

IN THE HIGH COURT OF AUSTRALIA
SYDNEY REGISTRY

No. S256 of 2018

BETWEEN:



Glencore International AG
First Plaintiff

Glencore Investment Pty Ltd
Second Plaintiff

Glencore Australia Holdings Pty Ltd
Third Plaintiff

Glencore Investment Holdings Australia Ltd
Fourth Plaintiff

and

Commissioner of Taxation of the Commonwealth of Australia
First Defendant

Neil Olesen, Second Commissioner of Taxation
Second Defendant

Mark Konza, Deputy Commissioner of Taxation
Third Defendant

PLAINTIFFS' CHRONOLOGY

Part I: Certification

The plaintiffs certify that this chronology is in a form suitable for publication on the internet.

Filed on behalf of the Plaintiffs

Date of this document: 11 December 2018

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Part II: List of principal events

Date	Event	Reference
1995 - present	The plaintiffs engaged Appleby (Bermuda) Limited (Appleby) to provide legal advice to them from time to time.	Amended Statement of Claim filed 1 November 2018 (ASOC) at [7] (DB 83).
October 2014	King & Wood Mallesons (KWM) engaged Appleby on behalf of the plaintiffs to provide legal advice in relation to “Project Everest”.	ASOC at [8] (DB 83).
By November 2017	The defendants obtained the documents known as the “Paradise Papers”, which included copies of documents held by Appleby that were created for the sole or dominant purpose of Appleby providing legal advice to the plaintiffs (Glencore Documents).	ASOC at [9] (DB 84).
23 November 2017	A meeting took place between officers of the plaintiffs and officers of the Australian Tax Office (ATO). The ATO officers acknowledged that they possessed some Glencore documents relating to Project Everest. The plaintiffs’ representative asserted that those documents were subject to legal professional privilege.	ASOC at [11(a)] (DB 85).
6 December 2017	KWM wrote to an officer of the first defendant on behalf of the plaintiffs, asserted privilege over the Glencore Documents, and requested the return of the documents and that the first defendant provide an undertaking not to refer to or rely upon them.	ASOC at [11(b)] (DB 85).
17 May 2018	An officer of the first defendant responded to the letter of 6 December 2017 and declined to return the Glencore Documents or provide the undertaking requested.	ASOC at [12(a)] (DB 85).

30 May 2018	KWM responded to the letter of 17 May 2018 and requested a list of the documents in the possession of the first defendant.	ASOC at [12(b)] (DB 86) .
4 June 2018	An officer of the first defendant responded to the letter of 30 May 2018 and again declined to return the documents or to provide the undertaking sought.	ASOC at [12(c)] (DB 86) .
27 September 2018	The plaintiffs commenced these proceedings by Writ of Summons.	

Dated: 11 December 2018



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