

## CHRONOLOGY

1. 2001. X institutes action against the Bank claiming to hold a lease over property in respect of which the Bank entered into possession as mortgagee and claiming inter alia damages in tort for conversion.
2. August 2003. Pro-bono Counsel was appointed under O 80 of the *Federal Court Rules* to act for X in the above proceeding.
3. January 2004 X requested the appointment of another pro bono counsel, that request refused by a Justice of the Federal Court.
4. 2/2/2004. X files application for leave to Appeal from decision to refuse pro bono assistance.
5. 5/2/2004. The Federal Court dismisses the above proceeding with costs (and grants possession of the property to the Bank).
6. 11/5/2004. X applies to the Federal Court for an extension of time within which to appeal against the orders of 5/2/2004. The Federal Court refuses to grant an extension of time.
7. 18/6/2004. X applies to the High Court for prerogative relief against the Bank and the sheriff seeking orders to quash the orders of 5 February 2004. That application is refused by the High Court, with costs.
8. 27/9/2004. X's application for leave to appeal from refusal of application for pro bono assistance, refused by the Federal Court with costs .
9. 28/7/2005. The Federal Magistrate's Court sets aside a Bankruptcy Notice issued by the Bank due to an error on the part of the Registry. X is ordered to pay the Banks' costs of and incidental to the adjournments of 30 May and 20 July 2005 fixed in the total sum of \$2,000.00.

10. 11/7/2006. X's appeal against orders of Federal Magistrate's Court made on 28 July 2005 dismissed by the Federal Court on 11/7/2007 with costs.
11. 25/7/2008 X applies to the High Court for Special Leave to Appeal against the orders of 11/7/2006 (above).
12. 24/7/2006 Taxation of costs. X to pay to the Bank's costs in the amount of \$57,603.00.
13. 25/7/2006. The Bank issues a further Bankruptcy Notice against X ("Second Bankruptcy Notice").
14. 25/9/2006. X applies to set aside the Second Bankruptcy Notice.
15. 14/2/2007. X files 2 motions in the Federal Court seeking a declaration that until reasons for decision are provided by the Federal Court in respect of the Order made 26 July 2005, the said order was not capable of enforcement and that the Certificate of Taxation on 9 June 2006 and/or 24 July 2006 be set aside for want of jurisdiction. The Federal Court refuses those 2 applications with costs.
16. 19/3/2007. The Federal Magistrate's Court refuses application to set aside that Bankruptcy Notice.
17. February 2007. X sues the Bank and others in the County Court for damages for, inter alia, pain and suffering arising of service on X of the First Bankruptcy Notice which was subsequently set aside (see 28/7/2005 above).
18. 23/3/2007. The Bank files a Creditor's Petition against X based on X's failure to comply with Second Bankruptcy Notice.
19. 5/4/2007. X files a notice of appeal in the Federal Court against the orders made at 19/3/2007 above.
20. 20/4/2007. X's application for leave to appeal the orders made on 14 February 2007 (see above) refused with costs.

21. 26/4/2007. X is ordered by the Federal Magistrate's Court in the Creditor's Petition proceeding to file an Affidavit of Financial Circumstances. X fails to comply with order.
22. 4/5/2007. X applies to the High Court for an extension of time to file documents in X's application for Special Leave to Appeal (see 25/7/2006 above). Application granted. X fails to comply with order.
23. 7/6/2007. In the Federal Magistrate's Court X refuses to enter the witness box to be cross-examined upon his Affidavit supporting various motions filed by him, despite being requested to do so by the Registrar. Motions dismissed and X was further ordered to file and serve any Affidavit of Financial Circumstances by 18 June 2007: X does not comply with this order.
24. 19/6/2007. X as Plaintiff in County Court (see February 2007 above) serves a proposed Further Amended Statement of Claim.
25. 16/8/2007. X again applies to the High Court for an extension of time to file documents in X's application for Special Leave to Appeal (see 25/7/2006 above). Application granted. X fails to comply with order.
26. 18/10/2007. X files Notice of Motion seeking review of orders of a Registrar of the Federal Court made on 11/10/2007 that X lodge security for costs of X's Appeal (see 20/4/2007 above).
27. 12/12/2007. In X's County Court proceeding his application for leave to amend his statement of claim was refused, the proceeding stayed and he was ordered to pay the Bank's costs.
28. 26/11/2007. The Bank issues a further Bankruptcy Notice against X based on a further unpaid costs order ("Third Bankruptcy Notice").
29. 9/1/2007. X applies to the Federal Court to set aside the Third Bankruptcy Notice.

30. February 2008 X lodges 2 further caveats over the property referred to at 5/2/2004 above, bringing the number of caveats lodged by or on behalf of X over that property to 4.

**Synopsis of the status above proceedings and activity in relation to X in the Period 20 February 2008 to 5 June 2008**

Proceeding No. and Court	Description of Proceeding	Status/Timetable
Federal Magistrates Court of Australia, transferred on 02/01/08 to the Federal Court, transferred back to the FMC on 27 February 2008	Creditor's Petition brought by the Bank against X	<p>The Creditor's Petition was heard in the Federal Magistrate's Court, before on 17 and 19 December 2007. On the Court's own motion the hearing of the Creditor's Petition was transferred to the Federal Court to be heard on 29 February 2008 (the date the Federal Court is hearing X's application for review of the Registrar's security of costs order – see below).</p> <p>The Creditor's Petition was transferred back to the Federal Magistrate's Court on 27 February 2008 by the Federal Court.</p> <p>On 18 March 2008 the Bank files a notice of motion seeking an extension of the life of the Creditor's Petition for a period up to 12 months. By order the life of the Creditor's Petition was extended to 23 February 2009. The Federal Magistrate's Court found that the delay's in prosecuting the Petition were due to the conduct of X. X was ordered to pay the costs of the Application.</p> <p>On 8 April 2008 X files in the Federal Court an application for leave to appeal against the orders of the Federal Magistrate's Court made 18 March 2008.</p> <p>On 1 May 2008 the Federal Court on X's application for an adjournment of his application adjourned the leave to appeal application</p> <p>On 26 May 2008 X's application was dismissed by the Federal Court with costs.</p>
Federal Court of Australia, transferred to the Federal Magistrate's Court on 27 February 2008	Application by X to set aside the "3 <sup>rd</sup> " Bankruptcy Notice	<p>X failed to appear on 15 April 2008. On that date and due to X's non appearance X's application was dismissed with costs.</p> <p>By notice of motion filed on 23 April 2008 X applied to set aside the orders made on 15 April 2008, and, again, to set aside</p>

		<p>the 3<sup>rd</sup> Bankruptcy Notice.</p> <p>That application was heard on 8 May 2008. X applied for an adjournment of his application. The hearing of X's application by notice of motion filed 8 May 2008 was adjourned to 21 May 2008.</p> <p>X's application by notice of motion filed 8 May 2008 was heard on 21 May 2008. Further appearances were made on 28 May 2008n and 4 June 2008. The Federal Magistrate's Court has reserved judgment.</p>
High Court of Australia Proceeding	Appeal by X against the orders of the Federal Court made on 11 July 2006 dismissing the appeal from the decision of Federal Magistrate's Court which required X to pay costs in the sum of \$2,000.	Orders made on 16 August 2007 required X to file his draft Notice of Appeal and Submissions by 4.00 pm on 31 August 2007. X has failed to do this.
Federal Court of Australia	<p>Appeal by X against the decision of the Federal Magistrate's Court of 19 March 2007 dismissing X's Application to set aside the "2<sup>nd</sup>" Bankruptcy Notice.</p> <p>The Bank's application for security for costs of the above Appeal.</p>	<p>On the Bank's application and following a contested hearing, a Registrar on 11 October 2007 ordered that X provide security on or before 8 November 2007 for the costs of the appeal against the decision of the Federal Magistrate Court made on 19 March 2007.</p> <p>X files a notice of motion applying to review the decision of Registrar Moore. On 29 February 2008 the Federal Court dismisses that application for review with costs, increases the amount of security X is required to provide, orders that that sum was to be provided by 14 March 2008 and declared that should that sum not be paid by that date, the Appeal would be dismissed.</p> <p>X fails to pay the sum ordered or any amount.</p> <p>By notices of motion dated 13, 14 and 19 March 2008 X applies, in effect, for leave to appeal against the above orders of the Federal Court. The application was first heard on 28 March 2008. X appearing in person, applies for an adjournment of his application. The adjournment is granted.</p> <p>The application is adjourned to and heard on 3 April 2008. X does not appear and his application (by notices of motion dated 13, 14 and 19 March 2008) is</p>

		<p>dismissed with costs.</p> <p>By notice of motion dated 10 April 2008 X applies to set aside the orders made on 3 April 2008. That application is heard on 23 April 2008. The Court is critical of the conduct of X. On 23 April 2008 the Federal Court and orders that on condition that by 20 May 2008 X pay to the Bank the amount of \$8,000 in respect of costs thrown away, the orders made on 3 April 2008 would be set aside and the hearing of the motions of 13, 14 and 19 March 2008 would proceed on a date in June 2008.</p> <p>X fails to pay the \$8,000 or any amount.</p>
Supreme Court of Victoria, and in the Court of Appeal	The Bank's Application under section 90(3) of the TLA for orders removing 4 caveats lodged on title by or on behalf of X	<p>The Bank's Application filed on 5 March 2008 is initially heard on 12 March 2008 by a Master, who refers the proceeding to the Practice Court for hearing on 20 March 2008. The Practice Court however lists the hearing for 26 March 2008.</p> <p>On 26 March 2008 X seeks and obtains an adjournment.</p> <p>The trial of the proceeding is heard on 31 March 2008 and 1 April 2008.</p> <p>Judgment is delivered and orders are made on 2 April 2008 removing the 4 subject caveats, restraining the X from lodging further caveats claiming the same or similar interests as the caveats ordered to be removed, and awarding indemnity costs to the Bank.</p> <p>On 15 April 2008 X file a notice of appeal in the Court of Appeal, appealing against the whole of the judgment and orders of 2 April 2008.</p> <p>On 6 May 2008 X files a summons in the Court of Appeal applying for orders "staying" the judgment of the Court below and restraining the Bank, the Registrar of Titles and any purchaser of the subject from "lodging any dealings" on the title of the property.</p> <p>On 22 May 2008 the Bank files a summons for orders that X lodge security for the Bank's costs of the Appeal.</p> <p>The application by summons filed 6 May 2008 is heard by the Court of Appeal on 30 May 2008. An adjournment is sought</p>

7.

		by X. The Court is Appeal is critical of the conduct of X but nonetheless grants and adjournment to 13 June 2008.
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