

BETWEEN:

JOHN KIZON  
Appellant

and

10

THE QUEEN  
First Respondent

and

NIGEL CUNNINGHAM SWIFT MANSFIELD  
Second Respondent

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APPELLANT'S CHRONOLOGY

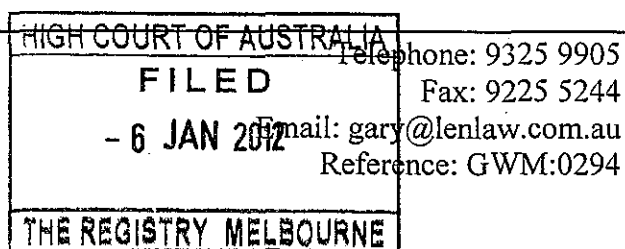
PART I: SUITABILITY FOR PUBLICATION ON THE INTERNET

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

PART II: LIST OF PRINCIPAL EVENTS

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.
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 – count 1.
3.	07/01/2002	300,000 AdultShop shares purchased by Glentown Nominees Pty Ltd
4.	17/01/2002	100,000 AdultShop shares purchased by Glentown Nominees Pty Ltd
5.	23/01/2002	100,000 AdultShop shares purchased by Glentown Nominees Pty Ltd
6.	25/01/2002	25,000 AdultShop shares purchased by Glentown Nominees Pty Ltd 300,000 AdultShop shares purchased by Glentown Nominees Pty Ltd
7.	25/01/2002	25,000 AdultShop shares purchased by Glentown Nominees Pty Ltd
	— 29/01/2002	

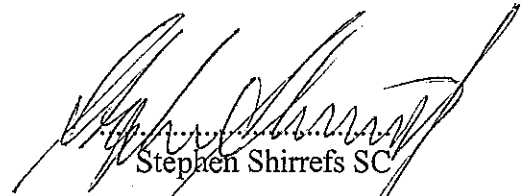
Solicitors for the Appellant  
**HOLBORN LENHOFF MASSEY**  
3<sup>rd</sup> Floor, Irwin Chambers  
16 Irwin Street  
PERTH WA 6000



8. 30/01/2002 150,000 AdultShop shares purchased by Glentown Nominees Pty Ltd
9. 07/02/2002 Statements allegedly made by Day to Mansfield to the effect that he (Day) was of the opinion that the figures 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.
10. 08/02/2002 Alleged discussion between Kizon and Mansfield regarding AdultShop –  
count 9.
11. 22/02/2002 100,000 AdultShop shares purchased by Glentown Nominees Pty Ltd
12. 01/03/2002 50,000 AdultShop shares purchased by Glentown Nominees Pty Ltd
13. 04/03/2002 50,000 AdultShop shares purchased by Glentown Nominees Pty Ltd
14. 07/03/2002 50,000 AdultShop shares purchased by Glentown Nominees Pty Ltd
15. 11/03/2002 50,000 AdultShop shares purchased by Glentown Nominees Pty Ltd
16. 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.
17. 12/03/2002 Alleged discussion between Kizon and Mansfield regarding AdultShop –  
count 14.
18. 13/03/2002 50,000 AdultShop shares purchased by Glentown Nominees Pty Ltd
19. 20/03/2002 50,000 AdultShop shares purchased by Glentown Nominees Pty Ltd
21. 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.
22. 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 – counts 21.
23. 11/06/2002 200,000 AdultShop shares purchased by Glentown Nominees Pty Ltd
24. 11/06/2002 132,906 AdultShop shares purchased by All Mediation Services Pty Ltd –  
count 22.
25. 11/06/2002 150,000 AdultShop shares purchased by Glentown Nominees Pty Ltd  
–  
12/06/2002
26. 11/06/2002 250,000 AdultShop shares purchased by Glentown Nominees Pty Ltd
27. 17/06/2002 520,000 AdultShop shares purchased by Glentown Nominees Pty Ltd
28. 18/06/2002 100,000 AdultShop shares purchased by Glentown Nominees Pty Ltd  
–  
21/06/2002
29. 20/06/2002 150,000 AdultShop shares purchased by Glentown Nominees Pty Ltd  
–  
21/06/2002
30. 26/06/2002 240,000 AdultShop shares purchased by Glentown Nominees Pty Ltd

31. 02/07/2002 100,000 AdultShop shares purchased by Glentown Nominees Pty Ltd
32. 09/07/2002 Additional discussion between Kizon and Mansfield concerning AdultShop – **count 23**.
33. 12/07/2002 100,000 AdultShop shares purchased by Glentown Nominees Pty Ltd
34. 18/01/2010 Trial commenced in the District Court of Western Australia.
35. 12/03/2010 Crown case closed.
36. 19/03/2010 Wisbey DCJ rules on Appellant's no case to answer submission, dismissing all counts against Kizon.
35. 08/04/2010 Notice of Appeal filed by the Commonwealth.
36. 01/12/2010 Appeal heard before Court of Appeal.
37. 16/06/2011 Court of Appeal handed down judgment on Commonwealth's appeal, allowing the appeal by 2-1 majority.
38. 09/12/2011 Special Leave to Appeal granted.
39. 23/12/2011 Notice of Appeal filed.

Dated: 6 January 2012



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