

**Duplicate**

**SUPREME COURT OF QUEENSLAND**

REGISTRY: BRISBANE

NUMBER: 3691/2013

Applicants:

**KORDAMENTHA PTY LTD**

**(ACN 100 169 391)**

AND

**CALIBRE CAPITAL LTD (ABN 66 108 318 985) IN THEIR CAPACITY AS TRUSTEES FOR THE LM MANAGED PERFORMANCE**

**FUND**

AND

First Respondent:

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

AND

Second Respondent:

**JOHN RICHARD PARK AND GINETTE MULLER IN THEIR CAPACITY AS JOINT AND SEVERAL LIQUIDATORS OF LM INVESTMENT MANAGEMENT LIMITED (IN LIQUIDATION) ACN 077 208 461**

**ORDER**

Before: Justice Peter Lyons

Date: 14 November 2013

Initiating document: Application filed 12 November 2013

THE ORDER OF THE COURT IS THAT:

1. The application between the above named parties filed 12 November 2013 ("**the Application**") be treated as an originating application, and that a separate Court file be opened in respect of it;

The applicants post the Application, the affidavit of Lisa Gallate sworn 14 November 2013 and the affidavit of Simon Vertullo sworn 14 November 2013 in PDF form on the website "<http://www.kordamentha.com/creditor-information/australia/109>", by 4pm on Monday 18 November 2013.

The applicants post:



(a) any further court documents to be filed by the Applicants in these proceedings; and

(b) any orders made in respect of the Application;

in PDF form on the website "<http://www.kordamentha.com/creditor-information/australia/109>", by 4pm on the next business day after such documents are filed in Court;

4. That service of:

(a) the Application;

(b) any further court documents to be filed by the Applicants in these proceedings; and

(c) any orders made in respect of the Application and not required to be served personally;

be deemed effected on each of the members of the First Respondent five days after the applicants:

(d) post such documents in PDF form on the website "<http://www.kordamentha.com/creditor-information/australia/109>"; and

(e) send an email to all the members of the First Respondent at their last known email addresses, notifying them of the general nature of the Court documents and that the documents have been posted on that website;

5. Costs reserved;

AND THE COURT DIRECTS THAT:

6. The applicants file and serve any affidavit material by 4pm on Monday 18 November 2013;

7. The respondents file and serve any affidavit material by 4pm on Wednesday 27 November 2013;

8. The parties serve any objections in relation to the affidavit evidence by 4pm on Friday 29 November 2013;

9. The parties file and serve any further affidavit material by 4pm on Wednesday 4 December 2013;

10. The applicants file and serve their written submissions by 4pm on Monday 3 February 2014;

11. The respondents file and serve their written submissions by 4pm on Thursday 6 February 2014; and

12. The Application be listed for hearing for three days on the Civil List, from 10 to 12 February 2014.

Signed: 