

Duplicate

SUPREME COURT OF QUEENSLAND

REGISTRY: Brisbane

NUMBER: 8034/14

Plaintiffs: **KORDAMENTHA PTY LTD (ACN 100 169 391) AND
CALIBRE CAPITAL PTY LTD (ACN 108 318 985) IN THEIR
CAPACITY AS TRUSTEES OF THE LM MANAGED
PERFORMANCE FUND**

AND

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

ORDER

Before: Daubney J

Date: 26 August 2015

Initiating document: Application filed 1 June 2015

THE ORDER OF THE COURT IS THAT:

1. Pursuant to s 500(2) of the *Corporations Act 2001* (Cth), the plaintiffs be granted leave *nunc pro tunc* to commence and to proceed with this proceeding against the defendant.
2. Pursuant to Rule 69 of the *Uniform Civil Procedure Rules 1999* (Qld), 'Calibre Capital Pty Ltd (ACN 108 318 985)' be removed as a plaintiff to this proceeding.



ORDER

Filed on behalf of the Plaintiffs

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 407747737

Form 59 Rule 661

3. The plaintiff may not enforce any money judgment or order for the payment of money against the defendant without the further leave of the Court.
4. Order 3 does not apply to the enforcement of any judgment that the defendant holds money on trust for the plaintiff.
5. The plaintiff's costs and expenses of and incidental to the application be paid on the indemnity basis out of the LM Managed Performance Fund.
6. Otherwise, the costs of and incidental to this application are reserved.
7. Pursuant to Rule 7 and Rule 367(1), the period of 1 year referred to in rule 24 be extended until 9 September 2015 for this claim.
8. The defendant has liberty to apply.

Signed:


Deputy Registrar

