



HIGH COURT OF AUSTRALIA

NOTICE OF FILING

This document was filed electronically in the High Court of Australia on 15 Apr 2021 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: S20/2021
File Title: Walton & Anor v. ACN 004 410 833 Limited (Formerly Arriui
Registry: Sydney
Document filed: Form 27B - Appellant's chronology
Filing party: Appellants
Date filed: 15 Apr 2021

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

BETWEEN:

Michael Thomas Walton
 First Appellant

Anthony Bogan
 Second Appellant

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and

ACN 004 410 833 Limited (Formerly Arrium Limited) (In Liquidation)
ACN 004 410 833
 First Respondent

KPMG
 Second Respondent

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Colin Galbraith
 Third Respondent

APPELLANTS' CHRONOLOGY

Part I: Certification

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

Part II: Chronology

30 **Key:**

Core Appeal Book (**CAB**).

Court of Appeal decision in *ACN 004 410 833 Ltd (formerly Arrium Limited) (in Liq) v Michael Thomas Walton* [2020] NSWCA 157 (**CA**).

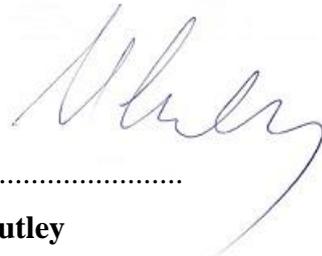
Date	Event	Reference
August 2014	The first respondent (Arrium) releases its results for the financial year ending 30 June 2014.	CAB 83 at CA [5]

15 September 2014	Arrium announces a fully underwritten \$754 million capital raising (Capital Raising) with retail shareholders given a one for one pro rata entitlement offer. Arrium provides to shareholders, in respect of the offer, an Information Memorandum which includes a financial analysis and business outlook with an earnings guidance.	CAB 83 at CA [3]
14 October 2014	The Capital Raising is successfully completed.	CAB 83 at CA [6]
January 2015	Arrium announces the suspension or close of the Southern Iron Mining operation.	CAB 83-84 at CA [7]
18 February 2015	Arrium recognises an impairment in the value of its mining operations in an amount of \$1,335 million.	CAB 83-84 at CA [7]
7 April 2016	Arrium enters voluntary administration.	CAB 84 at CA [7]
5 April 2018	The appellants apply to the Australian Securities and Investment Commission (ASIC) to be given “eligible applicant status”.	CAB 84-85 at CA [8]
24 April 2018	ASIC authorises the appellants as “eligible applicants” in relation to Arrium.	CAB 85 at CA [12]
6 May 2019	The appellants apply for orders under s 596A of the Act that an examination summons be issued to Mr Colin Galbraith, a former	CAB 85-86 at CA [13]

	director of Arrium, to appear for examination and produce certain documents (Summons).	
15 May 2019	Registrar in Equity of the Supreme Court of New South Wales makes the orders sought in the Summons.	CAB 87 at CA [17]
11 June 2019	Arrium files an interlocutory application to have the Summons stayed or set aside (Interlocutory Application).	CAB 87 at CA [18]
20 June 2019	Arrium enters liquidation.	CAB 84 at CA [7]
31 October 2019	Hearing of the Interlocutory Application before Black J.	
19 November 2019	Judgment of Black J: <i>In the matter of ACN 0044 410 833 Limited (formerly Arrium Limited) (subject to a deed of company arrangement)</i> [2019] NSWSC 1606.	CAB 5
2 December 2019	Further judgment and orders of Black J: <i>In the matter of ACN 004 410 833 Limited (formerly Arrium Limited) (subject to a deed of company arrangement)</i> [2019] NSWSC 1708.	CAB 43
4 December 2019	Arrium files summons seeking leave to appeal the orders of Black J.	CAB 63
11 March 2020	Hearing before the Court of Appeal Supreme Court of New South Wales (Bathurst CJ, Bell P and Leeming JA) (NSWCA).	

30 July 2020	Judgment in the NSWCA: <i>ACN 004 410 833 Ltd (formerly Arrium Limited) (in Liq) v Michael Thomas Walton</i> [2020] NSWCA 157.	CAB 76
4 August 2020	Arrium files a notice of appeal, pursuant to leave granted by NSWCA.	CAB 69
1 September 2020	The appellants file an application for special leave to appeal.	
11 February 2021	Special leave to appeal is granted.	CAB 141
24 February 2021	The appellants' file a Notice of Appeal.	CAB 144
3 March 2021	The second respondent files a Notice of Contention.	CAB 149

Dated: 15 April 2021



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