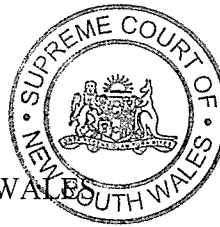


FILED

24 MAR 2017



IN THE SUPREME COURT OF NEW SOUTH WALES
EQUITY DIVISION
SYDNEY REGISTRY

No 107316 of 2016

**IN THE MATTER OF PRIMESPACE PROPERTY INVESTMENT LIMITED
(IN LIQUIDATION)**
ACN: 107 345 317

SHAUN ROBERT FRASER
First Plaintiff

ANTHONY GREGORY MCGRATH
Second Plaintiff

PRIMESPACE PROPERTY INVESTMENT LIMITED (IN LIQUIDATION)
ACN: 107 345 317
Third Plaintiff

INTERLOCUTORY PROCESS

A. DETAILS OF INTERLOCUTORY APPLICATION

This interlocutory application is made under section 511 of the *Corporations Act 2001* (Cth) (**Corporations Act**), section 63 of the *Trustee Act 1925* (NSW) (**Trustee Act**) and the inherent jurisdiction of the Court.

The First and Second Plaintiffs (**Liquidators**) are the joint and several liquidators of the Third Plaintiff, PrimeSpace Property Investment Limited (**PPIL**). PPIL is the trustee of the PrimeSpace Northbourne Trust (**PSNT**) and responsible entity of the Prime Access Property Fund (**PAPF**).

On the facts stated in the supporting affidavits, the Plaintiffs apply for the following interlocutory relief:

Litigation directions

- 1 Directions pursuant to section 511 of the Corporations Act and section 63 of the Trustee Act as to the exercise of the Liquidators' powers and functions as liquidators of PPIL in relation to:

Filed for the Plaintiffs by:	Telephone:	+61 2 8274 9555
Antonietta Vozzo	Facsimile:	+61 2 8274 9500
Johnson Winter & Slattery	Email:	eve.thomson@jws.com.au
Level 25, 20 Bond Street, Sydney, NSW 2000	Reference:	B6870

DocID: 71794375_1

- (a) PPIL's role in proceeding numbered 120251 of 2016 issued in this Court by Canberra Finance Group Pty Ltd in (**CFG Proceedings**), including the bringing of any cross-claims by PPIL in the CFG Proceedings, subject to any orders made by the Court in those proceedings; and
- (b) the commencement by PPIL of proceedings against its former solicitors, Meyer Vandenberg, in relation to the circumstances in which PPIL in its capacity as responsible entity of PAPF issued convertible notes pursuant to Convertible Note Subscription Agreements during 2011.

Costs of application

- 2 An order that the Plaintiffs' costs of and incidental to this application be costs in the winding up of PPIL, with:
 - (a) the costs of and incidental to paragraph 1(a) be paid from the assets of PSNT; and
 - (b) the costs of and incidental to paragraph 1(b) to be paid from the assets of PAPF.
- 3 Such further or other orders as the Court sees fit.

Date: 24 March 2017

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Antionietta Vozzo of Johnson Winter & Slattery
Solicitor for the Plaintiffs
BY HER PARTNER, DOUGAL ROSS

This interlocutory application will be heard by
at the Supreme Court of New South Wales at the Law Courts Building, Queens Square,
Sydney, New South Wales at9:00..... am/pm on
.....30 MARCH 2017.....

B. NOTICE TO RESPONDENT

Not applicable.

C. FILING

This interlocutory process is filed by Antonietta Vozzo of Johnson Winter & Slattery,
solicitor for the Plaintiffs.

D. SERVICE

The Plaintiffs' address for service is:

**Johnson Winter & Slattery
Level 25
20 Bond Street
SYDNEY NSW 2000**

Attn: Eve Thomson

It is intended to serve a copy of this interlocutory process on: N/A.