



HIGH COURT OF AUSTRALIA

NOTICE OF FILING

This document was filed electronically in the High Court of Australia on 12 Sep 2024 and has been accepted for filing under the *High Court Rules 2004*. Details of filing and important additional information are provided below.

Details of Filing

File Number: S108/2024
File Title: Lendlease Corporation Limited ACN 000 226 228 & Anor v. E
Registry: Sydney
Document filed: Form 27B - Appellants' chronology
Filing party: Appellants
Date filed: 12 Sep 2024

Important Information

This Notice has been inserted as the cover page of the document which has been accepted for filing electronically. It is now taken to be part of that document for the purposes of the proceeding in the Court and contains important information for all parties to that proceeding. It must be included in the document served on each of those parties and whenever the document is reproduced for use by the Court.

IN THE HIGH COURT OF AUSTRALIA
SYDNEY REGISTRY
ON APPEAL FROM
THE COURT OF APPEAL OF THE SUPREME COURT OF NEW SOUTH WALES

BETWEEN: **Lendlease Corporation Limited ACN 000 226 228**
First Appellant

10 **Lendlease Responsible Entity Ltd ABN 72 122 883 185**
as responsible entity for Lendlease Trust
ABN 39 944 184 773 ARSN 128 052 595
Second Appellant

and

David William Pallas and Julie Ann Pallas as trustees
for the Pallas Family Superannuation Fund
First Respondent

20 **Martin John Fletcher**
Second Respondent

APPELLANTS’ CHRONOLOGY

Part I: Certification

This chronology is in a form suitable for publication on the internet.

Part II: Chronology

Date	Event	Reference to Core Appeal Book (CAB), Appellants' Book of Further Materials (ABFM) or judgment below (J)
18 April 2019	First Respondent commenced proceedings 2019/122037 in the Supreme Court of New South Wales against the Appellants.	Betts affidavit at [46] (ABFM 35)
6 August 2019	Second Respondent commenced proceedings 2019/244030 in the Supreme Court of New South Wales against the Appellants.	Betts affidavit at [46] (ABFM 35)
21 November 2019	Hammerschlag J ordered that proceedings 2019/122037 and 2019/244030 be consolidated.	Betts affidavit at [46] (ABFM 35)
22 April 2020	Court of Appeal of the Supreme Court of New South Wales (NSWCA) delivered judgment in <i>Haselhurst v Toyota Motor Corporation Australia Ltd</i> (2020) 101 NSWLR 890.	N/A
4 June 2020	NSWCA delivered judgment in <i>Wigmans v AMP Ltd</i> (2020) 102 NSWLR 199.	N/A
28 March 2022	Full Court of the Federal Court of Australia delivered judgment in	N/A

Date	Event	Reference to Core Appeal Book (CAB), Appellants' Book of Further Materials (ABFM) or judgment below (J)
	<i>Parkin v Boral Ltd</i> (2022) 291 FCR 116.	
30 August 2023	The Appellants filed a notice of motion, and supporting affidavit, for orders referring a separate question relating to soft class closure to the NSWCA.	ABFM 18
13 September 2023	Ball J made orders removing the proceedings into the NSWCA for the purpose of hearing and determining the Separate Question. ¹	J[1]-[2]
29 November 2023	Hearing of the Separate Question.	N/A
8 December 2023	The Appellants' solicitors provided to the NSWCA an agreed form of a draft notice to group members.	J[10] and Appendix A (CAB 17 and 67)
17 April 2024	NSWCA (Bell CJ, Ward P, Gleeson, Leeming and Stern JJA) delivered the judgment below: <i>David William Pallas & Julie Ann Pallas as trustees</i>	CAB 8

¹ The **Separate Question**: Notwithstanding the decision in *Wigmans v AMP Ltd* (2020) 102 NSWLR 199 and having regard to the decision in *Parkin v Boral Ltd* (2022) 291 FCR 116, does the Supreme Court of NSW have power pursuant to sections 175(1), 175(5) and 176(1) of the *Civil Procedure Act 2005* (NSW) (CPA) or otherwise to approve a notice to Group Members of the right to register to participate in any settlement of the proceedings or opt out of the proceedings for the purposes of CPA section 162 containing the following notation:

Upon any settlement of this proceeding the parties, alternatively, the defendant, will seek an order, which, if made, has the effect of providing that any Group Member who by a registration date: (i) has not registered; or (ii) has not opted out in accordance with the orders made by the Court, will remain a Group Member for all purposes of this proceeding but shall not, without leave of the Court, be permitted to seek any benefit pursuant to any settlement (subject to Court approval) of this proceeding that occurs before final judgment.

Date	Event	Reference to Core Appeal Book (CAB), Appellants' Book of Further Materials (ABFM) or judgment below (J)
	<i>for the Pallas Family Superannuation Fund v Lendlease Corporation Ltd</i> [2024] NSWCA 83.	
14 May 2024	The Appellants filed an application for special leave to appeal to the High Court.	N/A
8 August 2024	The High Court of Australia granted the Appellants special leave to appeal.	CAB 85
22 August 2024	The Appellants filed a Notice of Appeal.	CAB 87

Dated: 12 September 2024


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Elizabeth Collins SC
T: (02) 9223 8541
ecollins@sixthfloor.com.au


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Celia Winnett
T: (02) 8915 2673
cwinnett@sixthfloor.com.au


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Bronte Lambourne
T: (02) 8239 0248
bronte.lambourne@banco.net.au