed 20 July 2015

THE ORDERS OF THE COURT ARE THAT:-

1. The orders contained in paragraphs 2 to 7 (inclusive) and 9 of the Order dated 12 November 2015 are vacated.
2. The Order dated 12 November 2015 is varied as follows:-

ORDER

Filed on behalf of the Applicants

Form 59 Rule 661

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- (a) in paragraph 1, the date “20 November 2015” is replaced with “14 December 2015”;
 - (b) in paragraph 8, delete the words, “or at the hearing of any Further Application”;
 - (c) in paragraph 11, delete the words, “and any party who has filed a Notice of Appearance in accordance with paragraph 7”; and
 - (d) in paragraph 12, delete the words, “and any Further Application”.

3. Paragraph 4 of the Amended Originating Application filed 20 July 2015, insofar as it seeks orders concerning the Liquidators’ remuneration, is adjourned to a date to be fixed.

Signed:

Registrar