

SUPREME COURT OF QUEENSLAND

REGISTRY: Brisbane
NUMBER: 3383 of 2013

Applicants:

**RAYMOND EDWARD BRUCE AND
VICKI PATRICIA BRUCE**

AND

First Respondent:

**LM INVESTMENT MANAGEMENT
LIMITED (ADMINISTRATORS
APPOINTED) ACN 077 208 461, IN ITS
CAPACITY AS RESPONSIBLE ENTITY OF
THE LM FIRST MORTGAGE INCOME FUND**

AND

Second Respondent:

**THE MEMBERS OF THE
LM FIRST MORTGAGE INCOME FUND
ARSN 089 343 288**

APPLICATION

TAKE NOTICE that the First Respondent is applying to the Court for the following
Orders:-

1. That the Originating Application, and the Application filed by Roger Shotton on 29 April, 2013 be adjourned to the Civil List, for hearing on a date to be fixed:-
 - (a) After the holding of the meeting of members of the LM First Mortgage Income Fund convened by the First Respondent; and
 - (b) Upon seven days notice in writing from one party to the others, such notice not to be given until after the said meeting.
2. Such further or other orders and directions as may be appropriate.
3. That the Applicants pay the costs of and incidental to this Application.

APPLICATION

Filed on behalf of the First Respondent

Form 9 Rule 31

Russells
Level 21
300 Queen Street
BRISBANE 4000
Phone: 07 3004 8888
Fax: 07 3004 8899

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This Application will be heard by the Court at Brisbane on 2 May, 2013.

Filed in the Brisbane Registry on 1 May, 2013

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 First Defendant intends to rely on the following Affidavits:-

1. Affidavit of Ginette Dawn Muller, to be sworn;
2. Affidavit of Stephen Charles Russell, to be sworn;
3. Affidavit of Ilenna Maria Copley, to be sworn; and
4. Affidavit of Bradley Vincent Hellen, to be sworn.

**THE FIRST DEFENDANT ESTIMATES THE HEARING SHOULD BE
ALLOCATED 20 MINUTES.**

Signed:


Russells

Description:

Solicitors for the First Respondent

Dated:

1 May, 2013

This Application is to be served on:-

The Applicants

c/- Piper Alderman Lawyers,
Level 36, Riverside Centre, 123 Eagle Street, Brisbane Qld 4000

A respondent, Roger Shotten

c/- Tucker Cowen Solicitors,
Level 15, 15 Adelaide Street, Brisbane Qld 4000