

Tel: +61 7 3237 5999 Fax: +61 7 3221 9227 www.bdo.com.au Level 10, 12 Creek St Brisbane QLD 4000 GPO Box 457 Brisbane QLD 4001 Australia

### TO THE INVESTOR AS ADDRESSED

30 September 2021

## LM FIRST MORTGAGE INCOME FUND (RECEIVER APPOINTED) ARSN 089 343 288 ('the Fund' or 'FMIF')

### 1. Introduction

I refer to my appointment as the Receiver of the Fund's assets and the person responsible for ensuring the winding up of the Fund in accordance with the terms of its constitution by Order of the Supreme Court of Queensland on 8 August 2013.

I now provide my 35<sup>th</sup> update report to investors. This report is prepared in accordance with the deferral granted by the Australian Securities and Investments Commission (ASIC Exemption) in relation to financial reporting obligations of the Fund. In this regard, the ASIC Exemption requires a report to be made available to investors for each period of six months starting on 1 January 2016, within three months of the end of each period, which includes the following information:

- (i) Information about the progress and status of the winding up of the Fund, including details of:
  - A. The actions taken during the period;
  - B. The actions required to complete the winding up;
  - C. The actions proposed to be taken in the next 12 months; and
  - D. The expected time to complete the winding up.
- (ii) The financial position of the Fund as at the last day of the relevant period (based on available information);
- (iii) Financial information about receipts (and payments) of the Fund during the period; and
- (iv) The following information at the end of the period:
  - A. The value of the Fund's property; and
  - B. The potential return to investors.

This report covers, the period 1 January 2021 to 30 June 2021 (the Period).

On 3 March 2020 ASIC extended the deferral of financial reporting obligations of the Fund until 16 March 2022. A copy of the relief instrument is available for viewing at <a href="https://www.lmfmif.com">www.lmfmif.com</a>.



### 2. Progress and Status of the Winding Up

### 2.1 Legal Actions/Potential Recoveries

### 2.1.1 Proceedings against the MPF, LMIM and the Directors of LMIM

I refer to my previous updates to investors in relation to proceedings against a number of parties, including the MPF Trustee and a number of directors of LMIM, in respect of loss allegedly suffered by the FMIF as a result of an amount paid to the MPF in the Bellpac litigation matter. The claim was for approximately \$15.5M plus interest.

As previously advised, the Judge dismissed my claim on 22 November 2019.

Costs were awarded in favour of the defendants.

On 20 December 2019 I filed an appeal of the decision. The progress of the appeal was awaiting the outcome of an application for judicial advice The Court declined to provide me with judicial advice. After careful consideration, taking into account all of the relevant circumstances, I discontinued the appeal. The directors' costs of the proceedings, the appeal and the judicial advice application are yet to be determined.

### 2.1.2 Claim against the former auditors (EY Proceeding)

I refer to my previous updates to investors and provide a brief summary of the proceedings and the key events since my last report, as follows:

- The proceedings were commenced against the former auditors of the Fund, EY claiming
  damages for negligence and breach of contract in relation to the audits and reviews of the
  financial statements for each half year period from 30 June 2008 to 30 June 2012 and in
  relation to the compliance plan audits for FY2008 to FY2012. This includes claims in relation
  to EY failing to properly impair the loans granted by the Fund and where up to date valuations
  were not obtained;
- The claims, at their highest, have been calculated at up to approximately \$200M;
- The EY Proceeding is an extremely complex legal proceeding due to, among other things:
  - The scope, complexity and breadth of the allegations made against EY covering nine financial statement audits/reviews and five compliance plan audits. The most recent version of the Statement of Claim runs to approximately 137 pages with over 600 pages of consolidated particulars. The most recent version of the Defence runs to approximately 230 pages with the reply to the defence amounting to 81 pages;
  - The extent of disclosure required over 450,000 documents have been disclosed in six tranches by the plaintiff in the case and approximately 6,500 documents have been disclosed by the defendants;
  - o The scope and complexity of expert evidence required to support the claim. A total of thirty nine expert reports have been delivered in support of the claim, many of which are very lengthy, from multiple fields of expertise including financial statements audit, compliance plan audit, valuation, investor behaviour, funds management, finance and banking experts. To give an example of the complexity of the expert evidence, the expert valuation evidence required was 28 valuation reports, each of which valued a total of six retirement villages, completed residential and



commercial properties, part completed properties and land held as security for twenty three loans made by the FMIF, as at approximately 9 different dates at six monthly intervals between 30 June 2008 and 30 December 2012.

- A substantial amount of work was completed in the Period in respect of:
  - Completion of three expert reports by a financial statement auditor expert (including one in excess of 2,000 pages) and an expert report by a compliance plan auditor expert (in excess of 600 pages);
  - Completion of twenty eight expert valuation reports (as mentioned above) in relation to retrospective valuations of properties charged to the Fund as security for twenty three loans advanced by the Fund. These covered the six monthly dates from 30 June 2008 to 30 December 2012;
- In addition to the above expert reports, six other experts have completed reports to support the claims made;
- The final expert report in respect of the calculation of the loss and damage is currently being prepared and is due to be delivered in two tranches on 30 September 2021 and 30 November 2021;
- The defendants are required to file and serve any expert valuation reports and lay evidence on which they intend to rely by 13 December 2021;
- Further reviews of the proceedings by the Court are due to be held on 2 and 15 December 2021;
- A substantial amount of additional disclosure was completed in the Period as well as the statement of claim being updated and an updated defence being lodged and a reply to the defence being filed and served;
- At the upcoming reviews by the Court in December 2021, it is expected that the time for the
  defendants to deliver their remaining expert and lay evidence will be timetabled and which,
  when completed, will be followed by a trial. At this stage the timing of the trial has not yet
  been set by the Court.
- The timing of the trial will be subject to a number of variables, some of which are not within my control, including whether EY delivers its expert evidence within the timeframes directed by the Court, and the availability of trial dates. Inquiries of the Court as to the availability of trial dates will be made at the appropriate time. I hope to be in a position to provide an update in relation to the anticipated timing of the trial of the EY Proceeding in my next report to members.

### 2.1.3 Bellpac Proceedings - Wollongong Coal Ltd (WCL)

I refer to my previous updates to investors and provide a brief summary as follows:

- The liquidator of Bellpac has received the settlement amount of \$2 million from WCL in relation to the claim for redemption of the \$2 million Bonds held in WCL. A partial distribution of \$1M was received from the Bellpac liquidator in October 2019;
- The defendants' appeal of the decision of the Court which acknowledged that Bellpac (under the control of a liquidator) is the true owner of the \$8 million convertible bonds was unsuccessful;



- In January 2016, the Bellpac Liquidator applied for the conversion of the \$8 million Bonds to shares. As WCL did not issue all of the shares as required under the terms of the Bonds, the Bellpac Liquidator brought proceedings against WCL seeking orders requiring WCL to perform its obligation to redeem the Bonds converted to shares outside of the required time;
- The Bellpac liquidator and WCL entered into a binding heads of agreement (HOA) relating to the settlement of the litigation commenced against WCL. The terms of the heads of agreement included that WCL pay to Bellpac a settlement sum of \$6.3 million in return for certain releases and Bellpac returning or cancelling the WCL shares issued to Bellpac;
- The conditions precedent to the settlement with WCL included obtaining necessary approvals to undertake the settlement transactions. In this regard:
  - o The Bellpac Liquidator obtained creditor approval to enter into the settlement with WCL;
  - The Court declined to exercise its discretion on WCL's application for approval to acquire and or cancel Bellpac's holding of WCL shares. WCL was therefore required to seek shareholder approval.

The remaining condition precedent (Sunset Date) to the settlement with WCL was extended a number of times over the last four years and WCL paid \$3M towards the settlement into their solicitors' trust account, to be released upon receiving shareholder approval of the settlement.

Delays were encountered in calling the meeting of shareholders, including WCL entering into a scheme of arrangement which was terminated after failing to meet certain conditions, but which was subsequently reinstated. A revised binding heads of agreement was executed on 9 June 2020 with the conditions precedent to be satisfied by 31 October 2020.

As the conditions precedent were not going to be satisfied by 31 October 2020, the Bellpac liquidator entered into further negotiations to try and conclude a settlement. As a result of those negotiations, a further deed of settlement was entered into on 30 October 2020 with \$2.76M payable upon obtaining creditors approval and a further \$600,000 payable within six months if WCL opts to buy-back the shares held in WCL.

Creditors approved the revised deed of settlement at a meeting held on 18 November 2020 and \$2.75M was subsequently distributed to the Fund (\$2.5M on 27 November 2020 and \$250k on 11 March 2021).

WCL did not exercise the option to buy back the shares for \$600,000 within the six month period. A rights issue is currently proposed by WCL, which if implemented will dilute Bellpac's shareholding.

### 2.1.4 Claims against guarantors

There is one remaining matter which can be summarised, as follows:

• PTAL as custodian of the FMIF obtained judgment against a guarantor, for approximately \$3 million, plus interest and costs. The trustee in bankruptcy identified potential recoveries for the benefit of creditors of the bankrupt estate, of which the Fund is a major creditor. The bankrupt, along with other parties, contributed land to a development. The land was subdivided, developed and sold, and the net proceeds of sale in the sum of approximately \$12 million was held in a solicitors trust account on an interim basis, protected by certain undertakings given by the solicitor holding the funds. The trustee claimed an entitlement in respect of all or at least a substantial portion of the funds held in the solicitors trust account; however, other parties to the dispute allege that associated entities of the bankrupt are entitled to the funds. I instructed PTAL as custodian of the FMIF to enter into a Deed of Indemnity to fund a public examination



and any agreed recovery proceedings in respect of this matter. A public examination was held in the Federal Court in November 2019. Subsequently, demands were served on several parties. The trustee held two mediations with several parties in relation to the dispute and there were ongoing settlement negotiations which culminated in a settlement being reached on 1 September 2021. The gross return to the bankrupt estate from the settlement will be between \$2,882,181 and \$3,832,181, depending upon the outcome of a taxation objection. The Trustee has estimated that the net return to the bankrupt estate, after deducting AFSA realisations charge, repayment of the funding provided by the FMIF, and the current and former Trustee's unpaid remuneration and expenses, will be approximately \$1,004,711 to \$1,964,161, not including allowances for the Trustee's future remuneration and expenses, or any taxation liabilities arising from the settlement. Under the Deed of Indemnity, the Trustee is required to make an application to Court seeking an order giving the FMIF a priority over other creditors. The amount payable to the FMIF from the bankrupt estate will depend upon the outcome of this application.

### 2.1.5 Liquidators of LMIM (FTI Consulting)

### 2.1.5.1 Remuneration claim and expenses claim

I refer to my previous reports to investors.

The judgement regarding and orders made in relation to FTI's first remuneration claim and indemnity claim are available on the websites <a href="https://www.lmfmif.com">www.lmfmif.com</a> and <a href="https://www.lminvestmentadministration.com">www.lminvestmentadministration.com</a>.

The judgement and orders made with respect to FTI's second remuneration claim are summarised in paragraph 2.1.5.2 of my report to investors dated 31 March 2020.

### 2.1.5.2 Third FTI Remuneration Application

On 12 February 2021, Mr Park filed an application in the Court for approval and payment from the FMIF of his remuneration for the period 1 July 2018 to 31 October 2020 in the sum of \$260,633.12 (including GST), made up of Category 1 remuneration (remuneration that is specifically referrable to the FMIF) of \$182,661.60 (including GST), and Category 2 Remuneration (remuneration that relates to all of the funds of which LMIM is the Responsible Entity and that is apportioned between the relevant funds) of \$77,971.52 (including GST).

The application was heard on 31 May 2021. I did not appear. The Court approved the payment to Mr Park of remuneration of \$243,236.90 (including GST) from property of the FMIF for the period 1 July 2018 to 31 October 2020, made up of Category 1 remuneration of \$170,809.20 (including GST) and Category 2 remuneration of \$72,427.70 (including GST).

### 2.1.5.3 Indemnity claim against the Fund and proof of debt process

The proof of debt process and claims notified to me, or potential claims by LMIM for indemnity from the FMIF, with respect to debts or claims of creditors of LMIM, are summarised in paragraph 2.1.5.3 of my report to investors dated 31 March 2020.

There have been no developments in relation to these indemnity claims since my last report to investors.

### 2.1.5.4 Expenses

On 5 August 2021, FTI informed BDO that the remuneration, and expenses claims by the Liquidator, that had not been submitted to the Court for approval or paid as at 30 June 2021, were as follows:



- Legal costs attributable to FMIF \$183,615.51 (including GST); and
- Remuneration attributable to FMIF \$20,111.30 (including GST).

However, these figures may be subject to change and are subject to Court approval.

It is expected that further remuneration and expenses claims will be made by the Liquidator during the course of the winding up.

### 2.1.5.5 Claim filed against LMIM

The claims made in this proceeding and the key steps to date in the proceeding, are summarised in paragraph 2.1.5.6 of my report to investors dated 19 December 2019. The current status of this claim is that it remains stayed until further order. I will keep investors updated as to any developments in relation to this claim.

### 3. Financial Position of the Fund

The management accounts for the half-year ended 30 June 2021 are available on the website www.lmfmif.com on the page titled 'Financial Statements & Other Key Documents'.

A summary of the financial position of the Fund as at 30 June 2021 is provided below.

Description	30 June 2021
ASSETS	\$
Cash and cash equivalents	27,506,519
Receivables	178,407
TOTAL ASSETS	27,684,926
LIABILITIES	
Payables and accrued expenses	5,031,515
Distributions payable	2,916,039
Total liabilities excluding net assets attributable to unitholders	7,947,554
NET ASSETS	19,737,372

These figures are subject to the disclaimers and qualifications set out in the management accounts.

### 3.1 Fund Assets

The total assets of the Fund as at 30 June 2021 were \$27,684,926.

The balance includes cash at bank of \$27,506,519 and receivables of \$178,407.

### 3.2 Fund Liabilities

The total liabilities of the Fund as at 30 June 2021 were \$7,947,554, consisting of payables of \$5,031,515 and distributions payable of \$2,916,039.

The distributions payable balance is made up of:



- \$1,372,036 relates to distributions that appear to have been declared prior to the date of the Court Receiver's appointment which were not paid, or have not cleared or were returned unclaimed. These liabilities have not been verified and Court approval or directions may be required before any payment is made.
- \$1,544,003 relates to distributions that were returned/unclaimed from the interim capital distribution to investors paid by BDO in October 2019 in accordance with the Court order dated 2 October 2019.

The Payables and accrued expenses balance of \$5,031,515 primarily consists of an accrual in respect of the cost orders for the Director's proceedings, legal fees, receiver's fees and fees and expenses claimed by FTI, which remain unpaid as at 30 June 2021.

Some of these liabilities have not been verified, or may be subject to Court approval being obtained.

### 3.3 Net Assets Attributable to Unit Holders

Net assets attributable to unit holders as at 30 June 2021 were \$19,737,372.

The net assets of the Fund and number of units on issue as at 30 June 2021 and 30 June 2020 is detailed in the table below.

Description	30 June 2021	30 June 2020
Estimated net amount of assets available to investors (\$)	19,737,372	26,907,315
Total investor units (# of units)	492,125,624	492,125,624
Estimated net asset amount per unit available to investors as at period end (cents in the dollar)	4 cents	5.6 cents

The above table does not include the estimated benefit of the Feeder Funds settlement up to the amount of the net amount of assets as at 30 June 2021. Therefore, below is an estimate that includes the benefit of the Feeder Funds settlement up to the amount of the net amount of assets at 30 June 2021.

Description	30 June 2021
Estimated net amount of assets available to investors as at period end (\$)	19,737,372
Benefit of Feeder Fund settlement of amounts withheld	2,549,245
Total investor units (AUD Equivalent as at appointment being 8 August 2013)	492,125,624
Estimated return in the dollar	4.5 cents

If further recoveries are made this will increase the amount due from the Feeder Funds settlement.

Please note that the estimate and prior estimates do not take into account future operating costs and future Receiver's fees or any legal recoveries against borrowers, guarantors or other third parties.



The Feeder Fund settlement will reduce the amount of cash to be paid to the Feeder Funds. Based on the amounts in the above table, I attach at Annexure 1 calculations showing the estimated return to the Feeder Funds, as follows:

Feeder Fund	Estimated return
LM Currency Protected Australian Income Fund ("CPAIF")	2.4 cents
LM Institutional Currency Protected Australian Income Fund ("ICPAIF")	2.4 cents
LM Wholesale First Mortgage Income Fund ("WFMIF")	3.5 cents

These are the amounts that would be paid to the responsible entities of each of the Feeder Funds, the costs and expenses of the Feeder Funds would need to be paid from the net cash that is paid to each of the Feeder Funds before distributions are made to Feeder Fund investors.

### 4. Receipts and Payments of the Fund

All receipts and payments for the Fund since McGrathNicol's appointment on 10 July 2013 until their retirement on 10 December 2018 are on the website <a href="www.lmfmif.com">www.lmfmif.com</a> under Financial Statements & Other Key Documents.

Following McGrath Nicol's retirement and relinquishment of control of the bank accounts, I have taken over responsibility for all receipts and payments and will upload copies of the Receipts and Payments lodged with ASIC to the <a href="https://www.lmfmif.com">www.lmfmif.com</a> website from time to time.

The receipts and payments of the Fund, for the period 1 January 2021 to 30 June 2021 is summarised in the table below.

Description	\$
Receipts	
Interest	100,408
GST received	71,492
Loan Reductions	250,000
Return of unclaimed Interim Capital Distribution to investors	17,741
Total receipts	439,642
Payments	
Bank charges	(432)
Receivers fees and disbursements (BDO)	(1,111,410)
Liquidators fees and disbursements (FTI)	(243,237)
Court Application Expenses	(2,657)



Description	\$
Custodian fees	(11,164)
Legal and other fees	(4,425,465)
IT expenses	(64,285)
Printing and stationary	(12,224)
Record management and storage	(7,341)
Interim Capital Distribution to investors	(2,925)
Total payments	(5,881,140)
Net receipts/(payments)	(5,441,499)

### 5. Investor Information

### 5.1 Estimated Return to Investors

### 5.1.1 Unit Price as at 30 June 2021

The estimated unit price as at 30 June 2021 is 4 cents.

Description	\$
Total Net Value of Fund Assets	19,737,372
Total Number of Units	492,125,624
Unit Price Estimate	4 cents

I attach a copy of a letter confirming the unit price as at 30 June 2021, which may be forwarded to Centrelink to assist with the review of investors' pensions.

### 5.2 Further Distributions to Investors

The Court authorised and empowered me on 2 October 2019 to make an interim capital distribution of 6.5 cents per unit to investors of the LM First Mortgage Income Fund. I confirm the interim distribution was paid to investors in October 2019.

Once the above matters in section 2 have been finalised, I intend to pay, subject to court approval, the final distribution to investors.

### 5.3 Ongoing Reporting to Investors

Reports will be distributed to investors in accordance with the preferred method of correspondence recorded for each investor in the Fund's database. In order to assist in reducing distribution costs, it would be appreciated if investors could nominate an email address as their preferred method to receive correspondence. Investors may update their details as outlined in Section 5.4 below. For those investors that do not have an email address, correspondence will continue to be sent to you via post.



My next report to investors will be issued by 31 December 2021.

### 5.4 Investors Queries

Arrangements are in place to ensure that any reasonable questions asked by members of the FMIF, about the winding up of the FMIF, will be answered within a reasonable period of time (generally seven days) and without charge to the investor.

For any changes to investors details, please review the Useful Forms/Procedures tab on the website www.lmfmif.com which includes information regarding the following procedures:

- Change of Contact Address/Bank Account Details
- Change of Contact Address/Bank Accounts Details of a Deceased Estate
- Change of Trustee of Self-Managed Super Fund
- Transfer of Unit Holding from a Super Fund/ Trustee Company to Personal Name(s)
- Transfer of Unit Holding from a Deceased Estate to a Sole Survivor
- Transfer from a Deceased Estate to a Beneficiary of an Estate

It is a requirement that advisors or other third parties acting on behalf of Unit Holders are doing so pursuant to a relevant Authority/Power of Attorney. Please ensure that a relevant Authority/Power of Attorney accompanies the abovementioned documents as necessary (if an Authority/Power of Attorney has not previously been provided).

It is preferable that all questions about the winding up, or communications are sent via email to <a href="mailto:enquiries@lmfmif.com">enquiries@lmfmif.com</a> with original documents to be mailed as required to:

**BDO** 

GPO Box 457

Brisbane QLD 4001

Phone:

+61 7 3237 5999

Fax:

+61 7 3221 9227

### 6. Receiver's Remuneration and Expenses

There have been fourteen applications to Court to date to approve my remuneration since the date of my appointment on 8 August 2013.

The fifteenth application for the approval of my remuneration for the period 1 November 2020 to 30 April 2021 was heard by the Court on 13 August 2021. The Court ordered that my remuneration claim for this period be fixed in the amount of \$1,383,829.15 (inclusive of GST), in relation to my role as the person responsible for ensuring the FMIF is wound up in accordance with its constitution.

A copy of all documentation in relation to my applications can be found on the website www.lmfmif.com.

In addition to the remuneration previously approved, I calculate that, on a time basis, I have incurred further remuneration of \$629,940.00 (exclusive of GST) plus disbursements of \$4,143.56 (exclusive of GST) from 1 May 2021 to 30 August 2021 as detailed in the attached summary.



### 6.1 Actions taken during the Period

I provide below a summary of actions taken during the period from 1 January 2021 to 30 June 2021:

- Work undertaken in relation to the litigation matters detailed at Section 2.1 of this report;
- Maintaining the financial records of the Fund and preparation of management accounts for the half-year ended 31 December 2020 and the year ended 30 June 2021;
- Undertaking the investor management function for approximately 4,600 investors including
  answering queries on the winding up of the Fund and maintaining the investment database,
  including any change in details or transfer of units;
- Preparing affidavit and supporting material for an application to Court for approval of the receiver's remuneration for the period 1 November 2020 to 30 April 2021;
- Attending to compliance with ASIC's grant of relief from the requirements of a half year review and annual audit of the financial reports and compliance plan;
- Preparation of unit price calculations as at 31 December 2020 and 30 June 2021; and
- Preparation of update reports to investors in March 2021 and June 2021.

### 6.2 Proposed actions to be taken in the next 12 months

I provide below a summary of the proposed actions to be taken in the next 12 months in relation to the winding up of the Fund:

- Take steps to progress the various ongoing litigation matters outlined in this report;
- Continue to monitor progress of and assist the Bellpac liquidator to achieve finalisation of the recovery in the \$8M bonds claim;
- Receive and then resolve or have determined FTI's foreshadowed further indemnity claim against the Fund;
- Maintain the accounts of the Fund and prepare management accounts for the half-year ending
   31 December 2021 and year ending 30 June 2022;
- Maintain the investor management database;
- Report to investors on a quarterly basis; and
- Make applications to Court for remuneration approval.

Please note that the timing to finalise some of the above matters will be subject to the progress of court proceedings.

### 6.3 Key actions required to complete the winding up of the Fund

I provide below a summary of the key actions required to complete the winding up of the Fund:

- Finalise all litigation currently on foot;
- Resolve or have determined FTI's further remuneration or indemnity claims against the Fund;
- Discharge all liabilities of the Fund;
- Obtain approval from the Court to process a final distribution to investors;



- Prepare final accounts for the Fund;
- Arrange for an auditor to audit the final accounts of the Fund after the Fund is wound up; and
- Obtain court orders in relation to the finalisation of my role in relation to the Fund.

The completion of the winding up of the Fund will largely be dependent on the finalisation of the EY proceedings. I am required by the conditions of the ASIC relief to make an estimate of the expected time to complete the winding up. My best estimate of the timing to complete the winding up on the available information is between nine months (if a settlement is reached with EY pre-trial) and if the trial proceeds it will depend on a number of matters including the dates for the trial and time to hand down judgement. It could be further delayed if an appeal was lodged.

There are a number of variables, including some highlighted above, which may affect the timing taken for completion of the winding up. The main variable is the timeframe for resolution or determination of the EY Proceeding. In this regard, I note that timing for the trial of the EY proceeding is presently uncertain because trial dates have not yet been allocated and may depend on a number of factors, many of which are not within my control, including those identified in section 2.1.2 above.

### 7. Queries

Should unit holders wish to advise of any changes in details or require further information, please contact BDO as follows:

**BDO** 

GPO Box 457

Brisbane QLD 4001

Phone: +61 7 3237 5999

Fax: +61 7 3221 9227

Email: enquiries@lmfmif.com

Yours sincerely

David Whyte Receiver



ANNEXURE 1
ESTIMATED RETURN TO FEEDER FUNDS

		Furth	Further Estimated Return to Feeder Funds as at 30 June 2021	der Funds as at 30 June 2	2021
Feeder Fund	Number of Units	Distribution (\$)	Amounts withheld (\$)	Net Amount Paid (\$)	Net Cents per Unit
CPAIF	120,702,630	4,840,944	1,936,378	2,904,567	2.4
ICPAIF	9,350,802	375,027	150,011	225,016	2.4
WFMIF	99,488,929	3,990,140	462,856	3,527,284	3.5
Total	229,542,361	9,206,111	2,549,245	6,656,867	



REMUNERATION REPORT - Summary of professional fees by category of work for the period 1 May 2021 to 31 August 2021

# LM First Mortgage Income Fund (Receiver Appointed)

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TO THE PARTY OF TH					Assets	ets	Creditors	STO	Trade On	On	Divídends	spc	Administration	ration
Employee	Position	Rate	hrs	S	hrs	S	흈	\$	hrs	s	hrs	S	hrs	\$
Georgia Griffin	Associate	589	1.0	685.00					1.0	685.00				
Clark Jarrold	Partner	929	30.3	19,695.00	30.3	19,695.00								
David Whyte	Partner	635	281.8	178,943.00	250.9	159,321.50	1.3	825.50	2.7	1,714.50			26.9	17,081.50
Gerry Collins	Partner	635	39.2	24,892.00									21.7	13,779.50
Georgia Griffin	Associate	009	2.0	1,200.00					2.0	1,200.00				
Charles Haines	Associate	540	74.8	40,392.00	48.1	25,974.00	17.8	9,612.00					8.0	4,320.00
Alastair Raphael	Associate	540	192.8	104,112.00	192.8	104,112.00								
Arthur Taylor	Senior Manager	515	108.7	55,980.50	105.1	54,126.50			3.6	1,854.00				
Jayden Coukton	Senior Manager	515	4.5	2,317.50	0.2	103.00	3.0	1,545.00					1.3	669.50
Antoinette Fielding	Senior Accountant	380	2.0	760.00	2.0	760.00								
Ryan Whyte	Senior Accountant	340	363.5	123,590.00	186.5	63,410.00	115.4	39,236.00	57.5	19,550.00			4.1	1,394.00
Antoinette Fielding	Senior Accountant	340	4.0	1,360.00	4.0	1,360.00								
Jordan Devery	Accountant	285	113.3	32,290.50	9.5	2,707.50	90.6	25,821.00	4.0	1,140.00	7.8	2,223.00	1.4	399.00
Liam Landrigan	Graduate Accountant	230	2.0	460.00			2.0	460.00						
Jacques de Wet	Graduate Accountant	230	113.1	26,013.00			113.1	26,013.00						
Sarah Cunningham	Accounting Assistant	230	9.8	2,254.00									8*6	2,254.00
Nigel Wenck	Graduate Accountant	230	44.7	10,281.00			44.7	10,281.00						
Bevan Dias	Graduate Accountant	230	0.2	46.00									0.2	46.00
Laura Hagi	Professional Services Support	185	2.7	499.50				33					2.7	499.50
Moira Hattingh	Professional Services Support	110	37.9	4,169.00									37.9	4,169.00
		TOTALS	1,428.3	629,940.00	829.4	431,569.50	387.9	113,793.50	70.8	26,143.50	7.8	2,223.00	114.0	44,612.00
		1891	CST	62,994.00										
CANCEL OF THE PARTY OF THE PART		TOT	TOTAL INC GST	692,934.00										
NO SOUTH AND SOUTH	では ないには かけい	VERAGE HO	AVERAGE HOURLY RATE	441		520		293		369		285		391

Note: All amounts exclude GST unless otherwise noted



# Disbursements for the period 1 May 2021 to 31 August 2021

# LM First Mortgage Income Fund (Receiver Appointed)

Expense Type	Amount (\$ ex GST)
	3,096.34
	1,047.22
	4,143.56
	414.36
TOTAL INC GST	4,557.92



Tel: +61 7 3237 5999 Fax: +61 7 3221 9227 www.bdo.com.au Level 10, 12 Creek St Brisbane QLD 4000 GPO Box 457 Brisbane QLD 4001 Australia

30 September 2021

### TO WHOM IT MAY CONCERN

LM FIRST MORTGAGE INCOME FUND (RECEIVER APPOINTED)
ARSN 089 343 288 ('the Fund' or 'FMIF')

I refer to my appointment as the Receiver of the Fund's assets and the person responsible for ensuring the winding up of the Fund in accordance with the terms of its constitution by Order of the Supreme Court of Queensland on 8 August 2013.

I provide an update on the estimated unit price of the fund as at 30 June 2021, calculated as follows:

Description	\$
Total Value of Fund Assets as at 30 June 2021	27,684,926
Less Creditors and Other Payables	7,947,554
Total Net Value of Fund Assets	19,737,372
Total Number of Units	492,125,624
Unit Price Estimate	4 cents

Should you have any queries in respect of the above, please contact my office on (07) 3237 5999 or <a href="mailto:enquiries@lmfmif.com.au">enquiries@lmfmif.com.au</a>.

Yours faithfully,

David Whyte Receiver Macquarie Investment Management Australia Limited

ABN 55 092 552 611
AFS Licence Number 238321
A Member of the Macquarie Group of Companies

50 Martin Place SYDNEY NSW 2000 AUSTRALIA

Telephone

1800 814 523 (Australia) (61 2) 8245 4900 (International)

Facsimile Website (61 2) 8232 4730 macquarie.com

Royal Exchange NSW 1225

AUSTRALIA

PO Box R1723

RUSTRALIA

30 September 2021

Robert & Yvonne Manning ATF Manning Superannuation Fund The Glades 847 Legend Trail ROBINA QLD 4226



Dear Investor

### 2021 Annual Audited Financial Report - Arrowstreet Global Equity Fund

Please find enclosed the 2021 annual audited financial report for your investment in the Fund.

Annual financial reports of the Fund for the latest completed financial year will be available no later than 3 months after the end of financial year of the Fund from our website, macquarie.com or on request.

Should you wish to unsubscribe from this mail-out please contact Macquarie Investment Management Client Service on 1800 814 523 (within Australia) or (61 2) 8245 4900 Monday to Friday 8.30am – 5.30pm (Sydney time).

Yours sincerely

**Macquarie Investment Management Australia Limited** 

**Graham Maiden** 

Head of Client Service Macquarie Asset Management

Macquarie Investment Management Australia Limited is not an authorised deposit-taking institution for the purposes of the Banking Act 1959 (Cwth), and its obligations do not represent deposits or other liabilities of Macquarie Bank Limited ABN 46 008 583 542 (**MBL**). MBL does not guarantee or otherwise provide assurance in respect of the obligations of Macquarie Investment Management Australia Limited.



## RESOLUTION

Mr Robert & Ms Yvonne Manning ATF Manning Superannuation Fund 847 Legend Trail The Glades **ROBINA QLD 4226** AUSTRALIA

7 September 2021

Investor No. 28244806

### **Resolution Capital Limited Monthly Statement**

For period ending 31 August 2021

TFN, ABN or exemption Notification Status: Received.

Important Note

This transaction may have specific tax implications for you. We recommend you seek advice from your financial and/or tax advisor. Please retain this statement for tax purposes.

Note: The unit price is the entry price for applications and the exit price for redemptions.

EnquiriesImportant Note

This transaction may have specific tax implications for you. We recommend you seek advice from your financial and/or tax advisor. Please retain this statement for tax purposes.

Unit Price

Note: The unit price is the entry price for applications and the exit price for redemptions.

If you require any further information regarding your investments with Resolution Capital Limited, please:

Visit our website at www.rescap.com

Call us during business hours on 1300 010 311

Email us at service@pinnacleinvestment.com

Complaints Resolution

We are committed to providing the highest level of services and products to our clients. However, if you are dissatisfied with our services or products please feel free to lodge a complaint. You can do so by contacting us:

By mail: PO Box R1313 Royal Exchange NSW 1225 By email: Risk.Compliance@pinnacleinvestment.com By phone: 1300 360 306

If your complaint has not been resolved through our internal dispute resolution process, you can lodge your complaint with the Australian Financial Complaints Authority (AFCA). AFCA is the external dispute resolution scheme established by the Commonwealth Government to deal with complaints about financial services providers from individuals and small businesses. AFCA's services are provided at no cost to you. AFCA's contact details are as outlined below.

Australian Financial Complaints Authority

Phone: 1800 931 678

Email: info@afca.org.au Postal Address: Australian Financial Complaints Authority GPO Box 3 MELBOURNE VIC 3001

Important Information

Pinnacle Fund Services Limited (ABN 29082494362) (AFSL 238371) and its related entities distributing this document and each of their respective directors, officers and agents believe that the information contained in this document is correct and that any estimates, opinions, conclusions, or recommendations contained in this document are reasonably held or made at the time of compilation. However, no warranty is made as to the accuracy or reliability of any estimates, opinions, conclusions, recommendations (which may change without notice) or other information contained in this document and to the maximum extent permitted by law, Pinnacle Fund Services Limited disclaims all liability and responsibility for any direct or indirect loss or damage which may be suffered by any recipient through relying on anything contained in or omitted from this document.



# RESOLUTION CAPITAL

041/3205/

Mr Robert & Ms Yvonne Manning ATF Manning Superannuation Fund 847 Legend Trail The Glades ROBINA QLD 4226 AUSTRALIA

7 September 20	021	
Investor No.	28244806	

### **Resolution Capital Limited Monthly Statement**

For period ending 31 August 2021

### Summary of your investments as at 31 August 2021

Portfolio Name	Units	Units		Market Value	
Resolution Capital Global Property Securities Fund - Class A	16,218.8463	AUD	1.9793	32,101.96	

Details of your transactions for the period 03 August 2021 to 31 August 2021

### Resolution Capital Global Property Securities Fund - Class A

Effective Date	Description		Amount	Unit Price	Number Of Units	Unit Balance
03-Aug-21	Opening Balance	AUD	31,428.88	1.9378		16,218.8463
31-Aug-21	Closing Balance	AUD	32,101.96	1.9793		16,218.8463





11 September 2021

Mr R & Mrs Y Manning ATF Manning Superannuation Fund Attn:Mr R Manning 847 Legend Trail THE GLADES ROBINA QLD 4226 Investor Number: 009558

### **Redemption Confirmation**

### **Pendal Smaller Companies Fund**

Your redemption in the above fund with Pendal Fund Services Limited has been completed. We confirm the details of your redemption below.

### **Redemption Details**

Redemption	Redemption	Redemption	Net Redemption	Redemption	Units	Unit
Date	Amount (\$)	Fee (\$) *	Amount (\$)	Price (\$)	Redeemed	Balance
09-09-2021	64,556.25	0.00	64,556.25	2.4271	26,598.10	0.00

<sup>\*</sup>Please refer to the Information Memorandum or Product Disclosure Statement for applicable fees.

Payment Method	Bank	A/C Name	BSB	Account No
Direct Credit	Macquarie Bank Limited	MANNING S/F	182-512	******415

### Tax File Number TFN / ABN Advised

Mr R & Mrs Y Manning ATF Manning Superannuation Fund

Yes

Should you have any questions regarding this statement please contact our Unit Registry Office on 1300 346 821 or by email: pendal@mainstreamgroup.com.

Please send all mail correspondence to Mainstream Fund Services Pty Ltd at GPO Box 4584, Sydney NSW 2001

189.5163 202.7164

7.8928

13U

Correspondence to:

### 12 August 2020

Mr Robert Manning & Mrs Yvonne Manning ATF Manning Superannuation Fund 847 Legend Trail The Glades ROBINA QLD 4226

Other taxable Australian income

Total Non-primary production income

AMIT cost base net amount - excess\* (reduction in cost base)

Attribution Managed Investment Trust Member Annual Statement for the year ended 30 June 2020

APN AREIT Fund | (ARSN 134 361 229) Investor number: AREIT02258 Part A: Your details Australian tax file number (TFN) Provided Country of tax residency Australia Part B: Summary of 2020 tax return (supplementary section) items Tax return for individuals (supplementary section) Total amount (\$) Tax return Share of net income from trusts, including unfranked dividends less net capital 13U 202.7164 gains, foreign income and franked distributions Franked distributions from trusts 13C 26.3103 Share of franking credit from franked dividends 13Q 7.8928 Share of credit for tax file number amounts withheld from unit trust distributions 13R 18A Total current year capital gains (grossed up amount) 18H Assessable foreign source income 20E 9.1861 Other net foreign source income 20M 9.1861 Foreign income tax offsets 200 1.3778 Part C AMMA: Components of an Attribution Table 1: Australian income Attribution (\$) Tax Paid (\$) Interest 13.1181 Dividends - unfranked amount 0.0814

Dividends: Franked amount (grossed up) (Franked distributions)	13C / 13Q	26.3103
Table 2: Capital gains		Attribution (\$)
Capital gains discount - Taxable Australian property		==
Capital gains discount - Non-Taxable Australian property		
Capital gains other - Taxable Australian property		::
Capital gains other - Non-Taxable Australian property		22
Net capital gain	18A	
AMIT CGT gross up amount		
Total capital gains	18H	TEN

Table 3: Foreign income		Attribution (\$)	Tax offset (\$)
Other net foreign source income	20M / 20O	9.1861	1.3778
Assessable foreign source income	20E	9.1861	
Total foreign income (C)		9.1861	1.3778
Table 4: Other non-attributable amounts (includes tax-deferred)		Amount (\$)	
Other non-attributable amounts (includes tax-deferred)*		374.2984	
Table 5: Cash distribution details		Amount (\$)	
Gross cash distribution		603.2400	
TFN amounts withheld	13R	÷+++	
Net cash distribution		603.2400	
Table 6: Cost base details		Amount (\$)	

AMIT cost base net amount - shortfall\* (increase in cost base) -Please retain this statement for income tax purposes. A guide to your 2020 return information is enclosed for your information.

<sup>\*</sup> Tax-free amounts and tax-deferred amounts (including returns of capital) are included in Other non-attributable amounts and reflected in the calculation for AMIT cost base net amount – excess or shortfall shown in Table 6.

# Rural Funds Group | ASX:



10227\_5849

MR ROBERT MANNING & MRS YVONNE MANNING <MANNING SUPER FUND A/C> 847 LEGEND TRIAL THE GLADES **ROBINA QLD 4226** 

**Rural Funds Management Ltd** ABN 65 077 492 838 AFSL 226701

Level 2, 2 King Street Deakin ACT 2600 Locked Bag 150 Kingston ACT 2604

02 6203 9700

02 6281 5077

management@ruralfunds.com.au

www.ruralfunds.com.au

### **Rural Funds Group Stapled Securities Fully Paid**

**Unitholder Name:** 

MR ROBERT MANNING & MRS YVONNE MANNING

Reference Number:

S00041393998

### Attribution Managed Investment Trust Member Annual Statement for the year ended 30 June 2020

This statement assumes that you are an Australian resident individual unitholder. We recommend that if this is not applicable or your situation is unusual or complex that you seek professional advice.

Summary of 2020 Tax Return (supplementary section) Items					
Tax Return (supplementary section)	Amount (\$) <sup>1</sup>	Tax Return Label			
Share of non-primary production (NPP) income	1,038.78	13U			
NPP income - Franked distributions from trusts <sup>2</sup>	0.00	13C			
Other deductions relating to NPP distributions	0.00	13Y			
Share of franking credit from franked dividends	0.00	13Q			
Share of credit for TFN amounts withheld	0.00	13R			
Share of credit for non-resident withholding amounts withheld	0.00	13A			
Total current year capital gains	317.34	18H			
Net capital gain	158.67	18A			
Assessable foreign source income	0.00	20E			
Other net foreign source income	0.00	20M			
Foreign income tax offsets <sup>3</sup>	0.00	200			

Please see reverse for detailed components of the distribution.



Co	mponents of Distribut	ion	
	Cash Distribution (\$)	Tax Paid/Offsets (\$) (E)	Attribution Amount (\$
Australian Income			
Dividends – Unfranked	839.70		839.70
Conduit Foreign Income	0.00		0.00
nterest	0.90		0.90
Other income	0.00		0.00
NCMI – Non primary production	198.18		198.18
Excluded from NCMI – Non primary production	0.00		0.00
lon-Primary Production Income (A)	1,038.78		1,038.78
Dividends: Franked amount (Franked Dist) (X)	0.00	0.00	0.00
Capital Gains			
Discounted capital gain (TAP)	158.67	0.00	158.67
Discounted capital gain (NTAP)	0.00	0.00	0.00
Capital gains – Other method (TAP)	0.00	0.00	0.00
Capital gains – Other method (NTAP)	0.00	0.00	0.00
NCMI capital Gains	0.00		
Excluded from NCMI capital gains	0.00		
let Capital Gain	158.67	0.00	158.67
AMIT CGT Gross up amount			158.67
Other capital gains distribution	0.00		
otal current year capital gains (C)	158.67	»."	317.34
Foreign Income			
Assessable foreign source income	0.00	0.00	0.00
Total foreign income (D)	0.00	0.00	
Cash Distribution Sub Total (A+X+C+D)	1,197.45		
Other Non-Assessable Amounts			
Net exempted amounts	0.00		E 00
Non-assessable non-exempt amounts (F)	0.00		
Other non-attributable amounts	227.87		
Gross Cash Distribution (G)	1,425.32	=	
Attribution Managed Investment Trust (AMIT)	Amounts (\$)		
AMIT cost base net amount – excess (decrease)	69.20	<u> </u>	
AMIT cost base net amount – shortfall (increase)	0.00		
Other amounts deducted from trust distributions	Amounts (\$)		
ess: TFN amounts withheld	0.00		
_ess: Non-resident withholding tax	0.00		
ess: Other expenses	0.00		
- Net Cash Distribution	1,425.32		N

### Notes:

- 1-2-3.
- All amounts are in Australian dollars and withholding tax has been deducted where applicable.
  Trustees may choose to show the franked distributions at label 13C rather than at label 13U.

  If your total foreign income tax offset from all sources for the year is \$1,000 or less, then you can claim this amount in full. Otherwise you will need to refer to the publication Guide To Foreign Income Tax Offset Rules (NAT 72923) to work out your entitlement.





\$1-041-1000

MANNING SUPERANNUATION FUND 847 Legend Trail The Glades ROBINA QLD 4226 **Enquiries:** 

1800 671 849

Registered Address:

105-153 Miller Street North Sydney NSW 2060

Web:

antarescapital.com.au

**Enquiries Email:** 

investorservices@antaresequities.com.au

Responsible Entity: Antares Capital

Partners Ltd

ABN 85 066 081 114

AFSL 234483

Investment Manager: Antares Capital

Partners Ltd

Page 1 of 2

**Date** 17 July 2020

Financial Adviser
Mr Ross Rickard
PO Box 5580
GOLD COAST MC QLD 9726
Australia

### AMIT Member Annual Statement Antares Elite Opportunities Fund - Professional Selection (PPL0115AU) 01 July 2019 to 30 June 2020

Dear Mr & Mrs Manning

Please find below the Attribution Managed Investment Trust Member Annual (AMMA) Statement for the year ended 30 June 2020 for your investment in the Antares Elite Opportunities Fund - Professional Selection.

The following tax return items are valid for Australian resident individual unitholders only.

Please note that the Responsible Entity is not a registered tax agent. Investors should be aware that the Australian tax legislation is highly complex and subject to frequent change, both prospectively and retrospectively. We recommend investors consider seeking professional tax advice when assessing the appropriateness of any tax information, as your individual circumstances and any elections or decisions that you may make in applying the tax law may alter the tax outcomes. This includes your entitlement to claim franking credits and foreign income tax offsets and the application of the Taxation of Financial Arrangements (TOFA) rules to your investment. The ATO's individual tax return instructions may also help you complete your tax return. Please visit ato.gov.au for more information.

If any of the details in Part A are incorrect, update your details by contacting the Client Services team on 1800 671 849 or complete a Change of Details Form available at antarescapital.com.au.

Part A: Your Details
Investor Name
ROBERT & YVONNE MANNING ATF MANNING SUPERANNUATION FUND

Investor Number 3001483191

**Account Holder Name** 

MANNING SUPERANNUATION FUND

TFN/ABN Supplied Investor Type Trust Tax Residence Australia Overseas Tax ID No Not Provided

Part B Tax Return (Supplementary Section)	Summary of t (supplementary s	
	Amount (\$)	Tax return label
Non-primary production income	37.03	13U
Franked distributions from trusts	494.38	13C
Franking credits	180.92	13Q
Assessable foreign source income	15.33	20E
Other net foreign source income	15.33	20M
Foreign income tax offsets*	3.52	200

<sup>\*</sup>To work out your foreign income tax offset (FITO) entitlement, see "20 Foreign source income and foreign assets or property" or the Guide to foreign income tax offset rules on www.ato.gov.au.

Part C Components of an attribution	Cash distribution (\$)	Tax paid or tax offsets Gross Up (\$)	Attribution/Amount (\$)
Australian Income		=	
Dividends: unfranked amount - MIT	8.69	0.00	8.69
Unfranked dividends conduit foreign income	26.84	0.00	26.84
Interest (subject to non-resident WHT)	1.50	0.00	1.50
Non-primary production income	37.03	0.00	37.03
Dividend: Franked amount (Franked distributions)	313.46	180.92	494.38
Foreign Income			
Other Net Foreign Source Income	11.81	3.52	15.33
Assessable net foreign income	11.81	3.52	15.33
Total foreign income	11.81	3.52	15.33
Tax Offset		Amount (\$)	
Franking credit tax offset		180.92	
Foreign income tax offset		3.52	
Total tax offset		184.44	
Other Non-Assessable Amounts	Cash distribution (\$)	Attribution amount (\$)	
Gross cash distribution	362.30		
Other Deductions From Distributions			
Net cash distributions	362.30		
Non-resident Reporting	Attribution/Amount (\$)	Tax paid (\$)	
Non-resident withholding amount	10.19	0.00	

Note: Non-resident Reporting section

Please disregard this section if you are an Australian resident for the entire year.

Note: Managed Investment Trust Fund Payment

If you were a non-resident at any time during the financial year, the Fund Payment disclosed for the purposes of Subdivision 12-H of the Taxation Administration Act 1953 is on the assumption that you were a non-resident for the entire financial year.

If Managed Investment Trust withholding tax is applicable to your investment, this is the sum of the amounts withheld from fund payments made for the year ended 30 June pursuant to Subdivision 12-H and Subdivision 12A-B of Schedule 1 of the Taxation Administration Act 1953.

Note: Non-concessional MIT income (NCMI)

The disclosures relating to NCMI, Excluded from NCMI (ExNCMI) and Clean Building MIT income (CBMI) in this statement can facilitate investors who are subject to fund payment withholding obligations.

### Any questions?

Please contact our Client Services team on 1800 671 849 Monday to Friday, between 8:30am and 6pm (AEST) or email investorservices@antaresequities.com.au, quoting your Account Number.

For more information about Antares Equities investment funds, please visit antarescapital.com.au.

Yours sincerely,

Debra Goundrey

Head of Investor Relations & Client Services

Antares Capital Partners Ltd