



HIGH COURT OF AUSTRALIA

NOTICE OF FILING

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Details of Filing

File Number: M111/2020
File Title: Talacko v. Talacko & Ors
Registry: Melbourne
Document filed: Form 27B - Appellant's chronology
Filing party: Appellant
Date filed: 27 Nov 2020

Important Information

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

No M111 of 2020

BETWEEN

JUDITH GAIL TALACKO

Appellant

and

**JAN TALACKO (AS EXECUTOR
OF THE ESTATE OF
HELENA MARIE TALACKO) &
ORS (ACCORDING TO THE
SCHEDULE)**

Respondents

APPELLANT'S CHRONOLOGY

Part I:

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

Part II:

Date	Event	Reference
23 February 2001	The parties to Supreme Court of Victoria proceeding S CI 1998 07393 (the 1998 proceeding) entered into terms of settlement which required Jan Emil Talacko to transfer to a person or entity nominated by the first to fifth respondents all the right, title and interest that he had in respect of certain properties in the Czech Republic, Slovakia and Germany	Court of Appeal reasons on liability (CAL) [15]: Core Appeal Book (CAB) 260–261
4 July 2005	The first to fifth respondents applied for orders that the 1998 proceeding be reinstated and that they be granted leave to enter judgment against Jan Emil Talacko for equitable compensation pursuant to the settlement terms	CAL [19]: CAB 261
November 2005	The 1998 proceeding was reinstated	Primary judge reasons on liability (PJL) [16]: CAB 15

Date	Event	Reference
November 2007	The 1998 proceeding proceeded to trial, with respect to issues of breach of the settlement terms only	CAL [20]: CAB 261
24 April 2008	Osborn J of the Supreme Court of Victoria delivered judgment and found that Jan Emil Talacko had breached the terms of settlement	CAL [20]: CAB 261–262
12 May 2009	Jan Emil Talacko and his sons, the seventh and eighth respondents, executed three donation agreements pursuant to which Jan Emil Talacko transferred to them, by way of gift, his interest in certain properties in the Czech Republic	CAL [21]: CAB 262
14 May 2009	Applications to transfer ownership of certain properties from Jan Emil Talacko to the seventh and eight respondents were filed at the City of Prague Cadastral Office	CAL [22]: CAB 262
17 July 2009	The first to fifth respondents commenced Supreme Court of Victoria proceeding S CI 2009 7819 (the 2009 proceeding)	CAL [24]: CAB 262
October 2009	A further trial in the 1998 proceeding, including on the issue of quantum, was conducted by Kyrou J of the Supreme Court of Victoria	CAL [25]: CAB 262
24 November 2009	Kyrou J of the Supreme Court of Victoria delivered reasons for judgment in the 1998 proceeding	CAL [25]: CAB 262
11 December 2009	Kyrou J of the Supreme Court of Victoria made final orders in the 1998 proceeding, giving judgment against Jan Emil Talacko and requiring Jan Emil Talacko to pay amounts totalling €10,073,818 to the first to fifth respondents, together with the costs of the 1998 proceeding on an indemnity basis	CAL [25]: CAB 262–263
4 November 2011	The second to fifth respondents commenced two proceedings in the District Court of Prague 1. One of those proceedings was brought against Jan Emil Talacko and seeks to have the Kyrou J decision and a costs order recognised in the Czech Republic for the purposes of enforcement (the second to fifth respondents' Enforcement Proceeding). The other proceeding was brought against the seventh and eighth respondents and seeks to set aside the donation agreement (the second to fifth respondents' Donation Proceeding)	Primary judge reasons on quantum (PJQ) [57]: CAB 152

Date	Event	Reference
7 November 2011	Jan Emil Talacko was made bankrupt by order of the Federal Court of Australia, upon the petition of the first to fifth respondents	CAL [27]: CAB 263
14 February 2012	The first respondent commenced a proceeding in the District Court of Prague 1 seeking to have the Kyrrou J decision and a costs order recognised in the Czech Republic for the purposes of enforcement (the first respondent's Enforcement Proceeding)	PJQ [58]: CAB 152
20 April 2012	The first respondent commenced a proceeding in the District Court of Prague 1 seeking to set aside the donation agreement (the first respondent's Donation Proceeding)	PJQ [58]: CAB 152
10 May 2012	Helena Marie Talacko died	CAL [30]: CAB 263
30 September 2013	Margaret Talacko, the widow of Peter Talacko, died	CAL [35]: CAB 264
3 November 2014	Jan Emil Talacko died	CAL [35]: CAB 264
March 2015	A trial of the 2009 proceeding was conducted before McDonald J of the Supreme Court of Victoria	CAB 7
1 April 2015	McDonald J of the Supreme Court of Victoria ordered in the 2009 proceeding that, if the Court determined that any of the first to fifth respondents had suffered loss or damage by reason of the causes of action pleaded by them, the quantum of any such loss or damage shall be tried separately	CAL [41]: CAB 265
7 August 2015	McDonald J of the Supreme Court of Victoria delivered judgment in relation to the question of liability	CAB 7–94
27 June 2017	The Court of Appeal of the Supreme Court of Victoria allowed an appeal against the judgment of McDonald J in relation to liability and remitted the proceeding to the Trial Division to determine the quantum of damages to be awarded to the first to fifth respondents	CAB 255–302, 304–306, 308–310
July and August 2018	A trial of the 2009 proceeding was conducted before McDonald J of the Supreme Court of Victoria in relation to the quantum of damages to be awarded to the first to fifth respondents	CAB 127

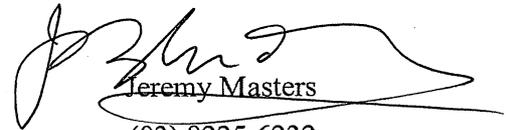
Date	Event	Reference
20 December 2018	McDonald J of the Supreme Court of Victoria pronounced orders which included an award of damages and interest against the appellant	CAB 206–209
30 April 2020	The Court of Appeal of the Supreme Court of Victoria dismissed an appeal brought by the second to fifth respondents against the judgment and orders of McDonald J in relation to quantum	CAB 343–376, 378–380
16 October 2020	The High Court of Australia granted the appellant special leave to appeal from the judgment and orders of the Court of Appeal of the Supreme Court of Victoria in relation to liability and the judgment and orders of McDonald J that are directed to the appellant in relation to quantum	CAB 391–392, 394–395, 397–398
22 October 2020	The High Court of Australia granted the appellant special leave to appeal from the judgment and orders of the Court of Appeal of the Supreme Court of Victoria in relation to quantum	CAB 400–405

27 November 2020



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SCHEDULE OF PARTIES

JUDITH GAIL TALACKO

Appellant

and

**JAN TALACKO (AS EXECUTOR OF THE ESTATE OF HELENA MARIE
TALACKO)**

First Respondent

and

ALEXANDRA ANN BENNETT

Second Respondent

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and

MARTIN THORBURN TALACKO

Third Respondent

and

ROWENA KIRSTEN EVE TALACKO

Fourth Respondent

and

**ALEXANDRA ANN BENNETT AND DAVID ADAMS (AS EXECUTORS OF THE
ESTATE OF MARGARET HELEN TALACKO)**

Fifth Respondent

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and

**ESTATE OF JAN EMIL TALACKO (DECEASED) (FORMERLY AN
UNDISCHARGED BANKRUPT)**

Sixth Respondent

and

DAVID TALACKO

Seventh Respondent

and

PAUL ANTHONY TALACKO

Eighth Respondent

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and

PETER ANDREW NOEL TALACKO

Ninth Respondent

and

AMANDA MAREE FISCHER

Tenth Respondent

and

STATE TRUSTEES LTD (ACN 064 593 148)

Eleventh Respondent

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