## IN THE HIGH COURT OF AUSTRALIA SYDNEY REGISTRY

No. S67 of 2011

# MICHAEL WILSON & PARTNERS LIMITED

Appellant

and

#### ROBERT COLIN NICHOLLS First Respondent

DAVID ROSS SLATER Second Respondent

TEMUJIN SERVICES LIMITED Third Respondent

TEMUJIN INTERNATIONAL LIMITED Fourth Respondent

> TEMUJIN INTERNATIONAL FZE Fifth Respondent

# **RESPONDENTS' CHRONOLOGY**

### PART 1: INTERNET PUBLICATION CERTIFICATION

0 1. In the Respondents' assessment, these submissions are in a form suitable for publication on the internet. However, the Respondents draw to the attention of the Court that, based on past experience, the Appellant may seek orders for non-publication or redaction of statements relating to its affairs.

# PART II: CHRONOLOGY

2. Set out below is a chronology of events relevant to this appeal.

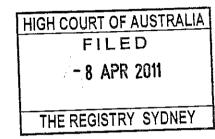
|   | Date                          | Event  | Appeal Book Ref     |
|---|-------------------------------|--|---------------------|
|   | 14 August 2006                | Appellant commences London<br>Arbitration.   |                     |
|   | 9 October 2006                | Appellant commences NSW<br>Proceedings.  |                     |
|   | March - October 2007          | Ex parte applications hearings, before<br>Einstein J, supported by confidentiality |                     |
| _ | Filed by:<br>Henry Davis York | Telenho  | nne: (02) 9947 6206 |

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BETWEEN:

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|    |                  | orders continuing indefinitely (including<br>the appearances inter alia on 26 March,<br>5 April, 10 April, 12 April, 6 June,<br>8 June 2007 referred to in the Appellant's<br>chronology).                    |
|----|------------------|---|
|    | 12 May 2008      | First recusal application in NSW proceedings. No reasons published.   |
| 10 | 23 May 2008      | Interlocutory decisions, published as [2008]<br>NSWSC 501 and [2008] NSWSC 521.   |
|    | 6 June 2008      | Respondents apply in NSW proceedings<br>for order for access to documents in a sealed<br>envelope on Court file marked "Confidential-<br>not to be opened until further order of the<br>Court".               |
| 20 | 13 June 2008     | Orders made by Bergin CJ in NSW proceedings,<br>setting aside confidentiality regime instituted by<br>the Primary Judge during ex parte hearings.   |
|    | 10 November 2008 | London arbitration hearing commences.   |
|    | 4 June 2009      | Second recusal application, with reasons published as [2009] NSWSC 505.   |
| 30 | 9 June 2009      | Respondents advise they maintain objection to trial judge and invite joint recusal application.   |
| 30 | 10 June 2009     | Appellant rejects invitation to join in recusal application.  |
|    | 15 June 2009     | Commencement of trial of NSW proceedings.<br>Objection to trial judge formally maintained.<br>Respondents formally submitted that trial<br>should be postponed pending determination<br>of London arbitration |
| 40 | 6 October 2009   | Principal Reasons for Judgment in NSW<br>Proceedings: [2009] NSWSC 1033.  |
|    | 11 December 2009 | Orders made by the Primary Judge,<br>supported by Principal Reasons<br>for Judgment and Supplementary Reasons<br>published as [2009] NSWSC 1377.  |
|    | 14 December 2009 | Notice of Appeal filed in NSW Court of Appeal.  |
| 50 | 22 February 2009 | Publication of London arbitration award   |

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on liability: Second Interim Award.

22 March 2010 Appellant files challenge to award in High Court of Justice
26 — 30 July 2010 Appeal hearing in NSW Court of Appeal
15 September 2010 Judgment of NSW Court of Appeal
11 February 2011 Grant of special leave by High Court of Australia
14 February 2011 Hearing of Appellant's challenge to London award in High Court of England and Wales,

judgment reserved.

## Date: 8 April 2011

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