

ON APPEAL FROM THE COURT OF APPEAL OF THE SUPREME COURT OF NEW  
SOUTH WALES

BETWEEN:

**FIREBIRD GLOBAL MASTER FUND II LTD**

Appellant

and

**REPUBLIC OF NAURU**

First Respondent

**WESTPAC BANKING CORPORATION**

Second Respondent



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**APPELLANT'S CHRONOLOGY**

**Part I:**

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

**Part II:**

Item No.	Date	Description of Event	Appeal Book reference
1.	1988 and 1989	The first respondent ( <b>RON</b> ) through the Republic of Nauru Finance Corporation issues bonds denominated in Japanese Yen which RON guarantees.	
2.	Late 2000s	The appellant ( <b>Firebird</b> ) becomes the holder of bonds totalling ¥6.5 billion.	
3.	28 April 2009	Firebird commences proceedings in the Tokyo District Court against RON seeking repayment of principal and interest payable under the bonds.	
4.	28 October 2011	A judgment was given in the Tokyo District Court in favour of Firebird against RON in the sum of 1.3 billion Yen plus interest in respect of the debts comprised in the bonds held by Firebird and guaranteed by RON ( <b>Japanese judgment</b> ).	

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5.	9 May 2012	Firebird filed a summons in the Common Law Division of the Supreme Court of New South Wales, seeking registration of the Japanese judgment under Part 2 of the <i>Foreign Judgments Act 1991 (Cth (Foreign Judgments Act))</i> .	
6.	6 June 2012	A Deputy Registrar ordered that the Japanese judgment be registered under Part 2 of the Foreign Judgments Act ( <b>registration order</b> ).	
7.	8 March 2013	Firebird filed a notice of motion applying for an order that the notice of registration of the Japanese judgment be served outside Australia on the RON Secretary for Justice.	
8.	19 March 2013	Justice Schmidt of the Supreme Court of New South Wales made orders, inter alia, that Firebird be granted leave to serve the notice of registration of the Japanese judgment outside Australia, and that service of the notice of registration of the Japanese judgment be effected by way of private process server on the RON Secretary for Justice.	
9.	18 August 2014	A process server served the notice of registration of the Japanese judgment by leaving the documents at the office of the RON Secretary for Justice.	
10.	5 September 2014	Firebird filed a notice of motion seeking a garnishee order.	
11.	10 September 2014	A garnishee order was made against the Second Respondent ( <b>Westpac</b> ), attaching the accounts held by RON to the extent of the amount due under the Japanese judgment.	
12.	19 September 2014	RON filed a notice of motion seeking to set aside the garnishee order.	
13.	22 September 2014	The hearing of RON's motion commenced. During this hearing, Mr David Adeang gave evidence and was cross-examined.	
14.	25 September 2014	RON filed an amended notice of motion seeking to set aside the registration order and the garnishee order.	
15.	29-30 September 2014	The hearing of the motions continued and concluded.	
16.	3 October 2014	The primary judge delivered reasons for judgment and ordered that the registration order and the garnishee order be set aside.	
17.	23 October 2014	The Court of Appeal delivered reasons for judgment and ordered that leave to appeal be granted but the appeal be dismissed.	

Dated 20 March 2015

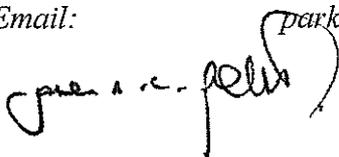


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