



HIGH COURT OF AUSTRALIA

NOTICE OF FILING

This document was filed electronically in the High Court of Australia on 30 Apr 2021 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: S36/2021
File Title: Nguyen v. Cassim
Registry: Sydney
Document filed: Form 27B - Appellant's chronology
Filing party: Appellant
Date filed: 30 Apr 2021

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

10 BETWEEN: **DYLAN NGUYEN**
 Appellant

and

20 10 **AZAD CASSIM**
 Respondent

APPELLANT'S CHRONOLOGY

Part I: Certification

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

Part II: Chronology

	Date	Event	Reference
40	1. 1 April 2017	Dylan Nguyen negligently damaged Azad Cassim's 2012 BMW 535i sedan.	AFM 7.8 – 7.10
	2. 1 - 2 April 2017	Mr Cassim was without a replacement vehicle.	AFM 7.15
	3. 3 - 8 April 2017	Mr Cassim hired a Toyota RAV4 as a replacement vehicle.	AFM 7.15 – 7.20
50	4. 9 - 31 April 2017	Mr Cassim used his wife's vehicle or was overseas.	AFM 7.20 – 7.25

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	Date	Event	Reference
5.	30 May - 22 August 2017	Mr Cassim had the use of a Nissan Infiniti Q50 that he obtained pursuant to a credit hire contract with Right2Drive Pty Ltd (R2D) at a total cost of \$17,158.02.	AFM 7.28 – 7.35
6.	1 February 2018	Mr Cassim commenced proceedings in the Local Court of New South Wales (NSWLC) seeking to recover the cost of the credit hire contract with R2D together with interest and costs.	
7.	13 September 2018 and 8 November 2018	Hearing in NSWLC (Farnan LCM).	AFM 6.18
8.	6 December 2018	Judgment delivered by NSWLC (Farnan LCM).	CAB 11.25 – 11.32
9.	7 December 2018	Judgment entered for Mr Cassim in the NSWLC in the amount of \$18,818.44.	CAB 11.25 – 11.32
10.	20 December 2018	Mr Nguyen filed a summons commencing an appeal and (to the extent required) seeking leave to appeal from the judgment to the Supreme Court of New South Wales (NSWSC) pursuant to ss 39 and/or 40 of the <i>Local Court Act 2007</i> (NSW).	

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	Date	Event	Reference
11.	27 August 2019	Mr Nguyen filed an amended summons and his appeal was heard in the Common Law Division of the NSWSC (Basten J).	CAB 6.16, 84.19
12.	3 September 2019	The NSWSC (Basten J), inter alia, allowed the appeal, set aside the judgment of the Local Court and ordered instead that Mr Nguyen pay Mr Cassim the sum of \$7,476 (i.e. the cost of hiring a Toyota Corolla during the period of hire of the Infiniti Q50) plus interest.	CAB 32
13.	1 October 2019	Mr Cassim filed summons seeking leave to appeal to the New South Wales Court of Appeal (NSWCA) pursuant to s 100(2)(r) of the <i>Supreme Court Act 1970</i> (NSW).	
14.	14 November 2019	Application for leave to appeal and appeal heard in the NSWCA (Meagher, White JJA and Emmett AJA).	CAB 44.18
15.	18 June 2020	Judgment delivered by the NSWCA holding that Mr Cassim should be granted leave to appeal and by majority that Mr Cassim's appeal should be allowed.	CAB 44.20
16.	17 August 2020	The NSWCA made orders allowing Mr Cassim's appeal, setting aside the orders of the NSWSC and ordering in lieu thereof that the orders of the NSWLC be restored.	CAB 101

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	Date	Event	Reference
17.	10 September 2020	Mr Nguyen filed an application for special leave to appeal with the High Court of Australia, seeking to appeal from the NSWCA.	
18.	12 March 2021	High Court of Australia granted special leave to appeal.	CAB 109
19.	26 March 2020	Mr Nguyen filed and served Notice of Appeal.	CAB 111

Dated: 30 April 2021

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