



HIGH COURT OF AUSTRALIA

NOTICE OF FILING

This document was filed electronically in the High Court of Australia on 12 Dec 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: S146/2024
File Title: Kain v. R&B Investments Pty Ltd as trustee for the R&B Pensi
Registry: Sydney
Document filed: Form 27B - Appellant's chronology
Filing party: Appellant
Date filed: 12 Dec 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

S146/2024

BETWEEN:

John Bruce Kain

Appellant

and

R&B Investments Pty Ltd as trustee for the R&B Pension Fund

First Respondent

David Furniss

Second Respondent

**Blue Sky Alternative Investments Limited ACN 136 866 236 (Administrators
Appointed) (Receivers and Managers Appointed) (in Liquidation)**

Third Respondent

Robert Warner Shand

Fourth Respondent

Ernst & Young (a Firm) ABN 75 288 172 749

Fifth Respondent

Chubb Insurance Australia Limited ACN 001 642 020

Sixth Respondent

**Dual Australia Pty Ltd ACN 107 553 257 on behalf of certain underwriters at Lloyd's
being:**

(i) Liberty Managing Agency Limited for and on behalf of Syndicate 4473;

(ii) Asta Managing Agency Ltd for and on behalf of Syndicate No. 2786 Eve; and

**(iii) Hardy (Underwriting Agencies) Limited, Managing Agent for and on behalf of
Lloyd's Syndicate HDU 382**

Seventh Respondent

Zurich Australian Insurance Limited ACN 000 296 640

Eighth Respondent

XL Insurance Company SE ARBN 083 570 441

Ninth Respondent

APPELLANTS' CHRONOLOGY

Part I: CERTIFICATION

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

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Part II: CHRONOLOGY

Date	Event	Reference
10 March 2023	The First and Second Respondents filed an interlocutory application seeking the Court's approval to distribute a notice to group members pursuant to ss 33X and 33Y of the <i>Federal Court of Australia Act 1976</i> (Cth).	Kain Book of Further Materials: 5-9
23 November 2023	Lee J made orders reserving a question to the Full Court.	Amended Core Appeal Book (CAB): 9
28 May 2024	Full Court hearing of the Reserved Question.	CAB: 20
5 July 2024	The Full Court (Murphy, Beach and Lee JJ) delivered judgment answering the Reserved Question: <i>R&B Investments Pty Ltd (Trustee) v Blue Sky (Reserved Question)</i> (2024) 304 FCR 395; [2024] FCAFC 89.	CAB: 20-49, 50-52
9 August 2024	The Appellant filed an amended application for special leave to appeal to the High Court of Australia.	-
7 November 2024	The High Court of Australia granted the Appellant special leave to appeal.	CAB: 65-67
14 November 2024	The Appellant filed a notice of appeal.	CAB: 68-71
21 November 2024	The First and Second Respondents filed a notice of contention	CAB: 72-74

Dated 12 December 2024



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