

IN THE HIGH COURT OF AUSTRALIA  
PERTH REGISTRY

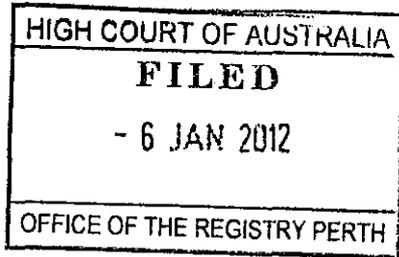
No. P60 of 2011

ON APPEAL FROM THE COURT OF CRIMINAL APPEAL OF THE SUPREME COURT OF  
WESTERN AUSTRALIA

BETWEEN:

NIGEL CUNNINGHAM SWIFT MANSFIELD  
Appellant

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-and-

THE QUEEN  
First Respondent

-and-

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JOHN KIZON  
Second Respondent

**APPELLANT'S (NIGEL CUNNINGHAM SWIFT MANSFIELD'S)  
CHRONOLOGY**

**PART I: SUITABILITY FOR REPUBLICATION ON THE INTERNET**

30 I certify that this chronology is in a form suitable for publication on the internet

**PART II: LIST OF PRINCIPAL EVENTS**

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No.	Date	Event
1.	04/01/2002	Statements allegedly made by Day to Mansfield to the effect that the expected profit for the 2002 financial year for AdultShop had risen from \$3 million to \$11 million, and the expected turnover for AdultShop for the 2002 financial year had risen from between \$30 million and \$50 million to about \$111 million.

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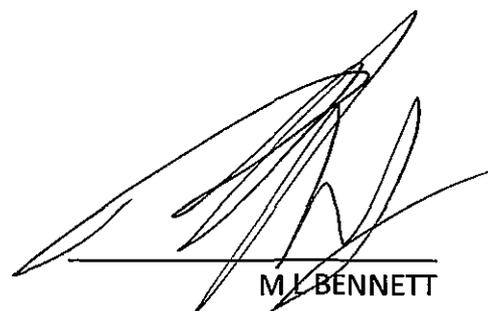
No.	Date	Event
2.	06/01/2002	Alleged discussion between the accused concerning the statements made by Day on 4 January 2002 regarding the projected profit and turnover for AdultShop.com – <b>Count 1.</b>
3.	07/01/2002	50,000 AdultShop shares purchased by Mansfield – <b>Count 5</b>
4.	07/01/2002	300,000 AdultShop shares purchased by Glentown Nominees Pty Ltd – <b>Count 1A</b>
5.	17/01/2002	100,000 AdultShop shares purchased by Glentown Nominees Pty Ltd - <b>Count 1B</b>
6.	23/01/2002	100,000 AdultShop shares purchased by Glentown Nominees Pty Ltd – <b>Count 1C</b>
7.	24/01/2002	Communicated the information referred to in note 2 above to Lynette Kerry Puzey – <b>Count 6</b>
8.	25/01/2002	50,000 AdultShop shares purchased by Mansfield – <b>Count 7</b>
9.	25/01/2002	50,000 AdultShop shares purchased by Mansfield – <b>Count 8</b>
10.	25/01/2002	25,000 AdultShop shares purchased by Glentown Nominees Pty Ltd – <b>Count 1D</b> 300,000 AdultShop shares purchased by Glentown Nominees Pty Ltd – <b>Count 1E</b>
11.	25 -29/01/2002	25,000 AdultShop shares purchased by Glentown Nominees Pty Ltd – <b>Count 1F</b>
12.	30/01/2002	150,000 AdultShop shares purchased by Glentown Nominees Pty Ltd – <b>Count 1G</b>
13.	07/02/2002	Statements allegedly made by Day to Mansfield to the effect that he (Day) was of the opinion that the figured for AdultShop were still a good story, that the company was getting huge figures, and it was expected that the market would be informed of the figures by March or April of 2002.
14.	08/02/2002	Alleged discussion between Kizon and Mansfield regarding AdultShop – <b>Count 9.</b>
15.	22/02/2002	100,000 AdultShop shares purchased by Glentown Nominees Pty Ltd – <b>Count 9A</b>
16.	01/03/2002	50,000 AdultShop shares purchased by Glentown Nominees Pty Ltd – <b>Count 9B</b>

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No.	Date	Event
17.	04/03/2002	50,000 AdultShop shares purchased by Glentown Nominees Pty Ltd – <b>Count 9C</b>
18.	07/03/2002	50,000 AdultShop shares purchased by Glentown Nominees Pty Ltd – <b>Count 9D</b>
19.	11/03/2002	50,000 AdultShop shares purchased by Glentown Nominees Pty Ltd – <b>Count 9E</b>
20.	12/03/2002	Statements allegedly made by Day to Mansfield to the effect that AdultShop was intending to release to the market its profit figure for the previous six months on 18 March 2002, and that the figures were going to be 'alright' but not break any records. Further AdultShop would announce the high or big quarterly figures to the market at the end of April 2002, and this release would show two quarters of good figures.
21.	12/03/2002	Alleged discussion between Kizon and Mansfield regarding AdultShop – <b>Count 14.</b>
22.	13/03/2002	50,000 AdultShop shares purchased by Glentown Nominees Pty Ltd – <b>Count 14A</b>
23.	20/03/2002	50,000 AdultShop shares purchased by Glentown Nominees Pty Ltd – <b>Count 14B</b>
24.	06/06/2002	Statements allegedly made by Day to Kizon to the effect that Packer had bought 4.9% of AdultShop, and that the projected revenue for AdultShop for the following month would significantly exceed what had previously been forecast.
25.	09/06/2002	Alleged discussions between the accused concerning the statements made by Day on 6 June 2002 regarding Packer and the AdultShop projected revenue – <b>Counts 21 &amp; 22.</b>
26.	11/06/2002	200,000 AdultShop shares purchased by Glentown Nominees Pty Ltd – <b>Count 21A</b>
27.	11/06/2002	132,906 AdultShop shares purchased by All Mediation Services Pty Ltd – <b>Count 22</b>
28.	11/06/2002 – 12/06/2002	150,000 AdultShop shares purchased by Glentown Nominees Pty Ltd – <b>Count 21B</b>
29.	11/06/2002	250,000 AdultShop shares purchased by Glentown Nominees Pty Ltd- <b>Count 21C</b>
30.	17/06/2002	520,000 AdultShop shares purchased by Glentown Nominees Pty Ltd – <b>Count 21D</b>

No.	Date	Event
31.	18/06/2002 – 21/06/2002	100,000 AdultShop shares purchased by Glentown Nominees Pty Ltd – <b>Count 21E</b>
32.	20/06/2002 – 21/06/2002	150,000 AdultShop shares purchased by Glentown Nominees Pty Ltd – <b>Count 21F</b>
33.	26/06/2002	240,000 AdultShop shares purchased by Glentown Nominees Pty Ltd – <b>Count 21G</b>
34.	02/07/2002	100,000 AdultShop shares purchased by Glentown Nominees Pty Ltd – <b>Count 21H</b>
35.	09/07/2002	Additional discussion between Kizon and Mansfield concerning AdultShop – <b>Count 23.</b>
36.	12/07/2002	100,000 AdultShop shares purchased by Glentown Nominees Pty Ltd – <b>Count 23A</b>
37.	18/01/2010	Trial commenced in the District Court of Western Australia.
38.	12/03/2010	Crown case closed.
39.	23/03/2010	Wisbey DCJ rules on no case submission by both the appellant Mansfield and the appellant Kizon (and dismisses all counts as against Kizon and except Counts 2, 3, 19 and 20 against appellant Mansfield.
40.	23/03/2010	Jury delivers verdict of acquittal in respect of Counts 2, 3, 19 and 20 in respect of Mansfield
41.	08/04/2010	Notice of Appeal filed by the Commonwealth.
42.	16/06/2011	Court of Appeal handed down judgment on Commonwealth's appeal, allowing the appeal by 2-1 majority.
43.	09/12/2011	Special Leave to Appeal granted.
44.	23/12/2011	Notice of Appeal filed.

Dated 6 January 2012



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