



HIGH COURT OF AUSTRALIA

NOTICE OF FILING

This document was filed electronically in the High Court of Australia on 21 Jan 2022 and has been accepted for filing under the *High Court Rules 2004*. Details of filing and important additional information are provided below.

Details of Filing

File Number: M86/2021
File Title: Google LLC v. Defteros
Registry: Melbourne
Document filed: Form 27B - Appellant's chronology
Filing party: Appellant
Date filed: 21 Jan 2022

Important Information

This Notice has been inserted as the cover page of the document which has been accepted for filing electronically. It is now taken to be part of that document for the purposes of the proceeding in the Court and contains important information for all parties to that proceeding. It must be included in the document served on each of those parties and whenever the document is reproduced for use by the Court.

IN THE HIGH COURT OF AUSTRALIA
MELBOURNE REGISTRY

M86/2021

BETWEEN:

Google LLC
Appellant

and

George Defteros
Respondent

10

APPELLANT'S CHRONOLOGY

Part I:

1 This chronology is in a form suitable for publication on the internet.

Part II:

Date	Event
17 June 2004	The respondent and Mario Condello were charged with conspiracy to murder and incitement to murder Carl Williams, his father George Williams, and Carl Williams' bodyguard. The respondent was arrested at his office and interviewed by police, before appearing at the Magistrates' Court at Melbourne where he was granted bail (TJ [2]; CAB 8)
18 June 2004	<i>The Age</i> published an article by John Silvester entitled 'Underworld loses valued friend at court' (the Underworld article) (TJ [6], [12]; CAB 9, 17-20)
Early 2005	The respondent was committed to stand trial (TJ [2]; CAB 8)
22 August 2005	The charges against the respondent were withdrawn (TJ [3]; CAB 8)
31 August 2007	Solicitors acting on behalf of the respondent wrote to <i>The Age</i> complaining that the Underworld article continued to be published on <i>The Age</i> website and was defamatory of the respondent. <i>The Age</i> disputed that claim. The respondent however did not commence any

Date	Event
	proceeding against <i>The Age</i> in relation to its continued publication (TJ [254]-[255]; CAB 85)
June 2010	The respondent commenced proceedings in the Supreme Court of Victoria against John Silvester and others as publishers of a book entitled <i>Leadbelly: Inside Australia's Underworld Wars</i> . The book contained a chapter called 'Snakes and Ladders', which was based on the Underworld article (the Leadbelly proceeding) (TJ [276]; CAB 90)
September 2010	The Leadbelly proceeding settled at mediation on terms including that the next reprint of the book would contain a revised chapter and that the respondent released the defendants from all liability in relation to various matters, including 'any article published in <i>The Age</i> , <i>The Age</i> online and/or any Fairfax Media or Fairfax Digital publication' concerning the respondent (TJ [277]; CAB 90)
4 February 2016	Kevin Dorey, a solicitor employed by Defteros Lawyers, completed a removal request form on the appellant's website concerning the Underworld article (the Removal Request), which could be reached by clicking on a hyperlink within a search result returned by the appellant's search engine in response to a user's search query 'george defteros' (the Search Result) (TJ [65]; CAB 38-39)
9 February 2016	Rachel Ahn, an employee of the appellant, responded to the Removal Request by requesting a copy of the court order (TJ [209]; CAB 73)
12 March 2016	Mr Dorey responded to the effect that the matter was settled in a mediation before it proceeded to trial, that the terms of settlement were confidential, but that the publisher had conceded that the article was defamatory and had agreed to remove the article from its website and accordingly from the internet (TJ [209]; CAB 73)
23 March 2016	Ms Ahn informed Mr Dorey that the appellant had decided not to remove the Underworld article from its Web Search service and encouraged him to resolve the dispute directly with <i>The Age</i> (TJ [210]; CAB 73)
1 August 2016	Defteros Lawyers sent a Concerns Notice to the appellant concerning the Underworld article, which, for the first time, identified the imputations of which the respondent complained (CA [32]; CAB 141)

Date	Event
	On the same day, Defteros Lawyers wrote again to <i>The Age</i> concerning the Underworld article (CA [31]; CAB 141)
2 December 2016	The respondent commenced proceedings against the appellant in the Supreme Court of Victoria in relation to the Underworld article (CAB 106)
24 December 2016	<i>The Age</i> removed the Underworld article from appearing at the URL to which the Search Result linked (TJ [68], [256]; CAB 39, 85)
13-15, 18-21 November 2019	Trial in the Supreme Court before Richards J (CAB 5)
30 April 2020	Reasons for judgment published by the Supreme Court (Richards J): <i>Defteros v Google LLC</i> [2020] VSC 219 (CAB 5-105)
6 May 2020	Orders made by the Supreme Court (Richards J) (CAB 106)
3 June 2020	Reasons published and orders made concerning costs by the Supreme Court (Richards J): <i>Defteros v Google LLC (Costs)</i> [2020] VSC 324 (CAB 107-119, 120-121)
11 June 2020	The appellant filed an application for leave to appeal with the Court of Appeal (CAB 122-130)
27 May 2021	Hearing of the application for leave to appeal and the appeal in the Court of Appeal before Beach, Kaye and Niall JJA (CAB 131)
17 June 2021	Reasons published and orders made by the Court of Appeal (Beach, Kaye and Niall JJA): <i>Defteros v Google LLC</i> [2021] VSCA 167 (CAB 131-236, 237)
15 July 2021	The appellant filed an application for special leave to appeal with this Court
10 December 2021	The appellant was granted special leave to appeal to this Court (Kiefel CJ, Keane and Edelman JJ) from part of the judgment of the Court of Appeal in <i>Defteros v Google LLC</i> [2021] VSCA 167 (CAB 250-251)
24 December 2021	The appellant filed a notice of appeal and an application to file an

Date	Event
	amended notice of appeal with this Court (CAB 252-254)

Dated: 21 January 2022



Bret Walker

(02) 8257 2527

T

E

maggie.dalton@stjames.net.au



Georgina Schoff

(03) 9225 7239

glschoff@vicbar.com.au



Coral Alden

(03) 9225 7485

calden@vicbar.com.au