

**IN THE HIGH COURT OF AUSTRALIA
SYDNEY REGISTRY**

No. 258 of 2014

BETWEEN:

DOLORES LAVIN

First Appellant



DOLORES LAVIN MANAGEMENT

PTY LIMITED ACN 077 840 003

Second Appellant

and

PAOLA TOPPI

First Respondent

NEIL CUNNINGHAM

Second Respondent

BASECOVE PTY LIMITED

ACN 074 145 261

Third Respondent

APPELLANTS' CHRONOLOGY

Part 1: Suitability for Publication

1. The Appellants certify that the chronology is in a form suitable for publication on the Internet.

Date	Event	Appeal Book and Page Number
07.10.05	Luxe Studios purchases the property at 279-283 Liverpool Street Sydney with funds of \$4.29 million advanced by the National Australia Bank (NAB) . The Bank securities include a suite of mortgages and guarantees given by interests associated with the Appellants and the Respondents.	

07.05.07	NAB Facilities are consolidated with a total limit of \$4,375,000 secured by a Fixed and Floating charge over the assets of Luxe Studios , guarantees and mortgages from interests associated with the Appellants and the Respondents including Basecove Pty Ltd.	
25.03.08	NAB facility is renewed .	
20.08.08	Sale by Basecove of part of 250 Pitt Street, Sydney for\$4.6 million and discharge of mortgage to NAB	
29.10.08	Overall limit of NAB facility is increased to \$7.7 million with fresh guarantees obtained from interests associated with the Appellants and the Respondents .	
27.11.08	Sale by Basecove of remainder of 250 Pitt Street, Sydney for\$ 577,500 and discharge of mortgage to NAB	
15.03.10	NAB issues demand letters to Neil Cunningham, Dolores Lavin, Paolo Toppi, Dolores Lavin Management Pty Ltd and Luxe Productions Pty Ltd in respect of claim for \$8,030,849.51	
14.06.10	NAB commences proceedings against Neil Cunningham, Dolores Lavin, Paolo Toppi, Dolores Lavin Management Pty Ltd , Luxe Productions Pty Ltd and Luxe Studios Pty Ltd.	
21.07.10	Lavin interests file a Cross-Claim against NAB in the proceedings.	
08.09.10	Lavin Interests and NAB sign Deed of Release and Settlement	
21.09.10	Lavin cross-claim against NAB is dismissed by consent.	
30.11.10	Lavin interests pay \$1,349,632.09 to NAB	
13.12.10	Consent Judgment filed in proceedings by NAB against the Lavin interests with those proceedings dismissed.	
18.05.11	Toppi interests pay \$2.9 million to NAB	
12.09.13	Judgment of Rein J.	
23.05.14	Judgment of the Court of Appeal	

Dated: 15 October 2014



Martin Einfeld

Tel:(02) 8226 2333

Email: einfeld@stjames.net.au



Steven Gollledge

Tel: (02) 9222 9395

Email: sgollledge@3sjh.com.au