



HIGH COURT OF AUSTRALIA

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Details of Filing

File Number: A4/2020
File Title: Deguisa & Anor v. Lynn & Ors
Registry: Adelaide
Document filed: Form 27B - Appellant's chronology
Filing party: Appellants
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Important Information

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BETWEEN:

Nick Deguisa
First Appellant
Tori McKenzie
Second Appellant

and

Ann Lynn
First Respondent
Christine Evans
Second Respondent
Richard John Fielder
Third Respondent

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APPELLANTS' CHRONOLOGY

Part I: Certification

We certify that this submission is in a form suitable for publication on the internet.

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Part II: List of Principal Events

Definitions in the Appellants' Submissions are adopted in this Chronology

Date	Event	Reference
Prior to 1960	Earlier subdivision during Mr Oliver Ayton's life	CAB111, [119]
7/9/1964	First main subdivision of ten titles	CAB92, [78]
14/10/1964	Encumbrance signed for first lot dealt with, namely Lot 29	BFM 226-229
1/12/1964	Lot 6 transferred to Lizzie Fielder and a trustee company	CAB95, [89]


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10/12/1964	Second main subdivision of thirty eight titles	CAB94, [86]
23/12/1964	Lot 5 transferred to Richard and Betty Fielder	CAB95, [90]
13/4/1965	Subdivision of Lots 1 to 4	CAB96, [95]
4/11/1965	Mr and Mrs Boin signed the Memorandum of Encumbrance for Lot 3	BFM 37
8/11/1965, 11.10am	Memorandum of Encumbrance presented for filing and fee paid for Lot 3	CAB29
9/11/1965	RG's delegate issued a requisition as no land is identified as being appurtenant for Lot 3	CAB29
17/11/1965	Licensed land broker signed endorsement on the back sheet of the Lot 3 Memorandum of Encumbrance, stating <i>"This encumbrance forms portion of a common Building Scheme."</i>	CAB29
19/11/1965, 11am	Memorandum of Encumbrance for Lot 3 was memorialised on the CT	CAB29
20/11/1967	Lot 3 transferred from Mr and Mrs Boin, to Mr and Mrs McKenzie (the Second Appellants' late grandparents)	CAB116, [136]; BFM39
12/12/67	Lot 4 transferred to Mr and Mrs Boin	BFM46
4/2/1981	Lot 47, the last to be sold, was transferred	BFM369

6/9/2000	First Edition of present CT, a computerised title issued	BFM435.2; CAB116, fn79
23/1/2008	Appellants purchased Lot 3 for value	CAB116, [136-137]
2/11/2014	Surviving encumbrancee Betty Fielder died	CAB107, [106]
17/3/2016	Probate in the estate of Betty Fielder granted to the Respondents	Ibid
16/12/2015	Appellants applied for development approval	CAB107, [107]; BFM498
12/4/2016	Approval granted for subdivision and development of Lot 3, subject to conditions	Ibid
4/7/2016	Respondents lodged a caveat	CAB107-108, [108]
19/7/2016	Caveat registered	Ibid
2/12/2016	Caveat warned by Appellants	Ibid; BFM435.8
9/12/2016	Proceedings instituted to preserve caveat	CAB108, [109]

Dated 8 May 2020:



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