

BETWEEN

PT BAYAN RESOURCES TBK

Appellant

and



BCBC SINGAPORE PTE LTD

First Respondent

KANGAROO RESOURCES LIMITED

Second Respondent

ATTORNEY-GENERAL OF WESTERN AUSTRALIA

Third Respondent

### APPELLANT'S CHRONOLOGY

#### Part I: Internet

The appellant certifies that this chronology is in a form suitable for publication on the Internet.

#### Part II: Chronology

Date	Event	Appeal Book reference
7 June 2006	Binderless Coal Briquetting Co Ltd ( <b>BCBC</b> ) and Bayan International Pty Ltd ( <b>BI</b> ) entered into a Joint Venture Deed for the establishment an Indonesian joint venture company PT Kaltim Supacoal ( <b>KSC</b> ). BCBC owned 51% of the shares in KSC and BI owned 49%.	
11 January 2007	KSC incorporated in Indonesia pursuant to the Joint Venture Deed.	
11 June 2009	Deed of novation entered into whereby BCBC Singapore Pte Ltd ( <b>BCBCS</b> ) acquired the 51% interest in KSC from BCBC and PT Bayan Resources Tbk ( <b>Bayan</b> )	

Date	Event	Appeal Book reference
	acquired the 49% interest from BI.	
13 June 2011	Bayan acquires 1,925,000,000 shares in Australian company Kangaroo Resources Limited ( <b>KRL</b> ).	
13 December 2011	Bayan issued a default notice alleging that BCBCS had breached its obligations under the Joint Venture Deed.	
27 December 2011	Writ of Summons filed in the High Court of Singapore by BCBCS and BCBC against Bayan and BI alleging breaches of the KSC Joint Venture Deed and claiming damages ( <b>Singapore Proceedings</b> ).	
31 January 2012	Statement of Claim filed in the Singapore Proceedings.	
21 February 2012	Bayan issued a termination notice to BCBCS terminating the KSC Joint Venture Deed.	
22 February 2012	Bayan and BI filed a defence and Bayan filed a counterclaim against BCBCS and the Australian parent of BCBCS, White Energy Company Limited ( <b>WEC</b> ) in the Singapore Proceedings.	
23 March 2012	Amended Statement of Claim filed by BCBCS and BCBC in the Singapore Proceedings.	
5 April 2012	Bayan and BI filed a Defence and Bayan's Counterclaim (Amendment No. 1) in the Singapore Proceedings.	
5 April 2012	<p>Ex-parte Application by BCBCS in the Supreme Court of Western Australia for freezing orders against Bayan and KRL.</p> <p>Pritchard J made freezing orders A against Bayan and freezing orders B against KRL.</p>	

Date	Event	Appeal Book reference
11 April 2012	BCBCS and BCBC filed a Reply and BCBCS' Defence to Counterclaim in the Singapore Proceedings.	
11 April 2012	WEC filed a Defence to Counterclaim in the Singapore Proceedings.	
17 May 2012	Writ of Summons filed by Bayan and KRL in the High Court of Australia commencing proceeding no. S125 of 2012, challenging the power of the Supreme Court of Western Australia to make the freezing orders.	
22 May 2012	Bayan filed a Reply to BCBCS' Defence to Counterclaim in the Singapore Proceedings.	
22 May 2012	Bayan filed a Reply to WEC's Defence to Counterclaim in the Singapore Proceedings.	
24 May 2012	Bayan serves a Notice of a Constitutional Matter on the Attorney General of the Commonwealth and of each State.	
19 June 2012	Bayan filed its Statement of Claim in the High Court of Australia ( <b>Power Proceedings</b> ).	
26 June 2012	High Court of Australia made orders remitting the Power Proceedings to the Supreme Court of Western Australia, the proceedings to be heard by the Judge having carriage of the existing freezing order proceedings.	
8 August 2012	BCBCS filed its Defence in the Power Proceedings.	
10 August 2012	Bayan filed its Reply in the Power Proceedings.	
13 September 2012	BCBCS and BCBC filed their Statement of Claim (Amendment No. 2) in the Singapore Proceedings.	

Date	Event	Appeal Book reference
13 September 2012	BCBCS and BCBC filed a Reply and BCBCS' Defence to Counterclaim (Amendment No. 1) in the Singapore Proceedings.	
13 September 2012	WEC filed a Defence to Counterclaim (Amendment No. 1) in the Singapore Proceedings.	
27 September 2012	Bayan and BI filed a Defence and Bayan's Counterclaim (Amendment No. 2) in the Singapore Proceedings.	
27 September 2012	Bayan filed a Reply to the Defence to Counterclaim of BCBCS (Amendment No. 1) in the Singapore Proceedings.	
27 September 2012	Bayan filed a Reply to the Defence to Counterclaim by WEC (Amendment No. 1) in the Singapore Proceedings.	
11 October 2012	BCBCS and BCBC's Reply and BCBCS' Defence to Counterclaim (Amendment No. 2) are filed.	
13 to 15 February 2013	Hearing in Supreme Court of Western Australia before Le Miere J.	
26 June 2013	Judgment delivered and orders made by Le Miere J continuing freezing orders A and discontinuing freezing orders B.	
10 and 12 July 2013	Bayan appealed against the decision of Le Miere J to continue freezing orders A.	
26 July 2013	Court of Appeal made orders consolidating Bayan's appeals.	
16 August 2013	Bayan filed an Amended Notice of Appeal.	
16 August 2013	Bayan filed its grounds of appeal and submissions.	
6 September 2013	BCBCS filed its submissions in response.	

Date	Event	Appeal Book reference
13 September 2013	Bayan serves a Notice of a Constitutional Matter on the Attorney General of the Commonwealth and of each State.	
11 - 12 March 2014	Hearing in the Court of Appeal of the Supreme Court of Western Australia before McLure P, Buss JA and Murphy JA.	
25 September 2014	Judgment delivered and orders made by McLure P, Buss JA and Murphy JA dismissing the appeal.	
23 October 2014	Bayan files an application for special leave to appeal to the High Court of Australia.	
13 March 2015	French CJ and Hayne J grant special leave to appeal to Bayan.	
26 March 2015	Bayan filed its Notice of Appeal and Notice of a Constitutional Matter.	
30 March 2015	Bayan serves the Notices of a Constitutional Matter on the Attorneys-General of the Commonwealth and of each State.	

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