

IN THE HIGH COURT OF AUSTRALIA

No. S58 of 2015

SYDNEY REGISTRY

BETWEEN:

JACEK GNYCH

First Appellant

and

SYLWIA GNYCH

Second Appellant

and

POLISH CLUB LIMITED

(ACN 000 469 385)

Respondent



APPELLANTS' CHRONOLOGY

Part I:

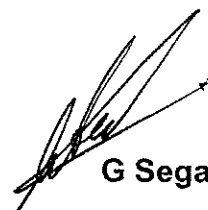
The Appellants certify that this chronology is in a form suitable for publication on the internet.

Part II:

1. In August 2011 negotiations commenced between the First Appellant on behalf of the Appellants on the one hand and the President and Vice-President of the Respondent concerning a Lease to the Appellants of the Restaurant Area in the Respondent's Club.
2. It was agreed, in principle, that the Appellants would be granted a Lease of the Restaurant Area, the kitchen attached to it and office next to the kitchen and a storeroom and toilet both of which were downstairs.
3. It was also agreed in principle that the Appellants would have non-exclusive access to a room known as the Mirror Room for the overflow of customers of the Restaurant and to cater for larger functions.
4. On 6 December 2011 the Appellants' solicitor sent to the Respondent a proposed Term Sheet.

5. On 6 December 2011 the Management Committee of the Respondent agreed to the terms set out in the Term Sheet.
6. On or after 6 December 2011 it was agreed between the parties that the Appellants would renovate the Restaurant.
7. In December 2011 the Appellants commenced renovation of the Restaurant.
8. In March 2012 the renovation works in the Restaurant were completed.
9. On 29 March 2012 the Appellants' solicitor sent to the Respondent a draft Lease in registerable form together with a Licence Agreement for the Mirror Room.
10. On 31 March 2012 the Appellants commenced trading in the Restaurant.
11. In May 2012 the Club engaged solicitors and there were thereafter negotiation concerning the terms of the Lease and Licence Agreement.
12. On 7 July 2013 whereby the Respondent invited the Appellants to make arrangements to vacate the Club premises as soon as practicable.
13. On 2 August 2013 the Appellants by their solicitor informed the Respondent's solicitor that the Appellants claimed to be entitled to a five year Lease pursuant to the provisions of the RL Act.
14. On 5 August 2013 the Respondent excluded the Appellants from the Restaurant Area.
15. On 8 August 2013 the Appellants filed a Summons in Supreme Court of New South Wales seeking declaratory relief in respect of the Restaurant and Mirror Room (described as the "Mirror Hall").

Dated 9 April 2015



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