

IN THE HIGH COURT OF AUSTRALIA  
MELBOURNE REGISTRY

No M154 of 2016

BETWEEN

JUDITH GAIL TALACKO (AS  
APPOINTED REPRESENTATIVE  
OF THE ESTATE OF JAN EMIL  
TALACKO)

Appellant

and

ALEXANDRA BENNETT

First Respondent

MARTIN TALACKO

Second Respondent

ROWENA TALACKO

Third Respondent

JAN TALACKO (AS EXECUTOR  
OF THE ESTATE OF HELENA

MARIE TALACKO)

Fourth Respondent



APPELLANT'S CHRONOLOGY

**Part I:**

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

**Part II:**

Date	Event	Reference
23 February 2001	The parties to Supreme Court of Victoria proceeding S CI 1998 07393 (the 1998 Proceeding) entered into written terms of settlement in relation to the 1998 Proceeding, which terms required the transfer by Jan Emil Talacko ( <b>J E Talacko</b> ) of all rights, title and interest in certain properties to a person nominated by the plaintiffs in the 1998 Proceeding (who included the respondents in this appeal) and that J E Talacko would not deal with those properties otherwise than in accordance with the terms	CA [133]

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Date	Event	Reference
July 2005	The plaintiffs in the 1998 Proceeding reinstated the 1998 Proceeding	CA [134]
April 2008	Osborn J of the Supreme Court of Victoria held that J E Talacko had breached the terms of settlement and ordered the payment of equitable compensation to the plaintiffs in the 1998 Proceeding for breach of fiduciary duties	CA [135]
12 May 2009	J E Talacko and his sons, David Talacko and Paul Talacko, executed three donation agreements by which J E Talacko agreed to transfer to David Talacko and Paul Talacko, by way of gift, certain properties in the Czech Republic	CA [136]
28 October 2009	Wood AsJ of the Supreme Court of Victoria made a costs order in the 1998 Proceeding requiring J E Talacko to pay the plaintiffs the sum of \$81,914.40	CA [137]
11 December 2009	Kyrou J of the Supreme Court of Victoria made final orders in the 1998 Proceeding against J E Talacko requiring him to pay the plaintiffs in the 1998 Proceeding the total sum of €10,073,818	CA [138]
4 November 2011	The first to third respondents in this appeal commenced two court proceedings in the Czech Republic: proceeding 49 EXE 2107/2011-73 against J E Talacko, seeking to enforce the orders of Kyrou J, and proceeding 68C 139/2011 against J E Talacko's sons, David Talacko and Paul Talacko, seeking to contest the effectiveness of the Donation Agreement	CA [141]
7 November 2011	J E Talacko was made bankrupt by order of North J of the Federal Court of Australia, upon the petition of the respondents in this appeal	CA [142]
4 July 2012	On the request of the first to third respondents in this appeal, the Prothonotary of the Supreme Court of Victoria issued a document entitled 'Certificate of Finality of Judgments and Orders' (the <b>First Certificate</b> ) in purported reliance on sec 15 of the <i>Foreign Judgments Act 1991</i> (Cth)	CA [143]

Date	Event	Reference
10 December 2012	North J of the Federal Court of Australia made orders granting leave <i>nunc pro tunc</i> to the respondents in this appeal pursuant to subsec 58(3) of the <i>Bankruptcy Act 1966</i> (Cth) to, among other things, commence an application in the Supreme Court of Victoria Costs Court and continue to take further steps up to judgment against J E Talacko in proceedings in the Czech Republic, provided that no steps be taken to enforce any judgment against J E Talacko without the prior leave of the Federal Court of Australia in its bankruptcy jurisdiction	CA [147]
3 November 2014	J E Talacko died intestate	CA [153]
16 December 2014	The appellant in this appeal issued a summons in the 1998 Proceeding by which she applied for orders that she be appointed to represent the estate of J E Talacko for the purpose of conducting an application for declarations that the Prothonotary of the Supreme Court of Victoria had exceeded his authority in issuing the First Certificate and that the First Certificate was invalid and be set aside, or alternatively for an order that the Prothonotary amend the First Certificate as the Court deemed appropriate	CA [156]
4 February 2015	Daly AsJ of the Supreme Court of Victoria delivered a ruling and made orders in the 1998 Proceeding by which she dismissed the summons dated 16 December 2014	CA [158]
18 February 2015	The appellant in this appeal filed a notice of appeal in the 1998 Proceeding against Daly AsJ's ruling and orders	CA [160]
23 February 2015	On the request of the first to third respondents in this appeal, the Prothonotary of the Supreme Court of Victoria issued a further document (the <b>Second Certificate</b> ) in purported reliance on sec 15 of the <i>Foreign Judgments Act 1991</i> (Cth), which stated that '[t]his certificate is an amendment and replaces in its entirety [the First Certificate]'	CA [161]
8 May 2015	The appellant in this appeal issued a fresh summons by which she sought to have the First Certificate and the Second Certificate revoked, declared invalid or set aside, in addition to the making of a 'representative' order for the purposes of making the application	CA [166]

Date	Event	Reference
12 November 2015	Sloss J of the Supreme Court of Victoria ordered that the appellant in this appeal be appointed <i>nunc pro tunc</i> from 8 May 2015 to represent the estate of J E Talacko for the purposes of conducting an application for the orders set out in the summons dated 8 May 2015  On the same day, her Honour delivered reasons for judgment in respect of the application made by the summons dated 8 May 2015	CA [170]- [172]
4 February 2016	Sloss J of the Supreme Court of Victoria made final orders which, relevantly, declared invalid the First Certificate and the Second Certificate	CA [173]
2 March 2016	The first to third respondents in this appeal filed an application for leave to appeal in the Court of Appeal of the Supreme Court of Victoria against certain of Sloss J's final orders, including those by which the First Certificate and the Second Certificate were declared invalid	AB
28 July 2016	The Court of Appeal of the Supreme Court of Victoria delivered reasons for judgment and made orders allowing the appeal	AB
10 November 2016	The High Court of Australia made orders granting the appellant in this appeal special leave to appeal from the whole of the judgment and order of the Court of Appeal of the Supreme Court of Victoria	AB
23 November 2016	The appellant in this appeal filed a notice of appeal in the High Court of Australia in respect of the whole of the judgment and order of the Court of Appeal of the Supreme Court of Victoria	AB

15<sup>th</sup> December 2016



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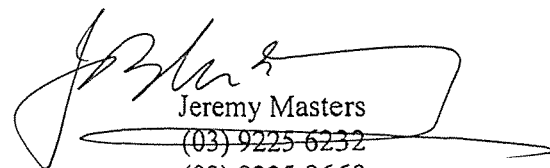
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