

Duplicate

SUPREME COURT OF QUEENSLAND

REGISTRY: Brisbane
NUMBER: BS3508/2015

First Applicant: JOHN RICHARD PARK AS LIQUIDATOR OF LM INVESTMENT MANAGEMENT LIMITED (IN LIQUIDATION) (RECEIVERS AND MANAGERS APPOINTED) ACN 007 208 461 THE RESPONSIBLE ENTITY OF THE LM FIRST MORTGAGE INCOME FUND ARSN 089 343 288

AND

Second Applicant: LM INVESTMENT MANAGEMENT LIMITED (IN LIQUIDATION) (RECEIVERS AND MANAGERS APPOINTED) ACN 077 208 461 THE RESPONSIBLE ENTITY OF LM FIRST MORTGAGE INCOME FUND ARSN 089 343 288

AND

First Respondent: DAVID WHYTE AS THE PERSON APPOINTED TO SUPERVISE THE WINDING UP OF THE LM FIRST MORTGAGE INCOME FUND ARSN 089 343 288 PURSUANT TO SECTION 601NF OF THE CORPORATIONS ACT 2001

AND

Second Respondent: SAID JAHANI IN HIS CAPACITY AS RECEIVER AND MANAGER OF THE ASSETS, UNDERTAKING, RIGHTS AND INTERESTS OF LM INVESTMENT MANAGEMENT LIMITED (IN LIQUIDATION) (RECEIVERS AND MANAGERS APPOINTED) ACN 077 208 461 AS THE RESPONSIBLE ENTITY OF THE LM CURRENCY PROTECTED AUSTRALIAN INCOME FUND ARSN 110 247 875 AND THE LM INSTITUTIONAL CURRENCY PROTECTED AUSTRALIAN INCOME FUND ARSN 122 052 868

ORDER

Before: Justice Callaghan

Date: 14 May 2021

Initiating document: Application filed 10 December 2018



ORDER
Form 59 R.661

Filed on behalf of the First Respondent

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THE ORDER OF THE COURT IS THAT:

1. The orders made by Callaghan J on 23 March 2021, be varied as follows:
 - (a) by adding to paragraph 4(a), immediately after the word "recorded", the words "as that member's preferred method of communication";
 - (b) by amending paragraph 4(b) so that it reads: "The First Respondent shall send the Notice by post to those members of the FMIF for whom a postal address is recorded as that member's preferred method of communication in the Register";
 - (c) by adding to paragraph 12(b), immediately after the word "recorded", the words "as that member's preferred method of communication"; and
 - (d) by amending paragraph 12(c) so that it reads: "The First Respondent shall send the Schedule 1 Notice by post to those members of the FMIF for whom a postal address is recorded as that member's preferred method of communication in the Register".

Signed:

Deputy Registrar

