

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

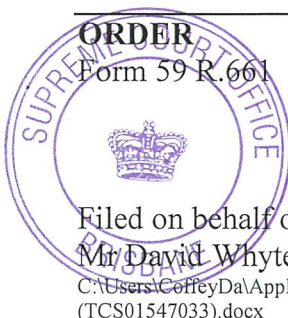
Before: Justice Mullins

Date: 29 November 2018

Initiating document: Application filed 14 November 2018

THE ORDER OF THE COURT IS THAT:-

1. The remuneration of David Whyte, as the person responsible for ensuring the FMIF is wound up in accordance with its Constitution for the period 1 May 2018 to 31 October 2018 be fixed in the amount of \$1,946,635.35 (inclusive of GST).



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Order

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 over:-

- (i) Cameo Estates Lifestyle Villages (Launceston) Pty Ltd (Receivers and Managers Appointed) ACN 098 955 296;
- (ii) Bridgewater Lake Estate Pty Limited (In Liquidation) ACN 086 203 787;
- (iii) OVST Pty Ltd (In Liquidation) ACN 103 216 771;
- (iv) Redland Bay Leisure Life Pty Ltd (In Liquidation) ACN 109 932 916;
- (v) Redland Bay Leisure Life Development Pty Ltd (In Liquidation) ACN 112 002 383; and
- (vi) Pinevale Villas Morayfield Pty Ltd (In Liquidation) ACN 116 192 780,

for the period 1 May 2018 to 31 October 2018 be fixed in the amount of \$20,902.75 (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:

A circular purple stamp from the Supreme Court of Queensland, Brisbane. The stamp contains the text "SUPREME COURT OF QUEENSLAND" at the top and "BRISBANE" at the bottom. In the center is a crown. A handwritten signature in blue ink is written across the stamp. Below the stamp, the text "Deputy Registrar" is printed.

Deputy Registrar