## IN THE HIGH COURT OF AUSTRALIA PERTH REGISTRY

No. P22 of 2012

ON APPEAL FROM THE COURT OF APPEAL OF THE SUPREME COURT OF WESTERN AUSTRALIA

BETWEEN:

#### MONTEVENTO HOLDINGS PTY LTD

First Appellant



EUGENIO SCAFFIDI Second Appellant

and

GIUSEPPE DIEGO SCAFFIDI

First Respondent

# MARIA SCAFFIDI BY GUARDIAN AD LITEM THE PUBLIC TRUSTEE Second Respondent

### APPELLANTS' CHRONOLOGY

## Part I:

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

#### Part II:

Date	Event	Appeal Book P a g e References
27 April 1977	Scaffidi Nominees Pty Ltd registered with Giuseppe Scaffidi and Eugenio Scaffidi as directors	
	(Affidavit of G Scaffidi 4.5.10 GDS2)	

2 May 1977	Scaffidi Family Trust created by Deed with Scaffidi Nominees Pty Ltd as trustee
	(Affidavit of G Scaffidi 4.5.10 GDS1)
3 May 1977	Antonio Scaffidi and Maria Scaffidi also become directors of Scaffidi Nominees Pty Ltd
	(Affidavit of G Scaffidi 4.5.10 GDS2)
6 May 1977	Scaffidi Family Trust Deed stamped
	(Affidavit of G Scaffidi 4.5.10 GDS1)
29 June 1995	Scaffidi Holdings Pty Ltd incorporated with Giuseppe, Eugenio, Antonio and Maria Scaffidi as directors and shareholders
	(Affidavit of G Scaffidi 4.5.10 GDS4)
1 July 1995	Scaffidi Nominees Pty Ltd removed and Scaffidi Holdings Pty Ltd appointed as trustee
	(Affidavit of G Scaffidi 4.5.10 GDS3)
16 August 1995	Deed of Variation of Scaffidi Family Trust gives effect to replacement of trustee
	(Affidavit of G Scaffidi 4.5.10 GDS3)
29 August 2004	Antonio Scaffidi dies
	Maria Scaffidi becomes Àppointor of the Trust
	(Affidavit of E Scaffidi 19.5.10 p2 para 4)
30 June 2006	Maria Scaffidi resigns:
	1. as Appointor of the Trust; and
	2. as director of Scaffidi Holdings Pty Ltd.
	(Affidavit of G Scaffidi 4.5.10 GDS4)
	Maria Scaffidi appoints Eugenio Scaffidi as Appointor of the Trust by Deed of Appointment
	(Affidavit of G Scaffidi 4.5.10 GDS6)
27 March 2007	Montevento Holdings Pty Ltd incorporated with Eugenio Scaffidi as director and shareholder
	(Affidavit of G Scaffidi 4.5.10 GDS7)

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14 October 2008

Giuseppe Scaffidi applies to wind up Scaffidi Holdings Ptv Ltd

(Affidavit of G Scaffidi 4.5.10 GDS4 p4)

18 February 2009

Eugenio Scaffidi as appointor:

- 1. removes Scaffidi Holdings Pty Ltd as Trustee:
- 2. appoints Montevento Holdings Pty Ltd as Trustee.

(Affidavit of G Scaffidi 4.5.10 GDS10)

5 March 2009

CIV 1450 of 2009 – Public Trustee applies by originating summons to have itself appointed trustee of Scaffidi Family Trust on behalf of Maria Scaffidi

12 March 2009

CIV 1487 of 2009 – Montevento Holdings Pty Ltd applies by originating summons for declarations vesting Scaffidi Family Trust assets in Montevento as Trustee

13 January 2010

Justice Heenan makes orders:

- 1. dismissing CIV 1450 of 2009;
- in favour of Montevento Holdings Pty Ltd vesting the trust property in Montevento as sought in CIV 1487 of 2009.

(Affidavit of G Scaffidi 4.5.10 GDS11)

19 April 2010

CIV 1522 of 2010 - Giuseppe Scaffidi applies by originating summons to:

- declare invalid the appointment of Montevento Holdings Pty Ltd as trustee;
- 2. remove Montevento Holdings Pty Ltd as trustee pursuant to the *Trustees Act* 1962 (WA)

(Originating summons 19.4.10)

9 June 2010

Justice Heenan dismisses CIV 1522 of 2010

23 July 2010

Montevento Holdings Pty Ltd v Scaffidi Holdings Pty Ltd [No 2] [2011] WASC 180

30 June 2010	CACV 70 of 2010 - Giuseppe Scaffidi appeals decision of Justice Heenan to the Court of Appeal of the Supreme Court of Western Australia
7 July 2011	Court of Appeal allows appeal in CACV 70 of 2010 and declares appointment of Montevento Holdings Pty Ltd invalid
7 July 2011	Scaffidi v Montevento Holdings Pty Ltd & Ors [2011] WASCA 146 published
27 July 2011 .	Extracted Order of the Court of Appeal allowing the appeal in CACV 70 of 2010
29 August 2011	P35 of 2011 - Montevento Holdings Pty Ltd applies for special leave to appeal to the High Court of Australia
22 June 2012	Montevento Holdings Pty Ltd granted special leave to appeal
29 June 2012	Notice of Appeal filed

Dated 7 August 2012

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