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SUPREME COURT OF QUEENSLAND

REGISTRY: BRISBANE

NUMBER: BS3508/15

IN THE MATTER OF LM INVESTMENT MANAGEMENT LIMITED (IN LIQUIDATION)
(RECEIVERS AND MANAGERS APPOINTED)
ACN 007 208 461

First Applicant: JOHN RICHARD PARK AND GINETTE DAWN MULLER AS
LIQUIDATORS OF LM INVESTMENT MANAGEMENT LIMITED (IN
LIQUIDATION) (RECEIVERS AND MANAGERS APPOINTED) ACN 007
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 MANAGERS APPOINTED) ACN 007 208 461 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: 16 February 2017

Initiating document: Application filed 20 May 2016

THE ORDER OF THE COURT IS THAT:

1. By 9 March 2017, the Respondent file and serve points of claim identifying any alleged ground giving rise to an objection to the indemnity named in the application by reason of the clear accounts rule.
2. By 23 March 2017 the Applicants file and serve points of defence.
3. By 7 April 2017 the Respondent file and serve any affidavits in opposition to the application.
4. By 20 April 2017 the Applicants file and serve any affidavits in reply.
5. The parties are to exchange outlines on 4 May 2017.

6. The Application is set down for hearing on 8 and 9 May 2017.
7. The Respondent has liberty to apply to the court for directions in respect of any question arising in connection with his response to the application.
8. Today's costs in the application.

Signed: 