

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) (the **Act**) authorising the payment out of the trust property of the LM Managed Performance Fund (**MPF**) the amount of \$584,770.00 (excl. GST) as the applicant's remuneration for its services as trustee for the period from 15 August 2016 to 27 May 2018.
- 2 An order pursuant to s 101 of the Act authorising, *nunc pro tunc*, payment out of the trust property of the MPF the amount of \$171,296.00 as the applicant's remuneration for its services in relation to the sale of the property located at 457-459 Lygon Street, East Brunswick, Victoria for the period from 2 November 2016 to 27 May 2018.
- 3 An order that the applicant's costs of this application be payable from the funds of the MPF.

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

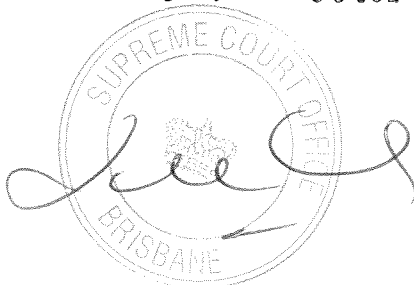
Squire Patton Boggs (AU)
Level 17, 88 Philip Street
Sydney NSW 2000
Phone No: (02) 8248 7850
Fax No: (02) 8248 7899

- 4 An order that the exhibit marked "Confidential Exhibit JV-14" be placed in a sealed envelope on the file and marked: "Not to be opened except on the order of a Judge of this Court".
- 5 Such further or other orders or directions as the Court sees fit.

This application will be heard by the Court at Brisbane on: 7th August 2018
at: 10:00am

Filed in the Brisbane Registry on 06 JUL 2018

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".

THE APPLICANT ESTIMATES THE HEARING SHOULD BE ALLOCATED 1 HOUR

Signed: 

Description: Solicitor

Dated: 4 July 2018

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