



HIGH COURT OF AUSTRALIA

NOTICE OF FILING

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Details of Filing

File Number: S67/2020
File Title: Wigmans v. AMP Limited & Ors
Registry: Sydney
Document filed: Form 27B - Appellant's chronology
Filing party: Appellant
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Important Information

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IN THE HIGH COURT OF AUSTRALIA
 SYDNEY REGISTRY

ON APPEAL FROM THE NEW SOUTH WALES COURT OF APPEAL

BETWEEN:

Marion Antoinette Wigmans
 Appellant

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and

AMP Limited
 ABN 49 079 354 519
 First Respondent

Komlotex Pty Ltd
 Second Respondent

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Fernbrook (Aust) Investments Pty Ltd
 ACN 068 190 296
 Third Respondent

APPELLANT'S 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
1.	9 May 2018	The Wigmans Proceeding is commenced in the Commercial List of the Supreme Court of New South Wales (NSWSC).	CAB 14, 17, 156 AFM 1:6, 14
2.	18 May 2018	Directions hearing in the Wigmans Proceeding before Hammerschlag J, at which consent orders are made for procedural steps (18 May Orders).	CAB 39 AFM 1:96-99, 105
3.	21 May 2018	Maurice Blackburn submits a request for a copy of the pleading in the Wigmans Proceeding with the NSWSC.	AFM 1:109, 154
4.	1 June 2018	Security is paid into Court on behalf of Wigmans for AMP's costs in the amount of AUD 5 million, pursuant to the 18 May Orders.	CAB 24, 90 AFM 1:105, 138

	Date	Event	Reference
5.	7 June 2018	The Komlotex Proceeding is commenced in the Victorian Registry of the Federal Court of Australia (FCA), by way of Originating Application and Concise Statement.	CAB 20 AFM 2:348-354, 355-361
6.	8 June 2018	Wigmans provides AMP and the Court with a copy of her draft opt-out and registration notice and proposed orders in respect of that notice.	AFM 1:106
7.	8 June 2018	AMP files an application in the Komlotex Proceeding in the FCA to transfer the Komlotex Proceeding to the NSWSC.	AFM 1:113
8.	8 June 2018	Programming orders are made in, <i>inter alia</i> , the Komlotex Proceeding in the FCA regarding the hearing of AMP's application to transfer that proceeding to the NSWSC.	AFM 1:106-107
9.	8 June 2018	Komlotex files an application in the Wigmans Proceeding to transfer the Wigmans Proceeding to the FCA (Komlotex's Transfer Application).	AFM 1:107
10.	14 June 2018	Wigmans files an application in the Wigmans Proceeding seeking an anti-suit injunction restraining Komlotex from taking further steps in the conduct of proceedings in the FCA, other than consenting to the transfer of that proceeding to the NSWSC (Wigmans' Anti-suit Application).	AFM 1:110
11.	28 June 2018	Hearing of, <i>inter alia</i> , Komlotex's Transfer Application and Wigmans' Anti-suit Application before Stevenson J; judgment is reserved.	AFM 1:110
12.	9 July 2018	Judgment delivered by Stevenson J (<i>Wigmans v AMP Ltd</i> [2018] NSWSC 1045). Komlotex's Transfer Application is refused; resolution of Wigmans' Anti-Suit Application is deferred.	CAB 16 AFM 1:110
13.	12 July 2018	Consent orders made in the Wigmans Proceeding preserving the status quo pending the determination of, <i>inter alia</i> , AMP's applications in the FCA, to transfer each of the Federal Court Proceedings to the NSWSC (<i>Wigmans v AMP Ltd</i> [2018] NSWSC 1118).	CAB 16 AFM 1:111
14.	20 July 2018	AMP files and serves on Wigmans its Commercial List Response in the Wigmans Proceeding, pursuant to the 18 May Orders.	AFM 1:106

	Date	Event	Reference
15.	12 August 2018	Wigmans serves on AMP, on a without prejudice and confidential basis, her preliminary expert evidence for the purpose of mediation.	AFM 1:106
16.	29 August 2018	The Full Court of the FCA orders that, <i>inter alia</i> , the Komlotex Proceeding be transferred to the NSWSC within 28 days (<i>Wileypark v AMP</i> (2018) 265 FCR 1; [2018] FCAFC 143).	CAB 156 AFM 1:113
17.	29 August 2018	Wigmans files and serves an application seeking, <i>inter alia</i> , a stay of the Komlotex Proceeding (Wigmans Stay Application).	CAB 17 AFM 1:103
18.	25 September 2018	Wigmans serves an Amended Commercial List Statement and Amended Summons on AMP.	AFM 1:114, 204-287, 288-294
19.	24 October 2018	Komlotex files and serves an application seeking, <i>inter alia</i> , a stay of the Wigmans Proceeding (Komlotex Stay Application).	CAB 20 AFM 1:104
20.	30 October 2018	International Litigation Funding Partners Pte Ltd gives formal written notice to Komlotex terminating its Funding Agreement.	AFM 2:373
21.	1 November 2018	Komlotex and Maurice Blackburn enter into an amended conditional costs agreement, on the basis that Maurice Blackburn would conduct the proceedings on a “no win no fee” basis.	CAB 32 AFM 2:373
22.	7 November 2018	Wigmans serves her lay evidence on AMP.	AFM 1:106
23.	20 November 2018	Komlotex, Fernbrook, Maurice Blackburn, Slater & Gordon and Therium Litigation Finance (Australia) Ltd enter into a Deed of Cooperation regarding arrangements for the consolidation, conduct and funding of the Komlotex and Fernbrook Proceedings.	CAB 32-33 AFM 2:394
24.	22 November 2018	Komlotex and Fernbrook serve a notice of motion seeking to consolidate their respective proceedings.	AFM 2:393
25.	22 November 2018	Komlotex and Fernbrook provide a proposed Summons and Commercial List Statement as annexures ‘AJW-15’ and ‘AJW-16’ respectively to the affidavit of Andrew Watson sworn on 22 November 2018.	CAB 127 AFM 2:413-418, 419-492

	Date	Event	Reference
26.	6 and 7 December 2018	Hearing of, <i>inter alia</i> , the Wigmans Stay Application and the Komlotex Stay Application before the primary judge.	CAB 11
27.	23 May 2019	Primary judgment below (<i>Wigmans v AMP Ltd</i> [2019] NSWSC 603).	CAB 5
28.	18 June 2019	Wigmans files an application seeking leave to appeal from the primary judgment below.	CAB 142
29.	26 August 2019	Hearing of the Appeal by the full Court of the Supreme Court of New South Wales Court of Appeal (NSWCA).	CAB 149
30.	8 October 2019	NSWCA judgment (<i>Wigmans v AMP Ltd</i> (2019) 373 ALR 323; [2019] NSWCA 243).	CAB 149
31.	5 November 2019	Wigmans files an application for special leave to appeal with the High Court of Australia, seeking to appeal from the NSWCA judgment.	
32.	17 April 2020	High Court of Australia grants special leave to appeal.	CAB 196
33.	1 May 2020	Wigmans files and serves Notice of Appeal.	CAB 198

Dated: 5 June 2020



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