

IN THE HIGH COURT OF AUSTRALIA  
PERTH OFFICE OF THE REGISTRY

No. P57 of 2011

BETWEEN:

ALEC PENBERTHY  
First Appellant

and

FUGRO SPATIAL SOLUTIONS PTY LTD  
ACN 008 673 916  
Second Appellant

and

AARON BARCLAY  
First Respondent

and

NAUTRONIX (HOLDINGS) PTY LTD  
ACN 009 067 099  
L-3 COMMUNICATIONS NAUTRONIX LTD  
ACN 009 019 603  
Second Respondents

and

MALCOLM ANTHONY CIFUENTES  
Third Respondent

and

MICHAEL BRIAN KNUBLEY  
Fourth Respondent

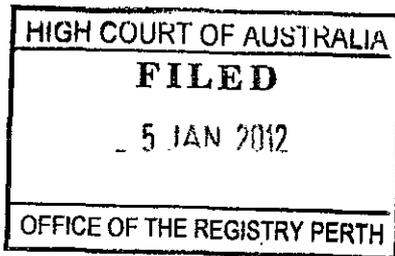
and

JULIE ANNE WARRINER  
Fifth Respondent

and

JANET GRAHAM  
Sixth Respondent  
and

OZAN PERINCEK  
Seventh Respondent



20

30

40

## FIRST AND SECOND APPELLANTS' CHRONOLOGY

### Part I:

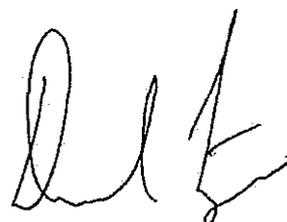
I certify that this chronology is in a form suitable for publication on the internet.

### Part II:

10

<i>Date</i>	<i>Event</i>	<i>Reference</i>
Jul 2000	<ul style="list-style-type: none"><li>▪ Barclay, through his corporate employer, was engaged to advise upon replacement of the sleeve bearing in the fuel pump of the right hand engine of the aircraft.</li><li>▪ Barclay drafted an engineering order, including a design drawing and specification for manufacture of the sleeve bearing in aluminium bronze. He did not specify a type of finish.</li></ul>	Primary judgment [178]
18 Oct 2000	The replacement sleeve bearing was manufactured in accordance with Barclay's design and specifications. It was assembled in the fuel pump and the fuel pump was fitted to the aircraft's right hand engine.	Primary judgment [180]
24 Apr 2003	Fugro responded to a request from Nautronix to quote for the hire of an aircraft for " <i>Sonobuoy deployment in May 2003</i> ". The engagement of Fugro for this task required the installation of equipment prior to the day of flight and then the carriage of Sonobuoys to be released from the aircraft over the Indian Ocean.	
29 May 2003	Email from Nautronix to Fugro giving early notice of " <i>potential Sonobuoy aircraft missions</i> " including 11 August 2003.	
7 Aug 2003	Email Nautronix to Fugro confirming that aircraft mobilisation was to take place on 8 August 2003 for the flight on 11 August 2003.	
11 Aug 2003	Flight of the aircraft from Jandakot Airport and crash.	

Dated: 4 January 2012

A handwritten signature in black ink, appearing to read 'D.J. Fagan', written over a dotted line.

**D.J. FAGAN SC**

10

Telephone: (02) 9221 2519

Facsimile: (02) 9233 7416

Email: [fagansc@wentworthchambers.com.au](mailto:fagansc@wentworthchambers.com.au)