

BETWEEN:

**BMW AUSTRALIA LTD ACN 004 675 129**

Appellant

and

**OWEN BREWSTER**

First Respondent



10

**REGENCY FUNDING PTY LTD ACN 619 012 421**

Second Respondent

APPELLANT'S CHRONOLOGY

**Part I:**

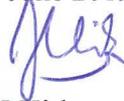
1. This chronology is in a form suitable for publication on the internet.

**Part II:**

| Date            | Event  | Reference to<br>Core Appeal<br>Book |
|-----------------|--|-------------------------------------|
| 10 January 2018 | First Respondent commences representative proceedings against the Appellant ( <b>BMW</b> ) in the Supreme Court of New South Wales ( <b>Supreme Court Proceedings</b> ). |                                     |
| 14 August 2018  | First Respondent files notice of motion seeking a "common fund order" ( <b>Common Fund Order Motion</b> ).   | Pages 5 to 18                       |

| Date                     | Event   | Reference to<br>Core Appeal<br>Book |
|--------------------------|---|-------------------------------------|
| 10 October<br>2018       | BMW files a notice of motion seeking a separate question in relation to whether the Supreme Court has the power to make Order 1 sought in the Common Fund Order Motion. |                                     |
| 22 October<br>2018       | Justice Sackar orders that the separate question be removed into the Court of Appeal.   | Pages 27 to 29                      |
| 4 and 5<br>February 2019 | Separate question hearing at the same time and in the same court room as an appeal to the Full Federal Court in <i>Westpac Banking Corporation v Lenthall</i> .         |                                     |
| 1 March 2019             | Court of Appeal delivers judgment.  | Pages 30 to 78                      |
| 22 March 2019            | Court of Appeal make costs orders.  | Pages 79 to 81                      |
| 15 May 2019              | Special leave to appeal granted.  | Pages 86 to 87                      |
| 24 May 2019              | Notice of appeal filed.   | Pages 88 to 90                      |

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J K Kirk  
Eleven Wentworth  
T: (02) 9223 9477  
kirk@elevenwentworth.com



T O Prince  
New Chambers  
T: (02) 9151 2051  
prince@newchambers.com.au