

IN THE HIGH COURT OF AUSTRALIA  
MELBOURNE OFFICE OF THE REGISTRY

No M 253 of 2015

Between

**CROWN MELBOURNE LTD (ACN 006  
973 262)**

Appellant



**COSMOPOLITAN HOTEL (VIC) PTY  
LTD (ACN 115 145 198)**

**FISH AND COMPANY (VIC) PTY LTD  
(ACN 115 145 134)**

Respondents

**APPELLANT'S CHRONOLOGY**

**Part I: Certification**

These submissions are in a form suitable for publication on the internet.

**Part II: Chronology<sup>1</sup>**

Date	Event	Reference
1997	The restaurants 'Cafe Greco' and 'Waterfront' commence operation in the Crown Casino complex, under leases between Crown and two companies controlled by Mr Nick Zampelis, to expire on 31 May 2005.	Tribunal Reasons [2]
October – November 2004	Mr Boesley on behalf of Crown first writes to Mr Zampelis, enquiring about his intentions in relation to the 'Cafe Greco' and 'Waterfront' premises after the existing leases expire.	Tribunal Reasons [42]
5 May 2005	Crown sends summaries of the terms and conditions of proposed new leases to Mr Zampelis, which involve a 5 year term and a major refurbishment of the premises	Tribunal Reasons [44]
31 May 2005	The first leases for the 'Cafe Greco' and 'Waterfront' premises expire	Tribunal Reasons [3]

<sup>1</sup> Terms defined in the Appellant's submissions dated 29th January 2016 have the same meaning in this chronology

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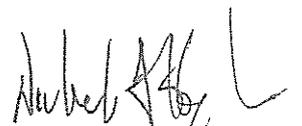
29 June 2005	Crown provides in principle approval to the proposed refurbishment plans and informs Mr Zampelis that the new leases will commence on 1 September 2005	Tribunal Reasons [46]
22 July 2005	Mr Zampelis confirms his agreement to the proposed arrangements for the new leases of the 'Cafe Greco' and 'Waterfront' premises	Tribunal Reasons [46]
1 September 2005	The 'Cafe Greco' and 'Waterfront' premises, together with new premises (the 'La Perla' premises) are delivered up to the Respondents, which become tenants from this date onwards	Tribunal Reasons [47]
2 September 2005	Unexecuted leases sent from Crown to Respondents containing 5 year term and refurbishment obligation	Tribunal Reasons [48]
3 November 2005	Respondents sign Leases by this date	Tribunal Reasons [150]
6 December 2005	Mr Boesley (on behalf of Crown) makes the Statement to Mr Zampelis	Tribunal Reasons [84]
8 January 2006	Refurbishment of 'Cafe Greco' and 'Waterfront' premises begins	Tribunal Reasons [59]
7 March 2006	The Respondents provide the executed Leases to Crown	Tribunal Reasons [65]
18 March 2006	'Cafe Greco' and 'Waterfront' restaurants re-open	Tribunal Reasons [66]
October 2008	Crown commences tender process for new leases at the 'Cafe Greco' and 'Waterfront' premises commencing 1 September 2010 and sends the Respondents a 'request for proposal'	Tribunal Reasons [178]
14 December 2009	Crown informs the Respondents that their tender was unsuccessful and provides the Respondents with notices pursuant to clause 2.3(c) of the Leases requiring the Respondents to vacate by 31 August 2010	Tribunal Reasons [185]
3 August 2010	The Respondents commence proceedings in the Tribunal seeking, inter alia, interim interlocutory relief restraining the Appellant from re-entering the premises	

31 August 2010	Crown re-enters the premises	
7 January 2011	The Respondents file amended pleadings which no longer seeks injunctive relief	
7 – 18 November 2011	Hearing in the Tribunal (Vassie SM)	
24 February 2012	Tribunal delivers Tribunal Reasons	
19 September 2012	Tribunal delivers reasons [2012] VCAT 225 concerning damages	
8 February 2013	Tribunal delivers reasons [2013] VCAT 106 concerning damages and makes final orders	
7 March 2013	Crown seeks leave to appeal to the Supreme Court of Victoria	
8 March 2013	The Respondents seek leave to appeal to the Supreme Court of Victoria (concerning damages award)	
19 September 2013	Hargrave J delivers VSC reasons	
December 2013	The Respondents seek leave to appeal to the Court of Appeal of the Supreme Court of Victoria	
22 December 2014	The Court of Appeal of the Supreme Court of Victoria delivers first VCA reasons	
8 April 2015	The Court of Appeal of the Supreme Court of Victoria delivers second VCA reasons	

29<sup>th</sup> January 2015

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