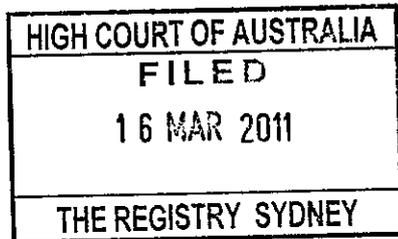


BETWEEN:

LITHGOW CITY COUNCIL

10



Appellant

and

CRAIG WILLIAM JACKSON

Respondent

**APPELLANT'S CHRONOLOGY**

20 **Part I:** The Appellant certifies that this chronology is in a form suitable for publication on the internet.

**Part II:**

| Date               | Event   | Reference |
|--------------------|---|-----------|
| 8.06.76            | Respondent's date of birth  |           |
| 17.07.02           | Respondent has drinks with Mr Travis Sperling at Lithgow Workman's Club   |           |
| 18.07.02 at 3:30am | Respondent leaves 7 Andrew Street, Lithgow with two dogs in a moderately intoxicated state after an argument with his de-facto wife, Naomi Sperling |           |
| 18.07.02 at 6:50am | Respondent found in open drain in Endeavour Park Lithgow by bystanders  |           |
| 18.07.02 at 6:57am | Ambulance officers called to Endeavour Park, Lithgow  |           |
| 18.07.02 at 7.07am | Ambulance officers arrive at Endeavour Park, Lithgow  |           |

50 Dated: 16 March 2011  
Filed on behalf of the Appellant by:

**DLA Phillips Fox**  
Lawyers  
201 Elizabeth Street  
Sydney NSW 2000

Telephone: (02) 9286 8000  
Facsimile: (02) 9283 4144  
DX: 107 Sydney  
Reference: MED 0383444 NLS  
Contact: Michael Edward Down

|    |                        |  |  |
|----|------------------------|--|--|
| 1  | 18.07.02 at<br>7.09am  | Ambulance officers attend to Respondent  |  |
|    | 18.07.02 at<br>7.31am  | Ambulance departs Endeavour Park with Respondent   |  |
| 10 | 18.07.02 at<br>7.36am  | Ambulance arrives at Lithgow Hospital with Respondent  |  |
|    | 18.07.02 at<br>9.09am  | Air Ambulance called to transport Respondent from<br>Lithgow Hospital to Nepean Hospital   |  |
|    | 18.07.02 at<br>9.42am  | Air Ambulance departs base   |  |
| 20 | 18.07.02 at<br>10.30am | Air Ambulance arrives at Lithgow Hospital  |  |
|    | 18.07.02 at<br>11.15am | Air Ambulance departs Lithgow Hospital with<br>Respondent on route to Nepean Hospital. Respondent<br>admitted to Nepean Hospital     |  |
|    | 09.08.02               | Respondent discharged from Nepean Hospital   |  |
| 30 | 30.03.05               | Statement of Claim filed in the District Court of New<br>South Wales at Sydney   |  |
|    | 30.09.05               | Notice of Grounds of Defence filed   |  |
|    | 26.03.07               | First day of hearing before Ainslie-Wallace DCJ<br><br>Respondent gives evidence   |  |
| 40 | 27.03.07               | Day 2 of hearing<br><br>Peter Rawlings give evidence<br><br>Respondent gives further evidence  |  |
| 50 | 28.03.07               | Day 3 of hearing<br><br>Travis Sperling gives evidence<br><br>Peter Sperling gives evidence<br><br>Glenda Shakespeare gives evidence |  |
|    | 29.03.07               | Day 4 of hearing   |  |

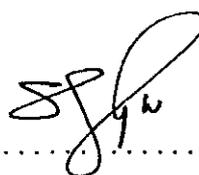
|    |          |   |  |
|----|----------|---|--|
| 1  |          | Naomi Sperling gives evidence   |  |
|    | 30.03.07 | Day 5 of hearing<br>Glenda Shakespeare gives further evidence<br>Renee Jackson gives evidence   |  |
| 10 | 02.04.07 | Day 6 of hearing<br>Glenda Shakespeare gives further evidence   |  |
|    | 03.04.07 | Day 7 of hearing  |  |
|    | 04.04.07 | Day 8 of hearing  |  |
|    | 13.06.07 | Judgment Ainslie-Wallace DCJ  |  |
| 20 | 13.06.07 | Order of District Court   |  |
|    | 14.09.07 | Notice of Appeal to NSW Court of Appeal filed by Respondent   |  |
|    | 19.11.07 | Amended Notice of Appeal to NSW Court of Appeal filed by Respondent   |  |
| 30 | 15.08.08 | Hearing of Appeal by NSW Court of Appeal comprised by Allsop P, Basten JA and Grove J   |  |
|    | 24.11.08 | Judgment of NSW Court of Appeal   |  |
|    | 17.12.08 | Judgment/Order  |  |
| 40 | 27.10.09 | Order granting Special Leave to Appeal to the High Court of Australia. Appeal treated as instituted, heard instanter and allowed and remitted back to the NSW Court of Appeal for further hearing of the Appeal |  |
|    | 16.04.10 | Further hearing of the Appeal by NSW Court of Appeal comprised by Allsop P, Basten JA and Grove J   |  |
|    | 11.06.10 | Judgment of NSW Court of Appeal   |  |
|    | 11.06.10 | Judgment/Order  |  |
| 50 | 21.06.10 | Notice of Contention filed by Appellant in NSW Court of Appeal  |  |
|    | 30.06.10 | Further Amended Notice of Appeal filed by Respondent  |  |

1

|          |   |  |
|----------|---|--|
|          | in NSW Court of Appeal  |  |
| 11.02.11 | Order granting Special Leave to Appeal to the High Court of Australia |  |
| 24.02.11 | Notice of Appeal to the High Court of Australia                       |  |

10

Dated: 16 March 2011



.....  
Name: S.G. CAMPBELL  
Telephone: 9231 0077  
Facsimile: 9235 1492  
Email:  
campbell@williamdeanechambers.com.au

20

30

40

50