

# 1 APPLICATIONS FOR SPECIAL LEAVE TO APPEAL TO THE HIGH COURT

## Applications since 1 January 2008. List current to 1 February 2012

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Decision Appealed From	Appeal No. & Date Filed	Appellant	Decision Makers Appealed From	Date Application to be Heard & Result	High Court Decision Makers
<a href="#">Mills v Commissioner of Taxation [2011] FCAFC 158 (8 December 2011)</a>	Unknown 9/1/2012	Andrew Vincent Mills	Dowsett, Edmonds & Jessup JJ	Not yet scheduled	Not yet scheduled
<a href="#">Commissioner of Taxation v Multiflex Pty Ltd (includes Corrigendum dated 18 November 2011) [2011] FCAFC 142 (11 November 2011)</a>	M159/2011 Unknown	Commissioner of Taxation	Stone, Edmonds & Logan JJ	9/12/2011 <a href="#">Refused</a>	French CJ & Gummow J
<a href="#">Allen (Trustee), in the matter of Allen's Asphalt Staff Superannuation Fund v Commissioner of Taxation (Includes Corrigendum dated 21 September 2011) [2011] FCAFC 118 (7 September 2011)</a>	B50/2011 Unknown	Allen & Anor as Trustees for the Allen's Asphalt Staff Superannuation Fund	Keane CJ, Greenwood & Middleton JJ	10/02/2012 Not yet heard	Not yet heard
<a href="#">Qantas Airways Limited v Commissioner of Taxation [2011] FCAFC 113 (1 September 2011)</a>	S332/2011 30/09/2011	Commissioner of Taxation	Stone, Edmonds & Perram JJ	10/02/2012 Not yet heard	Not yet heard
<a href="#">RCI Pty Limited v Commissioner of Taxation (includes Corrigendum dated 24 August 2011) [2011] FCAFC 104 (22 August 2011)</a>	S324/2011 20/09/2011	Commissioner of Taxation	Edmonds, Gilmour & Logan JJ	10/02/2012 Not yet heard	Not yet heard
<a href="#">Leighton v Commissioner of Taxation [2011] FCAFC 96 (10 August 2011)</a>	Unknown 9/09/2011	Commissioner of Taxation	Edmonds, Gilmour & Logan JJ	Not yet scheduled	Not yet scheduled
<a href="#">Soong v Deputy Commissioner of Taxation [2011] NSWCA 26 (25 February 2011)</a>	S122/2011 Unknown	Deputy Commissioner of Taxation	Allsop P, Giles JA, Hodgson JA, Tobias JA & Gzell	12/08/2011 <a href="#">Refused</a>	French CJ & Crennan J
<a href="#">Chief Commissioner of State Revenue v ALH Group Property Holdings Pty Limited [2011] NSWCA 32 (8 February 2011)</a>	S128/2011 Unknown	ALH Group Property Holdings	Allsop P, Tobias JA & Handley AJA	12/08/2011 <a href="#">Granted</a>	French CJ & Kiefel J

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<a href="#">Russell v Commissioner of Taxation (includes Corrigendum dated 7 February 2011) [2011] FCAFC 10 (4 February 2011)</a>	B20/2011 Unknown	Russell	Dowsett, Edmonds & Gordon JJ	10/02/2012 Not yet heard	Not yet heard
<a href="#">Lansell House Pty Ltd v Commissioner of Taxation [2011] FCAFC 6 (31 January 2011)</a>	M14/2011 M15/2011 1/03/2011	Perfek Pty Ltd Lansell House	Bennett, Edmonds & Nicholas JJ	2/09/2011 <a href="#">Refused</a>	Gummow & Hayne JJ
<a href="#">Commissioner of Taxation v Clark [2011] FCAFC 5 (21 January 2011)</a>	B10/2011 B11/2011 Unknown	Commissioner of Taxation	Dowsett, Edmonds & Gordon JJ	2/09/2011 <a href="#">Refused</a>	French CJ, Crennan & Kiefel JJ
<a href="#">Chief Commissioner of State Revenue v Tasty Chicks Pty Ltd &amp; Ors [2010] NSWCA 326 (21 December 2010)</a>	S39/2011 Unknown	Tasty Chicks Pty Ltd	Giles JA, Macfarlan JA & Handley AJA	10/06/2011 <a href="#">Granted</a>	Gummow, Hayne & Heydon JJ
<a href="#">Walker as Trustee for Walker Superannuation Fund v Clough Property Claremont Pty Ltd [2010] WASCA 232 (6 December 2010)</a>	P52/2010 Unknown	Graham Geoffrey Walker and Thelma Jean Walker as Trustees for the Walker Superannuation Fund	Martin CJ, Newnes JA & Murphy JA	8/04/2011 <a href="#">Refused</a>	Kiefel & Bell JJ
<a href="#">Commissioner of Taxation v AXA Asia Pacific Holdings Ltd [2010] FCAFC 134 (18 November 2010)</a>	M165/2010 17/12/2010	Commissioner of Taxation	Dowsett, Edmonds & Gordon JJ	11/03/2011 <a href="#">Refused</a>	Heydon & Bell JJ
<a href="#">British American Tobacco Australia Services Limited v Commissioner of Taxation [2010] FCAFC 130 (10 November 2010)</a>	S278/2010 7/12/2010	British American Tobacco Australia Services Ltd	Dowsett, Jessup & Gordon JJ	8/04/2011 <a href="#">Refused</a>	French CJ, Gummow & Crennan JJ
<a href="#">Commissioner of Taxation v H [2010] FCAFC 128 (20 October 2010)</a>	Unknown 18/11/2010	Commissioner of Taxation	Downes, Edmonds & Greenwood JJ	Not yet scheduled	Not yet scheduled
<a href="#">Bargwana v Commissioner of Taxation (No 3) [2011] FCAFC 18 (17 February 2011)</a> <a href="#">Bargwana (Trustee) v Commissioner of Taxation [2010] FCAFC 126 (8 October 2010)</a>	S104/2011 23/03/2011	Commissioner of Taxation	Dowsett, Kenny & Middleton JJ	12/08/2011 <a href="#">Granted</a>	French CJ & Crennan J

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<a href="#">Commissioner of Taxation v American Express Wholesale Currency Services Pty Limited [2010] FCAFC 122 (17 September 2010)</a>	S238/2010 S239/2010  14/10/2010	American Express Wholesale Currency Services	Dowsett, Kenny & Middleton JJ	11/02/2011  <a href="#">Referred to Full Court</a>	French CJ & Heydon J
<a href="#">Commissioner of Taxation v Secretary to the Department of Transport (Victoria) [2010] FCAFC 84 (9 July 2010)</a>	M104/2010  6/08/2010	Commissioner of Taxation	Kenny, Jessup & Dodds-Streton JJ	10/12/2010  <a href="#">Refused</a>	French CJ & Bell J
<a href="#">Roy Morgan Research Pty Ltd v Commissioner of Taxation [2010] FCAFC 52 (26 May 2010)</a>	M89/2010  24/06/2010	Roy Morgan Research Pty Ltd	Keane CJ, Sundberg & Kenny JJ	10/12/2010  <a href="#">Granted</a>	French CJ, Crennan & Bell JJ
<a href="#">Commissioner of Taxation v Gloxinia Investments (Trustee) [2010] FCAFC 46 (24 May 2010)</a>	S154/2010  21/06/2010	Commissioner of Taxation	Dowsett, Kenny & Middleton JJ	1/10/2010  <a href="#">Refused</a>	Hayne & Heydon JJ
<a href="#">Barkworth Olives Management Ltd v Deputy Commissioner of Taxation [2010] QCA 80 (9 April 2010)</a>	B20/2010  Unknown	Barkworth Olives Management Limited	McMurdo P, Fraser JA & P Lyons J	12/11/2010  <a href="#">Refused</a>	Hayne & Kiefel JJ
<a href="#">Commissioner of Taxation v BHP Billiton Finance Limited [2010] FCAFC 25 (17 March 2010)</a>	M29/2010; M30/2010; M33/2010; M34/2010; M35/2010; M36/2010; M37/2010; M38/2010; M39/2010; M40/2010  21/04/2010	Commissioner of Taxation	Sundberg, Stone & Edmonds JJ	3/09/2010  M30/2010- M38/2010: <a href="#">Granted</a>  M29/2010; M39/2010- M40/2010: <a href="#">Refused</a>	French CJ, Crennan & Bell JJ
<a href="#">South Steyne Hotel Pty Ltd v Commissioner of Taxation [2009] FCAFC 155 (20 November 2009)</a>	S354/2009  21/12/2009	South Steyne Hotel Pty Ltd (1 <sup>st</sup> applicant)  MBI Properties Pty Ltd (2 <sup>nd</sup> applicant)  Morgan & Banks Investments Pty Ltd (3 <sup>rd</sup> applicant)	Finn, Emmett & Edmonds JJ	23/04/2010  <a href="#">Refused</a>	French CJ & Kiefel J
<a href="#">Commissioner of Taxation v Anstis [2009] FCAFC 154 (4 November 2009)</a>	M105/2009  4/12/2009	Symone Anstis	Finn, Sundberg & Edmonds JJ	23/04/2010  <a href="#">Granted</a>	Gummow & Crennan JJ

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<a href="#">Commissioner of Taxation v Tasman Group Services Pty Ltd [2009] FCAFC 148 (22 October 2009)</a>	M101/2009; M102/2009  20/11/2009	Tasman Group Services Pty Ltd (ACN 005 062 082)	Ryan, Kenny & Stone JJ	23/04/2010  <a href="#">Refused</a>	Gummow & Hayne JJ
<a href="#">Handbury Holdings Pty Ltd v Commissioner of Taxation (includes corrigendum dated 10 November 2009) [2009] FCAFC 141 (9 October 2009)</a>	M99/2009  Unknown	Handbury Holdings Pty Ltd	Finn, Sundberg & Perram JJ	23/04/2010  <a href="#">Refused</a>	Hayne & Crennan JJ
<a href="#">Travelex Limited v Commissioner of Taxation [2009] FCAFC 133 (29 September 2009)</a>	S290/2009  27/09/2009	Travelex Ltd ACN 004 179 953	Mansfield, Stone & Edmonds JJ	12/03/2010  <a href="#">Granted</a>	Gummow, Heydon & Bell JJ
<a href="#">Commissioner of Taxation v Aid/Watch Incorporated [2009] FCAFC 128 (23 September 2009)</a>	S280/2009  6/04/2011	Aid/Watch Incorporated	Kenny, Stone & Perram JJ	12/03/2010  <a href="#">Granted</a>	Gummow & Heydon JJ
<a href="#">Commissioner of Taxation v Star City Pty Limited (No 2) [2009] FCAFC 122 (10 September 2009)</a>	M22/2009  1/04/2009	Star City Pty Ltd (ABN 25 060 510 410)	Goldberg, Dowsett & Jessup JJ	2/10/2009  <a href="#">Refused</a>	Gummow & Crennan JJ
<a href="#">M W McIntosh Pty Limited v Commissioner of Taxation [2009] FCAFC 88 (28 July 2009)</a>	S205/2009  26/08/2009	M W McIntosh Pty Ltd ACN 000 014 915 (1 <sup>st</sup> applicant)  Indioc Pty Ltd ACN 003 934 692 (2 <sup>nd</sup> applicant)	Mansfield, Stone & Edmonds JJ	12/02/2010 <a href="#">Adjourned to a date to be fixed</a>  Rescheduled 3/09/2010 <a href="#">Refused</a>	Gummow & Hayne JJ  Gummow & Keifel JJ
<a href="#">COMMISSIONER OF STATE REVENUE -v- TEC DESERT PTY LTD [2009] WASCA 128 (23 July 2009)</a>	P8/2010  Unknown	TEC Desert Pty Ltd (1 <sup>st</sup> applicant)  AGL Power Generation (WA) Pty Ltd (2 <sup>nd</sup> applicant)	Wheeler, McLure & Newnes JJ	28/05/2010  <a href="#">Granted</a>	Gummow & Kiefel JJ
<a href="#">Bamford v Commissioner of Taxation [2009] FCAFC 66 (3 June 2009)</a>	S156/2009  7/07/2009 (Commissioner) 10/07/2009 (Bamford)	Bamford & Commissioner of Taxation	Emmett, Stone & Perram JJ	3/11/2009  <a href="#">Granted</a>	French CJ & Heydon J
<a href="#">Cyril Henschke Pty Ltd &amp; Ors v Commissioner of State Taxation [2009] SASC 148 (29 May 2009)</a>	A9/2009  Unknown	Commissioner of State Taxation (SA)	Doyle CJ, Bleby & Layton JJ	12/02/2010  <a href="#">Granted on limited grounds</a>	French CJ & Kiefel J

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<a href="#">St. George Bank Limited v Commissioner of Taxation [2009] FCAFC 62 (25 May 2009)</a>	S139/2009 – S143/2009 (5 applications) 18/06/2009	St George Bank Ltd ACN 055 513 070	Emmett, Stone & Perram JJ	3/11/2009 <a href="#">Refused</a>	French CJ & Heydon J
<a href="#">Commissioner of State Revenue v Bulzomi [2009] VSCA 99 (18 May 2009)</a>	M53/2009 Unknown	Bulzomi	Redlich & Dodds-Streeton JJA & Hargrave AJA	18/05/2009 <a href="#">Refused</a>	Heydon & Crennan JJ
<a href="#">Commissioner of Taxation v Malouf [2009] FCAFC 44 (2 April 2009)</a>	S93/2009 S94/2009 30/04/2009	Anthony Mark Malouf	Sundberg, Jessup & Middleton JJ	4/09/2009 <a href="#">Refused</a>	Gummow & Bell JJ
<a href="#">Lawrence v Commissioner of Taxation [2009] FCAFC 29 (20 March 2009)</a>	M33/2009 14/04/2009	John Peter Lawrence	Ryan, Stone & Edmonds JJ	4/09/2009 <a href="#">Refused</a>	Hayne & Heydon JJ
<a href="#">ConnectEast Management Ltd v Commissioner of Taxation (Corrigendum dated 1 May 2009) [2009] FCAFC 22 (5 March 2009)</a>	M26/2009 2/04/2009	ConnectEast Management Ltd (As Trustee for the ConnectEast Investment Trust 2) (ABN 68 071 292 647) (ACN 071 292 647)	Sundberg, Jessup & Middleton JJ	4/09/2009 <a href="#">Refused</a>	Hayne & Crennan JJ
<a href="#">Commissioner of Territory Revenue v Alcan (NT) Alumina Pty Ltd [2008] NTCA 14 (23 December 2008)</a>	D2/2009 D3/2009 Unknown	Alcan (NT) Alumina Pty Ltd	Martin (BR) CJ, Angel & Southwood JJ	4/05/2009 <a href="#">Granted</a>	Hayne & Crennan JJ
<a href="#">Cumins v Deputy Commissioner of Taxation [2008] FCAFC 185 (9 December 2008)</a>	P2/2008 Unknown	Brian Cumins	North, Emmett & Rares JJ	18/04/2008 <a href="#">Refused</a>	Kirby & Kiefel JJ
<a href="#">Commissioner of Taxation v Bruton Holdings Pty Limited (in liq) [2008] FCAFC 184 (1 December 2008)</a>	S68/2009 25/03/2009	Bruton Holdings Pty Ltd (in Liquidation)	Ryan, Mansfield & Dowsett JJ	19/06/2009 <a href="#">Granted</a>	Gummow, Heydon & Bell JJ
<a href="#">Commissioner of Taxation v Spriggs [2008] FCAFC 150 (22 August 2008)</a>	M68/2008 19/09/2008	David Raymond Spriggs	Goldberg, Bennett & Edmonds JJ	8/12/2008 <a href="#">Granted</a>	Heydon, Crennan & Kiefel JJ
<a href="#">Clarke v Commissioner of Taxation [2008] FCAFC 126 (10 July 2008)</a>	A16/2008 Unknown	Ralph Desmond Clarke	Branson, Sundberg & Dowsett JJ	14/11/2008 <a href="#">Granted</a>	French CJ & Crennan J
<a href="#">Commissioner of Taxation v Lenzo [2008] FCAFC 50 (3 April 2008)</a>	P14/2008 Unknown	Gino Lenzo	Heerey, Sackville & Siopis JJ	14/11/2008 <a href="#">Refused</a>	Gummow, Hayne & Crennan JJ

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<a href="#">Colby Corporation Pty Ltd v Commissioner of Taxation (includes corrigendum dated 11 March 2008) [2008] FCAFC 10 (20 February 2008)</a>	P5/2008 Unknown	Colby Corporation Pty Ltd	Branson, Stone & Jessup JJ	13/8/2008 <a href="#">Refused</a>	Gummow & Hayne JJ
<a href="#">Commissioner of Taxation v Day [2007] FCAFC 193 (21 December 2007)</a>	S20/2008 22/01/2008 & 4/07/2008	Commissioner of Taxation	Spender, Dowsett & Edmonds JJ	24/06/2008 <a href="#">Granted</a>	Kirby, Heydon & Kiefel JJ
<a href="#">Chief Commissioner of State Revenue v. Pacific National (ACT) Limited [2007] NSWCA 325 (16 November 2007)</a>	S612/2007 Unknown	Pacific National (ACT) Limited	Hodgson, Ipp & Basten JA	16/05/2008 <a href="#">Granted</a>	Gleeson CJ & Gummow J
<a href="#">Commissioner of Taxation v Word Investments Limited [2007] FCAFC 171 (14 November 2007)</a>	M156/2007 Unknown	Commissioner of Taxation	Stone, Allsop & Jessup JJ	23/05/2008 <a href="#">Granted</a>	Kirby, Hayne & Crennan JJ
<a href="#">Deputy Commissioner of Taxation v Dick [2007] NSWCA 190 (3 August 2007)</a>	S425/2007 Unknown	George Dow Taylor Dick	Spigelman CJ, Santow & Basten JA	8/02/2008 <a href="#">Refused</a>	Gleeson CJ, Gummow & Crennan JJ