

IN THE FEDERAL COURT OF AUSTRALIA

DISTRICT REGISTRY

NOTICE OF FILING AND HEARING

This application was filed electronically in the Federal Court of Australia on

CASE DETAILS

Case Number:

Case Description:

District Registry:

Time and date for hearing:

Place:



Warwick Soden

Dated:

Registrar

Note

This Notice forms part of the application and contains information that might otherwise appear elsewhere in the application. The Notice must be included in the application served on each party to the proceeding.



**Form 27
(Order 19 rule 2)**

**IN THE FEDERAL COURT OF AUSTRALIA
VICTORIA DISTRICT REGISTRY**

No. VID 627 of 2009

On appeal from the Federal Court of Australia

IN THE MATTER OF:

**OPES PRIME STOCKBROKING LIMITED
(RECEIVERS AND MANAGERS APPOINTED)
(IN LIQUIDATION)
ACN 086 294 028**

and

**LEVERAGED CAPITAL PTY LTD
(RECEIVERS AND MANAGERS APPOINTED)
(IN LIQUIDATION)
ACN 097 720 495**

and

**HAWKSWOOD INVESTMENTS PTY LTD
(RECEIVERS AND MANAGERS APPOINTED)
(IN LIQUIDATION)
ACN 098 040 683**

and

**OPES PRIME GROUP LIMITED
(RECEIVERS AND MANAGERS APPOINTED)
(IN LIQUIDATION)
ACN 120 372 223**

**BETWEEN: ROBERT FOWLER
Applicant**

**AND: JOHN ROSS LINDHOLM, ADRIAN LAWRENCE
BROWN AND PETER DAMIEN McCLUSKEY**

NOTICE OF MOTION

(Order 19 rule 2)

Filed on behalf of Merrill Lynch International (ARBN 125 336 567) and Merrill Lynch International (Australia) Limited (ACN 002 892 846)

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Merrill Lynch International (ARBN 125 336 567) and Merrill Lynch International (Australia) Limited (ACN 002 892 846) (**Merrill Lynch**) will at 10.15 am on 3 September 2009 at Commonwealth Law Centre, 1 William Street, Melbourne VIC move the Court for orders:

1. That Merrill Lynch be granted leave to appear and to be heard at the hearing of the Applicant's application for leave to appeal and any appeal on 3 September 2009 at 10.15 am and at any further hearing in relation to that application or appeal.
2. Such further as the Court thinks fit.

To: the Applicant
c/o John M Barbouttis
Suite 515, Eastpoint Tower
180 Ocean Street
Edgecliff NSW 2027

Dated **28 August 2009**

A handwritten signature in black ink, appearing to read 'Andrew Carter', written over a horizontal line.

Andrew Carter

Solicitor for Merrill Lynch International
(ARBN 125 336 567) and Merrill
Lynch International (Australia) Limited
(ACN 002 892 846)