



HIGH COURT OF AUSTRALIA

NOTICE OF FILING

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Details of Filing

File Number: S26/2024
File Title: Naaman v. Jaken Properties Australia Pty Limited ACN 123 42
Registry: Sydney
Document filed: Form 27B - Appellant's chronology
Filing party: Appellant
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Important Information

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IN THE HIGH COURT OF AUSTRALIA
 SYDNEY REGISTRY

BETWEEN:

ANTHONY NAAMAN
 Appellant

and

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JAKEN PROPERTIES AUSTRALIA PTY LIMITED ACN 123 423 432
& ORS (ACCORDING TO THE SCHEDULE)
 Respondents

APPELLANT'S CHRONOLOGY

PART I FORM OF CHRONOLOGY

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

PART II CHRONOLOGY

DATE	EVENT	REFERENCE
21 June 2005	Discretionary Trust Deed settled for the Sly Fox Family Trust (Trust). Jaken Property Group Pty Limited (JPG) appointed as the trustee of the Trust.	J [18] CAB 15
15 July 2005	JPG entered into a Deed of Guarantee and Restraint with the appellant, from which the parties' dispute arose.	J [21] CAB 16
24 August 2005	Units 261 and 191 on Cavanagh Street, Southbank in Victoria were acquired by JPG (Victorian Properties) for \$640,000.	J [22] CAB 16

Filed on behalf of the Appellant by
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DATE	EVENT	REFERENCE
7 October 2005	JPG purchased the O'Malley's Hotel (Kings Cross Property) for \$8,900,000.	J [24] CAB 16
14 February 2006	JPG purchased land on Cowper Street, Granville for \$750,000 (Granville Land).	J [28] CAB 16
6 November 2006	The appellant commenced proceedings in the Common Law Division of the Supreme Court against JPG in reliance on the Deed of Guarantee and Restraint.	J [34] CAB 17-18
12 January 2007	Jaken Properties Australia Pty Ltd (Jaken), was registered with Tony Sleiman as its sole director.	J [35] CAB 18
13 February 2007	JPG was retired as trustee of the Trust and entered into a Deed of Appointment and Retirement of trustee of Discretionary Trust. Jaken appointed as trustee of the Trust.	J [38] CAB 18
13 February 2007 (registered 5 February 2008)	The Victorian Properties were transferred from JPG to Jaken.	J [39] CAB 19
25 February 2007	Costs assessment issued against JPG in favour of the appellant.	J [41] CAB 19
27 February 2007	JPG was wound up voluntarily based on an alleged debt of \$2,500 owed to the Sleiman Family's accountant and Mr Christopher Darin was appointed as JPG's liquidator.	J [42] CAB 19
29 March 2007	The appellant lodged a caveat over the Kings Cross Property and the Granville Land.	J [45] CAB 19
1 June 2007	Mr Darin as liquidator of JPG lodged a caveat over the Kings Cross Property and the Granville Land.	J [47] CAB 20

DATE	EVENT	REFERENCE
9 October 2008	An application was made to record Jaken as the new registered proprietor on the title of the Kings Cross Property and Granville Land, after which title was transferred to Jaken.	J [58] CAB 21-22
6 July 2009	The appellant commenced proceedings in the Equity Division of the NSW Supreme Court against Peter Sleiman and Jaken as trustee of the Trust seeking judgment in the sum of \$2 million (2009 Proceeding).	J [71] CAB 23
23 August 2012	The Victorian Properties were transferred from Jaken to the sixth respondent (PSJK).	J [123] CAB 30
5 October 2012	The Granville Land was transferred from Jaken to the fourth respondent (Superior).	J [126] CAB 30
14 March 2013	Justice Black made orders reinstating the registration of JPG, appointing Mr Mark Cooper as its liquidator, and making directions for the appellant to file a motion for leave to commence proceedings against JPG.	J [131] CAB 31
3 March 2014	Justice Pembroke gave judgment in the 2009 Proceedings against JPG for \$2 million plus interest and adjourned the balance of the proceeding.	J [142] CAB 32
17 March 2014	The defendants to the 2009 Proceeding applied to set aside Pembroke J's judgment against JPG.	J [146] CAB 33
18 June 2014	Injunction to restrain Jaken in relation to the Kings Cross Property.	J [157] CAB 35

DATE	EVENT	REFERENCE
8 September 2014	Several transactions comprising the “Draw Down” took place whereby Jaken’s liability as principal to NAB increased by \$3.6 million.	J [168] CAB 38 CA [465] CAB 134
24 December 2014	Justice Stevenson gave judgment in the 2009 Proceedings dismissing the appellant’s claims.	J [179] CAB 41
1 September 2015	The Court of Appeal allowed the appellant’s appeal in respect of the judgment of Stevenson J and remitted the proceedings for the assessment of damages.	J [194] CAB 43
22 February 2016	Justice Young made orders entering judgment for the appellant against JPG and declaring that JPG was entitled as against Jaken and generally to be indemnified out of the assets of the Trust in respect of the judgment. The appellant was subrogated to the rights of JPG.	J [210] CAB 46
23 January 2019	The current proceedings were commenced in the Equity Division of the Supreme Court.	J [258] CAB 55
16-27 November 2020	The trial of the proceedings was heard before Kunc J.	CAB 6
29 April 2022	The primary judge delivered judgment in <i>Jaken Properties Australia v Naaman</i> [2022] NSWSC 517.	CAB 6
6-7 February 2023	The appeal proceedings were heard before the Court of Appeal.	CAB 175
8 September 2023	The Court of Appeal delivered judgment in <i>Jaken Properties Australia Pty Ltd v Naaman</i> [2023] NSWCA 214.	CAB 175

DATE	EVENT	REFERENCE
26 October 2023	The Court of Appeal delivered its consequential judgment in <i>Jaken Properties Australia Pty Ltd v Naaman (No 2)</i> [2023] NSWCA 254, and orders.	CAB 265

Dated: 28 March 2024



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SCHEDULE OF PARTIES

ANTHONY NAAMAN
Appellant

and

10 **JAKEN PROPERTIES AUSTRALIA PTY LIMITED ACN 123 423 432**
First Respondent

and

PETER SLEIMAN
Second Respondent

and

20 **TONY SLEIMAN**
Third Respondent

and

SUPERIOR FAMILY INVESTMENTS PTY LTD ACN 156 135 072
Fourth Respondent

and

30 **O'MALLEY'S HOTEL PTY LTD ACN 608 025 636**
Fifth Respondent

and

PSJK HOLDINGS PTY LTD ACN 133 251 537
Sixth Respondent

and

40 **POWERHOUSE CORPORATION PTY LTD ACN 112 759 985**
Seventh Respondent