

BETWEEN

JAMES HENRY STEWART in his capacity as liquidator of
NEWTRONICS PTY LTD (in liquidation)
First Appellant



NEWTRONICS PTY LTD (receivers and managers appointed)
(in liquidation) (ACN 061 493 516)
Second Appellant

ATCO CONTROLS PTY LTD (in liquidation)
(ACN 005 182 481)
Respondent

APPELLANTS' CHRONOLOGY

PART I:

1. The Appellants certify that this chronology is in a form suitable for publication on the
internet.

PART II:

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Date	Event	Application Book reference
21.12.2001	Reasons for judgment in Federal Court proceedings <i>Seeley International Pty Ltd v Newtronics Pty Ltd</i> [2001] FCA 1862	
21.12.2001	Demand by Atco Controls for payment of intercompany debt	
08.01.2002	Atco Controls appoints receivers and managers to Newtronics pursuant to mortgage debenture	
18.01.2002	Judgment entered against Newtronics in favour of Seeley International for \$8.9 million damages	
31.01.2002	Judgment entered against Newtronics in favour of Seeley International for \$5 million interest, plus costs	
26.02.2002	Newtronics wound up in insolvency by Federal Court; James Stewart appointed as liquidator	
22.03.2002	First Agreement to indemnify between Seeley International and Stewart	Exhibit 1

Date	Event	Application Book reference
04.03.2003	Meeting of creditors of Newtronics	Annexure ATF-6
08, 09, 10. 2003; 07., 08.2004	Liquidator's examinations pursuant to sections 596A and 596B <i>Corporations Act</i> in connection with the affairs of Newtronics	
27.03.2006	Deed of Indemnity by Seeley International in favour of Stewart	
03.04.2006	Promise of Support litigation filed: <i>Newtronics v Atco Controls</i> in Victorian Supreme Court	
13.04.2006	Atco Controls placed in voluntary administration	
17.07.2006	Atco Controls placed in creditors' voluntary winding-up	
08.12.2006	Leave to add receivers as defendants and to proceed against Atco Controls granted by Victorian Supreme Court	
28.08.2007	Federal Court grants approval nunc pro tunc for entry by liquidator into funding agreements with Seeley International	
26.11.2008 9.12.2008	Trial of Promise of Support proceeding before Pagone J	
17.12.2008	Reasons for judgment of Pagone J <i>Newtronics Pty Ltd v Atco Controls</i> (2008) 69 ACSR 317	
14.01.2009, 16.01.2009	Appeals filed by Atco Controls against Newtronics and by Newtronics against Receivers	
03.09.2009	Settlement between Receivers and Newtronics Hearing of Atco appeal against Newtronics	
18.09.2009	Indemnifying creditor requests liquidator to exercise equitable lien over settlement sum and remit it to indemnifying creditor	
21.09.2009	Liquidator's legal advice with respect to equitable lien	
22.09.2009	Settlement sum paid by receivers to Newtronics	

Date	Event	Application Book reference
24.09.2009	Liquidator exercises lien and remits funds to indemnifying creditor	
21.10.2009	Appeal of Atco Controls upheld: <i>Atco Controls Pty Ltd v Newtronics Pty Ltd</i> (2009) 25 VR 411	
24.10.2009	Atco Controls claims settlement sum pursuant to its charge	
26.08.2010	Atco Controls files Originating Process by way of appeal pursuant to s1321 <i>Corporations Act 2001</i> against liquidator's decision to exercise lien and decline payment of settlement sum	
23.11.2010	Points of claim filed by Atco Controls	
25.11.2010	Defence to Points of Claim filed by Newtronics and liquidator	
29.11.2010	Reply to Defence filed by Atco Controls	
03.12.2010	Amended originating process	
03.12.2010	Hearing before Efthim As J	
20.04.2011	Reasons for judgment of Efthim As J	
29.06.2011	Hearing of appeal before Davies J	
28.07.2011	Reasons for judgment and order of Davies J	
17.10.2012	Hearing of appeal before Court of Appeal	
25.06.2013	Reasons for judgment and order of Court of Appeal (Warren CJ, Redlich JA, Cavanough A-JA)	
22.07.2013	Newtronics and liquidator file Application for Special Leave to Appeal against decision of the Court of Appeal	
08.11.2013	Special Leave to Appeal granted	



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P.G. Willis

Tel: 03 9225 8446

Fax: 03 9225 8668

Gadens Lawyers

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Gadens Lawyers

Solicitors for the Appellants

Tel: 03 9252 2555

Fax: 03 9252 2500



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A. J. Myers

Tel: 03 9653 3777

Fax: 03 9653 3000