

SUPREME COURT OF QUEENSLAND

REGISTRY: Brisbane

NUMBER: 11917 of 2015

APPLICANT

**KORDAMENTHA PTY LTD (ACN 100
169 391) AS TRUSTEE FOR THE LM
MANAGED PERFORMANCE FUND**

AND

RESPONDENT

**THE MEMBERS OF THE LM
MANAGED PERFORMANCE FUND**

APPLICATION

TAKE NOTICE that the Applicant is applying to the Court for the following orders:

- 1 An order pursuant to s.101 of the *Trusts Act 1973* (Qld) that the applicant be authorised to pay out of the assets of the LM Managed Performance Fund (the **Trust**) the amount of \$501,260.10 inclusive of GST (being the sum of \$455,691.00 plus GST) as the applicant's remuneration for its services as trustee for the period from 28 May 2018 to 1 September 2019.
- 2 An order pursuant to s.101 of the *Trusts Act 1973* (Qld) that the applicant be authorised to pay out of the assets of the Trust the amount of \$7,411.25 inclusive of GST (being the sum of \$6,737.50 plus GST) as the applicant's remuneration for its services as trustee for the period from 24 June 2015 to 27 October 2015.
- 3 An order that the exhibit marked "Confidential Exhibit JV-16" to the affidavit of Jarrod Villani sworn 23 September 2019 be placed in a sealed envelope on the



APPLICATION
Filed on Behalf of the Applicant
Form 9, Version 1
Uniform Civil Procedure Rules 1999
Rule 31

Squire Patton Boggs (AU)
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Sydney NSW 2000
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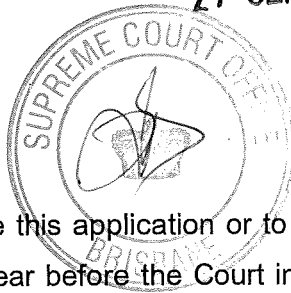
Court file and marked: "Not to be opened except on the order of a Judge of this Court."

- 4 The applicant's costs of and incidental to this application be paid out of the assets of the Trust, on the indemnity basis.
- 5 Such further or other orders or directions as the Court sees fit.

This application will be heard by the Court at Brisbane on: 28 OCTOBER 2019
at: 10 AM.

Filed in the Brisbane Registry on 27 SEP 2019 2019.

Registrar:



If you wish to oppose this application or to argue that any different order should be made, you must appear before the Court in person or by your lawyer and you shall be heard. If you do not appear at the hearing the orders sought may be made without further notice to you.

On the hearing of the application the applicant intends to rely on the following affidavits:

1. Affidavit of Jarrod Villani sworn on 2 December 2015 and its exhibits marked "Exhibit JV-1" and "Confidential Exhibit JV-2".
2. Affidavit of Jarrod Villani sworn on 19 September 2016 and its exhibits marked "Exhibit JV-11" and "Confidential Exhibit JV-12".
3. Affidavit of Jarrod Villani sworn on 3 July 2018 and its exhibits marked "Exhibit JV-13" and "Confidential Exhibit JV-14".
4. Affidavit of Jarrod Villani sworn on 23 September 2019 and its exhibits marked "Exhibit JV-15" and "Confidential Exhibit JV-16".

THE APPLICANT ESTIMATES THE HEARING SHOULD BE ALLOCATED 1 HOUR

Signed:



Description: Solicitor

Dated: 23 September 2019

This application is to be served on the Members of the LM Managed Performance Fund.