

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

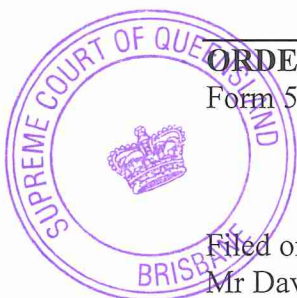
Before: Justice Mullins

Date: 27 November 2014

Initiating document: Application filed 7 November 2014

THE ORDER OF THE COURT IS THAT:-

1. The remuneration of David Whyte, as the person responsible for ensuring the LM First Mortgage Income Fund ARSN 089 343 288 ("FMIF"), is wound up in accordance with its Constitution for the period 1 April 2014 to 30 September 2014 be fixed in the amount of \$1,005,948.35 (inclusive of GST).



ORDER
Form 59 R.661

Filed on behalf of the Applicant,
Mr David Whyte

TUCKER & COWEN
Solicitors
Level 15
15 Adelaide Street
Brisbane, Qld, 4000.
Tele: (07) 300 300 00
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2. The remuneration of David Whyte and Andrew Fielding, the persons appointed as agents of The Trust Company (PTAL) Ltd ACN 008 412 913, in lieu of LM Investment Management Ltd (receivers and managers appointed) (in liquidation) ACN 077 208 461, in respect of the securities held by:-

- (i) Cameo Estates Lifestyle Villages (Launceston) Pty Ltd (Receivers and Managers Appointed) (Controllers Appointed) ACN 098 955 296;
- (ii) Bridgewater Lake Estate Pty Limited (In Liquidation) (Controllers Appointed) ACN 086 203 786;
- (iii) OVST Pty Ltd (In Liquidation) (Controllers Appointed) ACN 103 216 771;
- (iv) Redland Bay Leisure Life Pty Ltd (In Liquidation) (Controllers Appointed) ACN 109 932 916;
- (v) Redland Bay Leisure Life Development Pty Ltd (In Liquidation) (Controllers Appointed) ACN 112 002 383; and
- (vi) Pinevale Villas Morayfield Pty Ltd (In Liquidation) (Controllers Appointed) ACN 116 192 780

for the period 25 September 2014 to 30 September 2014, be approved in the amount of \$7,000.95 (inclusive of GST).

3. That David Whyte's costs of and incidental to this application, be costs in the winding up of the FMIF, to be paid out of the assets of the FMIF.

Signed:

Registrar

