

Duplicate

SUPREME COURT OF QUEENSLAND

**REGISTRY: Brisbane
NUMBER: 3383 of 2013**

Applicants: **RAYMOND EDWARD BRUCE AND VICKI
PATRICIA BRUCE**

AND

First Respondent: **LM INVESTMENT MANAGEMENT LIMITED
(IN LIQUIDATION) ACN 077 208 461 IN ITS
CAPACITY AS RESPONSIBLE ENTITY OF THE
LM FIRST MORTGAGE
INCOME FUND**

AND

Second Respondent: **THE MEMBERS OF THE LM FIRST
MORTGAGE INCOME FUND ARSN 089 343 288**

AND

Third Respondent: **ROGER SHOTTON**

AND

Intervener: **AUSTRALIAN SECURITIES & INVESTMENTS
COMMISSION**

ORDER

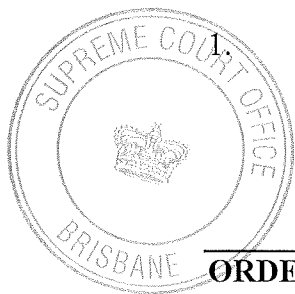
Before: Justice Atkinson

Date: 31 July 2014

Initiating document: Application filed 24 July 2014

THE ORDER OF THE COURT IS THAT:

The times for the Applicant and First Respondent to file and serve any expert evidence pursuant to paragraphs 7 and 8 of the Order of 26 May 2014 not be extended.



ORDER
Form 59 R.661

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 Applicant,
Mr David Whyte

2. The First Respondent may not rely upon any further affidavit evidence at the hearing of the application filed 2 May 2014 unless:
 - (a) Any further affidavit evidence is filed and served on or before 4 August 2014; and
 - (b) The First Respondent seeks at the hearing of the application, and obtains, the leave of the Court to rely upon that further affidavit evidence.
3. The listing of this matter for a two day trial on the civil list on 28 and 29 August 2014 be vacated.
4. The application filed on 2 May 2014 be listed for hearing in the applications' list for two hours on 28 August 2014.
5. A copy of these Orders is to be placed in a prominent place on the website "lmfmif.com" ("the website").
6. The First Respondent pay Mr David Whyte's costs of and incidental to the application filed 24 July 2014.

Signed:



DEPUTY REGISTRAR