

Duplicate

SUPREME COURT OF QUEENSLAND

REGISTRY: Brisbane
NUMBER: 12716/15

Plaintiff: **KORDAMENTHA PTY LTD (ACN 100 169 391) IN ITS CAPACITY AS TRUSTEE OF THE LM MANAGED PERFORMANCE FUND**

AND

Defendant: **LM INVESTMENT MANAGEMENT LIMITED (RECEIVERS AND MANAGERS APPOINTED) (IN LIQUIDATION) (ACN 077 208 461)**

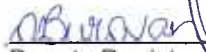
ORDER

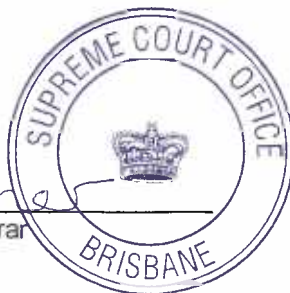
Before: Justice Daubney
Date: 22 November 2016
Initiating document: Application filed 3 November 2016

THE ORDER OF THE COURT IS THAT:

1. Pursuant to section 500(2) of the *Corporations Act* 2001 (Cth), the plaintiff be granted leave *nunc pro tunc* to commence and to proceed with this Supreme Court of Queensland proceeding against the defendant, LM Investment Management Limited (Receivers & Managers Appointed)(In Liquidation)(ACN 077 208 461), on the condition that any judgment against the defendant will not be enforced without further leave of the court.
2. The plaintiff serve the claim and statement of claim in this matter on or before 15 December 2016.
3. The defendant is not required to file a defence and any counterclaim until 28 days after the plaintiff gives written notice to the defendant's solicitors, Clayton Utz, and to the solicitors for the receiver of the LM First Mortgage Income Fund, Tucker & Cowen, that a defence and any counterclaim is required to be filed.
4. The applicant plaintiff's costs and expenses of and incidental to this application be paid on the indemnity basis out of the LM Managed Performance Fund.

Signed:


Deputy Registrar



ORDER

Filed on behalf of the Plaintiff

Form 59 Rule 661

ME_134483212_2

MINTER ELLISON
Waterfront Place
1 Eagle Street
BRISBANE QLD 4000
DX 102 BRISBANE
Telephone (07) 3119 6000
Facsimile (07) 3119 1000
Email david.obrien@minterellison.com
Reference NYB DOB 407747963

- 1 JAN 2017