

BETWEEN:

**HUNT & HUNT LAWYERS**

Appellant

and

**MITCHELL MORGAN NOMINEES PTY LIMITED**

First Respondent

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**MITCHELL MORGAN NOMINEES (NO. 2) PTY LIMITED**

Second Respondent

**ALESSIO EMANUEL VELLA**

Third Respondent

**AUSTRALIA AND NEW ZEALAND BANKING GROUP LTD**

Fourth Respondent



**APPELLANT'S CHRONOLOGY**

20

**PART I: PUBLICATION**

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

**PART II: CHRONOLOGY**

Date	Event	Reference <sup>1</sup>
21 Dec 05	Vella and Caradonna, having agreed to create a joint venture to promote a boxing match and associated dinner, open the Joint Account at the Liverpool branch of the ANZ Bank.  Caradonna, without Vella's knowledge, obtains the certificates of title to three properties owned by Vella, including a property at Enmore.	CA [7]  CA [10]
16 Jan 06	Mitchell Morgan instructs Hunt & Hunt to commence drafting loan and mortgage documentation for a loan to Vella secured by a mortgage over the Enmore property. Mitchell Morgan had received the loan application shortly beforehand from Ruty, a finance broker, who was instructed by Caradonna.	J [34] – [41]

<sup>1</sup> "J" = primary judge's reasons of 28 May 2008, "CA" = reasons of the NSWCA dated 15 December 2011 and "CA2" = reasons of the NSWCA dated 15 March 2012: see Part IV of the Appellant's Submissions.

Date	Event	Reference <sup>1</sup>
17 Jan 06	<p>Flammia provides Hunt &amp; Hunt with certified copies of Vella's identification documents and executed loan and mortgage documentation.</p> <p>Hunt &amp; Hunt contact Flammia to query identification.</p>	<p>J [46]</p> <p>J [48]</p>
18 Jan 06	<p>Mitchell Morgan instruct Hunt &amp; Hunt to proceed with registration of mortgage.</p>	<p>J [54]</p>
19 Jan 06	<p>Hunt &amp; Hunt registers the mortgage. On receiving this news, Mitchell Morgan disburses \$1,001,748.85 into the Joint Account.</p> <p>Caradonna withdraws approximately \$1,000,000 from the Joint Account.</p>	<p>CA [11]</p> <p>J [56] – [58]</p> <p>CA [13]</p>
24 Feb 06	<p>Permanent Mortgages Pty Ltd registers mortgages over two other properties of Vella instigated by Caradonna and Flammia. Permanent pays approximately \$1.111 million into the Joint Account.</p>	<p>J [104] &amp; [126]</p>
27 Feb 06	<p>The Joint Account is cleared of funds and closed.</p>	<p>CA [13]</p>
19 Mar 06	<p>Due date for payment of Mitchell Morgan loan</p>	<p>J [522]</p>
May 06	<p>Vella discovers the existence of mortgages over his properties.</p>	<p>CA [14]</p>
5 Sep 06	<p>Date of cancelled auction of Enmore property.</p>	<p>CA2 [7]</p>
Nov 07	<p>Flammia becomes bankrupt. Caradonna was made bankrupt at some stage between February 06 and this time.</p>	<p>J [22] – [24]</p>
28 May 08	<p>Primary judge issues principal set of reasons in all proceedings and second set of reasons adopting and applying those reasons to the proceedings brought by Vella against Mitchell Morgan, and by Mitchell Morgan against Hunt &amp; Hunt.</p>	
6 Mar 09	<p>Primary judge's third set of reasons.</p>	
23 Jun 09	<p>Primary judge's fourth set of reasons and date of pronouncement of final orders.</p>	
28 Oct 09	<p>Victorian Court of Appeal delivers decision in <i>St George Bank Ltd v Quinerts Ltd</i> (2009) 25 VR 666.</p>	
15 Dec 11	<p>NSW Court of Appeal delivers first set of reasons upholding appeal by Mitchell Morgan.</p>	

Date	Event	Reference <sup>1</sup>
15 Mar 12	NSW Court of Appeal delivers second set of reasons and pronounces final orders.	
7 Sep 12	High Court grants special leave to appeal to Hunt & Hunt in respect of proportionate liability ground and refers interest as damages ground to the Full Court	

Dated: 2 October 2012



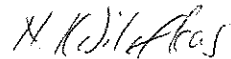
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