

B E T W E E N:

WELLINGTON CAPITAL LIMITED
Appellant

and

AUSTRALIAN SECURITIES & INVESTMENTS COMMISSION
First Respondent

PERPETUAL NOMINEES LIMITED
Second Respondent



APPELLANT'S CHRONOLOGY

Part I:

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

Part II:

The following table sets out a chronology of the principal events in the litigation:

Date	Event	Appeal Book Reference
4 September 2012	Wellington Capital Limited (Wellington), the Responsible Entity of the Premium Income Fund (PIF), sold \$90.75 million in assets to Asset Resolution Limited (ARL)	
4 September 2012	830,532,768 shares in ARL issued to Perpetual Nominees Limited (Perpetual) as custodian of the PIF.	

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Date	Event	Appeal Book Reference
4 September 2012	Wellington resolved to instruct Perpetual to transfer the ARL shares to the unit holders in the PIF, in proportion to the number of units held by each unit holder.	
4 September 2012	Wellington instructed Perpetual to effect the ARL share transfer.	
4 September 2012	Perpetual signed a master transfer form for the purpose of transferring the ARL shares to the unit holders.	
4 September 2012	The signed master transfer form was provided to Armstrong Registry Services Limited (Armstrong), the registry service provider for Wellington, to effect the transfer of the ARL shares to each unit holder in the PIF.	
4 September 2012	The Wholesale Premium Income Fund (WPIF) received ARL shares because it held units in the PIF.	
5 September 2012	The transfer of the shares was completed.	
5 September 2012	Wellington announced to the National Stock Exchange (NSX) the sale by it of \$90.75 million in assets to ARL, and transfer of the shares.	
7 September 2012	The details of the new ARL shareholders were sent to a printing company for the purposes of providing holding statements to unit holders.	
by 19 September 2012	The holding statements had been printed and dispatched to all holders of ARL shares, together with a copy of the 5 September announcement.	
20 September 2012	Wellington, as Responsible Entity for the WPIF, resolved to make an in specie distribution of the ARL shares to the unit holders in the WPIF, in proportion to the number of units	

Date	Event	Appeal Book Reference
	held by each unit holder.	
11 October 2012	ASIC commenced proceedings in the Federal Court of Australia.	
17 October 2012	Hearing before Jagot J in the Federal Court of Australia. Charles Hodges and IOOF joined to the proceeding as representative parties.	
7 November 2012	Notice of Appeal Filed in Full Court of Federal Court of Australia.	
17 May 2013	Appeal hearing in Full Court of Federal Court of Australia before Jacobson J, Gordon J and Robertson J.	
28 May 2013	Judgment in Full Court of Federal Court of Australia.	
8 November 2013	Grant of Special Leave by the High Court of Australia.	

Dated 11 December 2013



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