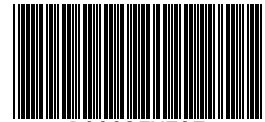




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Chronology

COURT DETAILS

Court	Supreme Court of New South Wales, Court of Appeal
List	Court of Appeal
Registry	Supreme Court Sydney
Case number	2025/00373479

TITLE OF PROCEEDINGS

First Appellant	Erin Nicole Briggs
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First Respondent	Terence Hillier
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FILING DETAILS

Filed for	Terence Hillier, Respondent 1
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Legal representative	Brit Marit Mainhoff
Legal representative reference	
Contact name and telephone	Alicia Hull 0426875145
Your reference	BMM:AUH:1031749

ATTACHMENT DETAILS

In accordance with Part 3 of the UCPR, this coversheet confirms that both the Lodge Document, along with any other documents listed below, were filed by the Court.

Chronology (respondent's chronology - briggs - 1Sept26.pdf)

[attach.]

Form 1 (version 4)

RESPONDENT'S CHRONOLOGY**COURT DETAILS**

Court	Supreme Court of New South Wales, Court of Appeal
List	Court of Appeal
Registry	Sydney
Case number	2025/00373479

TITLE OF PROCEEDINGS

Appellant	ERIN NICOLE BRIGGS
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Respondent	TERENCE HILLIER
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PREPARATION DETAILS

Prepared for	Terence Hillier, Respondent
Legal representative	Brit Marit Mainhoff HWLE Lawyers
Legal representative reference	PCN: 26469 NSW Ref: BMM:AUH:1031749 Court User No: 1290
Contact name and telephone	Alicia Hull Tel. +61 2 9334 8555
Contact email	ahull@hwle.com.au

CHRONOLOGY OF MATERIAL FACTS

Date	Description	APPEAL BOOK & PAGE NUMBER
23.03.1984	Erin Nicole Briggs (Appellant) born in Albury, New South Wales.	Blue 202 I
1994	Appellant starts playing competitive hockey.	Red 53 H
1995	Appellant was at school when a chair was pulled out from underneath her and she fell down on the floor and landed on her tailbone.	Red 53 M
1997	Appellant qualifies for the Victorian representative hockey team.	Red 53 K
12.02.1997	Appellant attends an appointment at Health Focus Physiotherapy (invoice only).	Blue 3/886
25.02.1997	Appellant attends an appointment at Health Focus Physiotherapy (invoice only).	Blue 3/887
30.04.1997	Appellant attends an appointment at Health Focus Physiotherapy (invoice only) .	Blue 3/888
30.04.1997	Appellant attends an appointment with GP, Dr Andrew Milliken who refers the appellant to Dr Ron Brooder, neurologist, for possible long thoracic nerve injury	Blue 9/3669 F, 3783

Date	Description	APPEAL BOOK & PAGE NUMBER
30.04.1997	Report of Physiotherapist Kate Watterson to GP, Dr Andrew Milliken in respect of possible long thoracic nerve injury. Requests referral to Dr Brooder.	Blue 9/3918
08.05.1997	Appellant's mother takes her to an appointment with neurologist Dr Ron Brooder.	Blue 9/3906 G
08.05.1997	Letter from Dr Ron Brooder to GP, Dr Andrew Milliken confirming his view that the Appellant has suffered a lesion of her right long thoracic nerve.	Blue 9/3906
09.05.1997	Appellant attends an appointment at Health Focus Physiotherapy (invoice only) – includes invoice for back brace.	Blue 3/889
19.05.1997	Appellant attends an appointment at Health Focus Physiotherapy (invoice only).	Blue 3/890
16.06.1997	Appellant attends an appointment at Health Focus Physiotherapy (invoice only).	Blue 3/891
11.08.1997	Appellant attends an appointment at Health Focus Physiotherapy (invoice only).	Blue 3/892
13.08.1997	Appellant attends an appointment at Health Focus Physiotherapy (invoice only).	Blue 3/893
19.09.1997	Appellant attends an appointment with GP, Dr Milliken who assessed the shoulder blade has stabilised on examination.	Blue 9/3668 W
27.09.1997	Appellant attends an appointment at Health Focus Physiotherapy (invoice only).	Blue 3/894
06.03.1998	Appellant complained of a back ache and lower back discomfort to her GP Dr Andrew Milliken. Dr Milliken diagnosed her with a urinary tract infection.	Red 44 E Blue 9/3668 R
10.03.1998	Appellant attends an appointment with GP, Dr Andrew Milliken. Records pain became sore, found that she could not bend, however pain has now eased. Mostly a morning phenomenon.	Blue 9/3668 O
01.07.1998	Appellant presents to Albury Base Hospital ED with shortness of breath after being hit in the back with a hockey ball.	Blue 7/3060
03.07.1998	Appellant attends an appointment with her GP after hitting her right shoulder blade 2 days prior and attending Albury Base Hospital.	Blue 9/3941 D
03.07.1998	Appellant attends an appointment at Health Focus Physiotherapy (invoice only).	Blue 3/895

Date	Description	APPEAL BOOK & PAGE NUMBER
06.07.1998	Appellant attends an appointment at Health Focus Physiotherapy (invoice only).	Blue 3/896
13.07.1998	Appellant attends an appointment at Health Focus Physiotherapy (invoice only).	Blue 3/897
16.07.1998	Appellant attends an appointment at Health Focus Physiotherapy (invoice only).	Blue 3/898
21.07.1998	Appellant attends an appointment at Health Focus Physiotherapy (invoice only).	Blue 3/899
20.08.1998	Appellant attends an appointment at Health Focus Physiotherapy (invoice only).	Blue 3/900
24.08.1998	Appellant attends an appointment at Health Focus Physiotherapy (invoice only).	Blue 3/901
31.08.1998	Appellant attends an appointment at Health Focus Physiotherapy (invoice only).	Blue 3/902
14.09.1998	Appellant attends an appointment at Health Focus Physiotherapy (invoice only).	Blue 3/903
26.09.1998	Appellant attends an appointment at Health Focus Physiotherapy (invoice only).	Blue 3/904
28.09.1998	Appellant attends an appointment at Health Focus Physiotherapy (invoice only).	Blue 3/905
29.01.1999	Appellant attends an appointment at Health Focus Physiotherapy (invoice only).	Blue 3/906
January 1999	Respondent commenced public and private practice in Albury, NSW. Respondent obtained admitting rights to: 1. Albury Base Hospital 2. Wodonga District Hospital 3. Albury Wodonga Private Hospital (AWPH)	Red 44 G Blue 4/1350 Q
03.02.1999	Appellant attends an appointment at Health Focus Physiotherapy (invoice only).	Blue 3/907
04.02.1999	Appellant undergoes x-ray of thoracolumbar spine.	Red 44 J
05.02.1999	Appellant attends an appointment at Health Focus Physiotherapy (invoice only).	Blue 3/908

Date	Description	APPEAL BOOK & PAGE NUMBER
08.02.1999	Appellant attends appointment with Shane Robertson at Health Focus Physiotherapy - patient report issued to GP, Dr Carmel Ling: <i>Thanks for seeing Erin c/- acute Lx pain after fall to buttocks recently. She has had long standing LBP due to intensive hockey commitments but this has been manageable.</i> <i>I ordered plain x-rays which confirmed, L5/S1 spondylolisthesis (approx 4mm) and (illegible) L5 bilateral pars defects. Due to her age & sport and presentation it may be necessary to perform Nuclear Bone Scan to establish where she fits into the bone stress → stress # continuum. Please assess and see what you think.</i>	Red 44 K Blue 9/3905
09.02.1999	Appellant attends appointment with GP, Andrew Milliken. Dr Milliken refers the appellant to the respondent regarding increase in low back pain.	Blue 7/2588 T Blue 9/3940 D
12.02.1999 (aged 14)	Appellant attends consultation with the respondent for the first time with her mother and father at the respondent's rooms in Albury NSW. <i>2-3 years ago developed some thoracic + shoulder pain. Settled well.</i> <i>Physio tried needling - helped considerably.</i> <i>O/E healthy young woman. Plays high level sport.</i> <i>Forward flexes freely + recovers well.</i> <i>Uncomfortable in extension.</i> <i>Prone spring → significant lumbar pain.</i> <i>SLR R = L 70° → back pain. hamstrings tight.</i> <i>Neurologically fully intact - MP. R-B. Sensation.</i> <i>X-Rays: Grade I spondylolytic spondylolisthesis.</i> <i>Options discussed. For trial of pars infiltration via L5-S1 facet joints. See SOS</i>	Red 44 M Blue 4/1439 (transcription) Blue 5/1911

Date	Description	APPEAL BOOK & PAGE NUMBER
12.02.1999	Respondent writes to the appellant's GP, Dr Carmel Ling: <i>...14 year old student who has the known grade I spondylolytic spondylolisthesis of L5 and S1. She is in physical excellent shape given her quite heavy sporting commitment and the physio programme has been working well with her. I find that she is still quite painful when stressed across the L5 pas defects and I feel this is explaining the associated erector spine muscle spasm which is producing some discomfort in the upper part of her thorax and neck and shoulder area. I have arrange for her to have the L5 pas defects infiltrated with local anaesthetic and steroid vial the L5-S1 facet joints at BMI. If that settles her down effectively, I would be happy for her to resume her sport but have asked them to come back if she is still troubled. Beyond that, I have suggested I review her with a spot lateral x-ray in 6 months time to ensure that the spondylolisthesis is not increasing.</i>	Red 45 J Blue 9/3913 Blue 5/1916
17.02.1999	Appellant attends an appointment at Health Focus Physiotherapy (invoice only).	Blue 3/909
18.02.1999	Appellant underwent a fluoroscopic guided lumbosacral spine facet injection at Albury Wodonga Health.	Red 45 T
23.02.1999	Appellant attends consultation with respondent with her mother and father. Respondent refers her to Shane Robertson at Health Focus Physiotherapy. <i>Injections done 4 days ago. Have not been helpful. To see Shane Robertson for I/F. Reassess then.</i>	Red 45 U Blue 4/1440 (transcription) Blue 5/1911
24.02.1999	Appellant attends an appointment at Health Focus Physiotherapy (invoice only).	Blue 3/910
26.02.1999	Appellant attends an appointment at Health Focus Physiotherapy (invoice only).	Blue 3/911
03.03.1999	Appellant attends consultation with the respondent. <i>Not settling. Injections only briefly helped. Discussed with Erin + both parents what would be involved in LS P/L fusion. Booklet given. To consider</i>	Red 46 F Blue 4/1440 (transcription) Blue 5/1911
03.03.1999	Estimate of Fees from Albury-Wodonga Anaesthetic Group	Blue 1/198
11.03.1999	Appellant was admitted to the Albury Wodonga Private Hospital (AWPH) as a private patient. Respondent performed an uninstrumented posterolateral fusion spinal upon the appellant with removal of loose L5 laminae (surgery).	Red 46 L Red 46 M

Date	Description	APPEAL BOOK & PAGE NUMBER
13.03.1999 15.03.1999 16.03.1999 17.03.1999 18.03.1999	Appellant receives treatment from Health Focus Physiotherapy while at AWPB (invoice only).	Blue 3/912
18.03.1999	Appellant discharged from AWPB	Blue 3/1073 K
March – May 1999	Appellant completed a rehabilitation programme	Red 60 L
29.03.1999	Appellant attends an appointment at Health Focus Physiotherapy (invoice only).	Blue 3/912
06.04.1999	Appellant attends an appointment at Health Focus Physiotherapy (invoice only).	Blue 3/913
14.04.1999	Appellant attends an appointment at Health Focus Physiotherapy (invoice only).	Blue 3/914
14.04.1999	Appellant attends a consultation with the respondent for a five-week post-operative consultation with her mother and father. <i>5/52 since operation. Coping very well. Does not need brace. See 4/52 XOA.</i>	Red 46 P Blue 4/1440 (transcription) Blue 5/1912
30.04.1999	Appellant attends an appointment at Health Focus Physiotherapy (invoice only).	Blue 3/915
May 1999	Appellant recommences playing hockey.	Red 61 D
03.05.1999	Duplicate Invoice of Fees issued by the Respondent.	Blue 9/3999
12.05.1999	Appellant undergoes x-ray of lumbosacral spine.	Red 47 C
12.05.1999	Appellant attended a consultation with respondent with her mother and father. <i>Coping well. Xrays show P/L mass filling in. Still not fully sound on L side but she is fully active + wishes to recommence sport now. Plan clinical check 8/52.</i>	Red 47 C Blue 4/1440 (transcription) Blue 5/1912

Date	Description	APPEAL BOOK & PAGE NUMBER
12.05.1999	Respondent wrote to Appellant's GP, Dr Carmel Ling. <i>...she had the pars defect injections but they were not helpful and I referred her onto Healthfocus for some interferential but that also didn't help her so Erin discussed with me what would be involved in stabilising the lumbosacral spondylolisthesis.</i> <i>She was very positive about going ahead with that surgery, which was done some 8 weeks ago. Updated x-rays today show that her posterolateral fusion is filling in well and Erin has been very comfortable and quite active since an early state in her postoperative recovery. She wishes to resume her competitive hockey and with the bone graft looking quite mature I have allowed her to do that given that I am satisfied she has regained such a lot of flexibility so early. She has been a very committed and motivated girl and has certainly done well at this stage after that surgery. at the time of the operation I did also take away the loose L5 laminae to stop the ongoing pars irritation.</i>	Red 47 L Blue 9/3912 Blue 5/1917
13.05.1999	Appellant attends an appointment at Health Focus Physiotherapy. (invoice only).	Blue 3/916
07.06.1999	Appellant attends an appointment at Health Focus Physiotherapy (invoice only).	Blue 3/917
07.06.1999	Appellant attends an appointment with GP, Dr Andrew Milliken for injury to right 4 th finger while playing hockey.	Blue 9/3667 P
07.07.1999	Appellant attends a consultation with respondent with her mother and father. <i>Coping well. Moving very freely. Fully back at hockey. Some muscle tenderness at PSIS in paraspinal muscle attachment. To apply Voltaren. See 2/12 XOA.</i>	Red 47 U Blue 4/1441 (transcription) Blue 5/1912
16.07.1999	Appellant presents to the Albury Base Hospital ED with pain over right shin after being hit with a hockey stick. Unable to weight bear.	Blue 7/3102
27.08.1999	Appellant presented to the Albury Base Hospital ED with painful left middle finger after being hit with a hockey stick.	Blue 7/3100
09.09.1999	Appellant attends consultation with her GP, Dr Andrew Milliken. Presented with vomiting, headache, earache and tenderness over upper back and lower neck. Dr Milliken referred her to Health Focus Physiotherapy.	Red 48 G Blue 9/3666 U, 3780

Date	Description	APPEAL BOOK & PAGE NUMBER
10.09.1999	Appellant attends appointment at Health Focus Physiotherapy. Letter from Shane Robertson to Dr Milliken in respect of presentation with headaches, nausea and cervical spine range of motion limitation	Blue 9/3904
20.09.1999	Appellant undergoes Lumbosacral spinal x-ray.	Red 48 I
20.09.1999	Appellant attends consultation with respondent with her mother and father. <i>Hibbs view suggest P/L bridge has developed.</i> <i>She is very comfortable + untroubled with hockey etc.</i> <i>See SOS</i> This is the last consultation with the Respondent the Appellant has until 20 February 2019.	Red 48 J Blue 4/1441 (transcription) Blue 5/1912
13.07.2000	Appellant attends an appointment at Health Focus Physiotherapy (invoice only).	Blue 3/918
02.08.2000	Appellant attends an appointment at Health Focus Physiotherapy (invoice only).	Blue 3/919
28.08.2000	Appellant attends an appointment at Health Focus Physiotherapy (invoice only).	Blue 3/920
30.08.2000	Appellant attends an appointment at Health Focus Physiotherapy (invoice only).	Blue 3/921
04.09.2000	Appellant attends an appointment at Health Focus Physiotherapy (invoice only).	Blue 3/922
11.09.2000	Appellant attends an appointment at Health Focus Physiotherapy (invoice only).	Blue 3/923
22.09.2000	Appellant attends an appointment at Health Focus Physiotherapy (invoice only).	Blue 3/924
23.10.2000	Appellant attends an appointment at Health Focus Physiotherapy (invoice only).	Blue 3/925
22.11.2000	Appellant attends an appointment at Health Focus Physiotherapy (invoice only).	Blue 3/926
01.12.2000	Appellant attends an appointment at Health Focus Physiotherapy (invoice only).	Blue 3/927
15.12.2000	Appellant attends an appointment at Health Focus Physiotherapy (invoice only).	Blue 3/928

Date	Description	APPEAL BOOK & PAGE NUMBER
14.03.2001	Appellant attends an appointment at Health Focus Physiotherapy (invoice only).	Blue 3/929
19.03.2001	Appellant attends an appointment at Health Focus Physiotherapy (invoice only).	Blue 3/930
28.05.2001	Appellant attends an appointment at Health Focus Physiotherapy (invoice only).	Blue 3/931
25.06.2001	Appellant attends an appointment at Health Focus Physiotherapy (invoice only).	Blue 3/932
29.06.2001	Appellant attends an appointment at Health Focus Physiotherapy (invoice only).	Blue 3/933
02.07.2001	Appellant attends an appointment at Health Focus Physiotherapy and firm spine flex (invoice only).	Blue 3/934
06.07.2001	Appellant attends an appointment at Health Focus Physiotherapy (invoice only).	Blue 3/935
26.07.2001	Appellant attends an appointment at Health Focus Physiotherapy (invoice only).	Blue 3/936
2002	Appellant graduated from year 12 at high school.	Red 48 V Red 78 Q
2002	Appellant moved into a unit in Lavington owed by her parents. Appellant began studying a Bachelor of Social Work at La Trobe University. Appellant began working at Kmart part-time until 2006.	Red 68 E-G Red 78 S
23.03.2002	Appellant turns 18 years of age (adulthood).	-
21.01.2002	Appellant attends an appointment at Health Focus Physiotherapy. Complains of cervical ache with work at Kmart. Treatment to cervical and thoracic spine, and home exercise plan prescribed.	Blue 2/874 I (transcription) Blue 7/2643 E
12.06.2002	Appellant attends an appointment at Health Focus Physiotherapy. Reports stiffness with overhead lifting. Treatment to thoracic spine.	Blue 2/874 R (transcription) Blue 5/2001 K
12.08.2002	Appellant attends an appointment with Dr Milliken, GP. Reports played hockey, a bit of a sore back, now stiff and sore.	Blue 9/3938 S

Date	Description	APPEAL BOOK & PAGE NUMBER
19.08.2002	Appellant attends an appointment at Health Focus Physiotherapy. Reports Thoracic and lumbar to mid lumbar pain with hockey.	Blue 2/875 D (transcription) Blue 5/2001 N
11.09.2002	Appellant attends an appointment at Health Focus Physiotherapy for treatment of injury to left hand.	Blue 2/875 K (transcription) Blue 5/2001 Q
13.09.2002	Appellant attends an appointment at Health Focus Physiotherapy. Left hand injury.	Blue 2/875 M (transcription) Blue 5/2001 R
14.09.2002	Appellant attends an appointment at Health Focus Physiotherapy. Taping.	Blue 2/875 Q (transcription) Blue 5/2001 T
31.03.2003	Appellant attends an appointment at Health Focus Physiotherapy. Reports cervical to thoracic to lumbar pain with study and home cleaning.	Blue 2/876 D (transcription) Blue 5/202 E
19.04.2003	The appellant presented to Albury Base Hospital ED with laceration to forehead/eyebrow after being hit with hockey ball.	Blue 7/3094
28.07.2003	Appellant attends an appointment at Health Focus Physiotherapy with symptoms of decreased core to lumbar spine and sore thoracic spine with hockey.	Blue 2/876 L (transcription) Blue 5/2002 I
29.07.2003	Appellant attends an appointment at Health Focus Physiotherapy. Core, cervical and thoracic spine treatment given.	Blue 2/876 I (transcription)
20.09.2004	Appellant attends an appointment at Health Focus Physiotherapy with complaint of right frontal headache and with tightness at right cervical spine.	Blue 2/876 P (transcription) Blue 5/2002 M
2006	Appellant employed full time at YES.	Red 48 C
2007	Appellant promoted to team leader role at YES.	Red 48 B
2007	Appellant attending hockey training and one game a week.	Red 71 I
26.02.2007	Appellant attends an appointment at Health Focus Physiotherapy. Reports of thoracic and lumbar ache. Noted to possibly be from sitting position at work.	Blue 2/877 D (transcription) Blue 5/2001 D Blue 7/2641 D

Date	Description	APPEAL BOOK & PAGE NUMBER
25.06.2007	Appellant attends an appointment at Health Focus Physiotherapy. Reports thoracic and lumbar to thoracic ache after playing hockey.	Blue 2/877 J (transcription) Blue 5/2002 H Blue 7/2641 H
08.07.2007	Appellant attends an appointment at Health Focus Physiotherapy. Settling.	Blue 2/878 H (transcription) Blue 7/2641 Q
03.08.2007	Appellant attends an appointment at Health Focus Physiotherapy. Reports history of right lateral hamstring pain since hockey on Wednesday night. Felt during warm up. Treatment included gentle pain free stretches.	Blue 2/877 M (transcription) Blue 5/2003 J Blue 7/2641 J
2008	Appellant ceases playing hockey.	Red 71 S
2008	Engagement party.	Red 71 S
21.07.2008	Appellant attends an appointment with Shane Robertson at Health Focus Physiotherapy. Reports cervical spine stiffness.	Blue 2/878 J (transcription) Blue 7/2641 R
09.09.2008	Appellant attends an appointment with GP, Dr Gaini Allen. Reports sharp right iliac fossa pain with radiation into back since previous night.	Blue 9/3659 T
20.11.2008	Appellant attends an appointment with Shane Robertson at Health Focus Physiotherapy. Reports stiff thoracic spine. Noted to be of insidious onset.	Blue 2/878 N (transcription) Blue 5/2002 U Blue 7/2641 U
06.12.2008	Appellant got married to Nathan John Briggs.	Blue 202 U
2009	Appellant takes maternity leave with first child.	Red 79 I
18.03.2009	Letter from appellant's GP, Dr Gaini Allen to Dr John Salmon (obstetrician): <i>Thank you for seeing Miss Erin Leah/Briggs, age 24, G1P0, K12+5/40 with EDC 25/9/09 with whom I consulted today in relation to antenatal care. Erin had spinal surgery for # L5 10 y.ago and had spinal fusion, has been well since then...</i>	Blue 9/3789

Date	Description	APPEAL BOOK & PAGE NUMBER
15.04.2009	Appellant attends an appointment at Health Focus Physiotherapy. Reports cervical spine stiffness and tightness which she woke up with. Noted to be trying to side sleep, 19 weeks pregnant with first baby. Also left sided buttock/hip pain of gradual onset over past two weeks.	Blue 2/879 E (transcription) Blue 5/2005 Blue 7/2639
17.08.2009	Appellant attends an appointment at Health Focus Physiotherapy, 35 weeks pregnant. Reports tightness across both shoulders and shoulder blades with soreness.	Blue 2/880 D (transcription) Blue 5/2007 Blue 7/2637 E
27.09.2009	Appellant gave birth to her first child Aliyah.	Red 49 I
06.10.2009	Appellant attends an appointment at Health Focus Physiotherapy. Reports one week history of cervical spine spasm and arm numbness and weakness which began day arrived home from hospital with newborn.	Blue 2/880 M (transcription) Blue 5/2007 Blue 7/2637 L
08.10.2009	Appellant attends an appointment at Health Focus Physiotherapy. Reports slightly better, still "heavy" feeling in arm.	Blue 2/881 C (transcription) Blue 5/2007 S Blue 7/2637 S
13.10.2009	Appellant attends an appointment at Health Focus Physiotherapy. Reports right arm continues to settle, tightness remains across neck and shoulder and right sided headache.	Blue 2/881 L (transcription) Blue 5/2008 E Blue 7/2638 E
18.12.2009	Appellant attends an appointment at Health Focus Physiotherapy. Reports right scap (scapula) aching.	Blue 2/881 S (transcription) Blue 5/2008 J Blue 7/2638 J
05.01.2010	Appellant attends an appointment with GP, Dr Gaini Allen. Reports feeling tired, with muscle aches and pains, worse morning, then settles. Pathology requested.	Blue 9/3657 E
22.10.2010	Appellant attends an appointment at Health Focus Physiotherapy. Reports increased right shoulder pain and cervical pain with headaches.	Blue 2/882 D (transcription) Blue 5/2008 L Blue 7/2638 L

Date	Description	APPEAL BOOK & PAGE NUMBER
28.10.2010	Appellant attends an appointment at Health Focus Physiotherapy. Reports improved, no headache, scap still winging.	Blue 2/882 R (transcription) Blue 5/2008 T Blue 7/2638 T
29.09.2011	Appellant attends an appointment at Health Focus Physiotherapy. Note records insidious onset central thoracic to lumbar pain.	Blue 5/2010 Blue 7/2635 I
08.10.2011	Appellant attends an appointment at Health Focus Physiotherapy. Reports much better. For conditioning of thoracic and lumbar.	Blue 5/2010 S Blue 7/2635 R
30.07.2012	Appellant attends an appointment at Health Focus Physiotherapy.	Blue 5/2010 T Blue 7/2635 T
23.10.2012	Appellant attends an appointment at Health Focus Physiotherapy.	Blue 5/2009, 2010 F Blue 7/2618, 2635 F
25.10.2012	Appellant attended an appointment at Health Focus Physiotherapy.	Blue 5/2011 M
18.04.2013	Appellant gives birth to her second child.	Red 49 L
14.10.2013	Appellant attends an appointment at Health Focus Physiotherapy. Reports current history of migraine with cervical and thoracic spine stiffness. Noted to be of insidious onset. Treatment given to cervical and thoracic spine.	Blue 5/2000 Blue 7/2651
2014	Appellant accepted redundancy package from YES.	Red 49 M
End 2014	Appellant purchases small business franchise Twinkle Toes.	Red 79 Q
2015 - early 2021	Respondent moves into semi-retirement. Ceased operating as the principal surgeon. Operated as an assistant to Dr Anil Nair in Sydney and Dr John Choi in Melbourne.	Red 89 V and W Blue 4/1350 W
12.05.2015	Appellant attends an appointment at Health Focus Physiotherapy. Reports symptoms relating to cervical and thoracic spine.	Blue 5/1998 Blue 7/2645, 2647
02.06.2015	Appellant attends an appointment at Health Focus Physiotherapy. Reports symptoms relating to thoracic/lumbar spine and upper cervical spine.	Blue 5/1999 Blue 7/2648
14.09.2015	Appellant attends an appointment with GP, Dr Gaini Allen regarding nodule behind right knee. Varicose vein noted.	Blue 9/3649 W

Date	Description	APPEAL BOOK & PAGE NUMBER
07.03.2017	Appellant gives birth to her third child Evie.	Red 42 Q
Mid-2018	Appellant met was told by Alex Grelli, a mother at the school canteen, that her back was “stuffed” by the respondent.	Blue 1/230 I
30.04.2018	Appellant attends a consultation with GP, Dr Gaini Allen regarding her intermittent lower back pain/discomfort radiating to lower abdomen. Change to oral contraceptive.	Blue 9/3646 R
11.05.2018	Appellant attends an appointment at Health Focus Physiotherapy. Reports stiff lumbar to cervical spine.	Blue 5/1997 Blue 7/2611
10.07.2018	Appellant attends a consultation with her GP, Dr Gaini Allen regarding a mental health plan.	Blue 9/3645 Q
10.01.2019	Appellant attends an appointment at Health Focus Physiotherapy for left knee baker’s cyst and referral for x-ray of lumbar spine.	Blue 5/1995 Blue 7/2646
11.01.2019	Appellant undergoes an X-Ray of her Lumbar Spine.	Blue 2/865 Red 75 I Blue 5/1990 Blue 7/2649 Blue 8/3471
15.01.2019	Appellant attends an appointment with Shane Robertson at Health Focus Physiotherapy. Mr Robertson wrote to the appellant's GP, Dr Gaini Allen noting lower back pain and hamstring pain of recent times.	Blue 2/866 Blue 5/1991 Blue 7/2631
22.01.2019	Appellant attends consultation with GP, Dr Allen. <i>Bg of spinal surgery/fusion L5S1 in 1998 with Dr Hillier, had bone graft, ongoing back pain, numbness L lateral thigh down to the knee for 2 years, onset when was pregnant, did not resolve, still has on/off numbness, no weakness, no bowel/bladder problems, reports back pain worse last few months...</i>	Blue 9/3644 I
29.01.2019	Appellant undergoes an MRI scan on her Lumbar Spine.	Blue 2/867 Blue 5/1919-1920 Blue 8/3469-3470

Date	Description	APPEAL BOOK & PAGE NUMBER
06.02.2019	Appellant attends consultation with GP Dr Allen regarding her MRI scan results. Requests review with respondent. Dr Allen refers the appellant to the respondent. <i>..Erin has been having on/off lower back pain and numbness L lateral thigh down to the knee for 2 years, onset when she was pregnant, which did not resolve, still has on/off numbness, no weakness, no bowel/bladder problems. Erin feels that back pain got worse over the last few months, seen by physio Shane Robertson, had x-rays and a follow up MRI which didn't show acute pathology/significant stenosis...</i>	Red 49 T Blue 9/3644 D Blue 5/1923 Blue 9/3843
20.02.2019	Appellant attends consultation with the respondent. The respondent refers appellant for a Bone Scan.	Red 49 V Blue 4/1442 (transcription) Blue 5/1913
06.03.2019	Appellant undergoes a Bone scan.	Red 50 S Blue 5/1924 Blue 8/3467
13.03.2019	Appellant attended a consultation with the respondent. The respondent wrote to the appellant's GP, Dr Gaini Allen: <i>Thank you for asking me to see Erin who I know well from back in 1999 when she had a symptomatic L5/S1 one spondylolytic spondylolisthesis which ultimately required fusion without needing instrumentation.</i> <i>That appears to have remained quite stable and she has been able to get on with good activity and delivered three children well, but she presents now with some lumbar aching and discomfort into both hamstrings.</i> <i>Her plain x-rays demonstrate that her posterolateral fusion looks to be still secure and the impression is that she has tried to compensate for the acute inclination of the L5/S1 disc by slightly overextending on the L4/L5 joints above. This clinical picture is confirmed with the bone scan which does show that the left L4/L5 facet joint is reactive and on the plain film this has also confirmed that she tilts away from that joint, putting more loading on the right facet joint at that level.</i> <i>This gives promise that she should respond to facet injections at that level and then some specific exercises to see whether we can realign her lower lumbar spine and pelvic junction.</i>	Red 50 T Blue 4/1443 (transcription) Blue 5/1914 Blue 5/1927

Date	Description	APPEAL BOOK & PAGE NUMBER
20.03.2019	Appellant undergoes a CT Guided Bilateral L4/L5 Facet Joint Injection.	Red 51 F and 75S Blue 5/1926 Blue 8/3466
11.04.2019	Appellant attends consultation with respondent following facet injections. Respondent refers appellant for physiotherapy treatment at Health Focus Physiotherapy (Mandy Hobbs & Team).	Blue 4/1443 (transcription) Blue 5/1914,1988 Blue 7/2629
23.04.2019	Appellant attends an appointment with Mandy Hobbs at Health Focus Physiotherapy. Reports long term lower back pain, slightly worse after injections 3 weeks ago.	Blue 5/1986 J Blue 7/2607 B
29.04.2019	Appellant attends an appointment with Mandy Hobbs at Health Focus Physiotherapy . Reports struggling with worse pain, could be from standing a lot last Thursday. Mandy Hobbs sends letter to the respondent. .	Blue 5/1985 T Blue 7/2606 L Blue 5/1994 Blue 7/2613
16.05.2019	Appellant attends a consultation with the respondent. Reports that she remains troubled, also left knee cyst more of a nuisance. Respondent refers appellant for MRI of left knee.	Red 76 C Blue 4/1443 (transcription) Blue 5/1914,1941
16.05.2019	Respondent refers appellant to Dr Anil Nair to consider ALIF (anterior lumbar interbody fusion).	Blue 3/945 Blue 5/1930, 1941
16.05.2019	Respondent refers appellant to Dr David Kirwan for review of her left knee popliteal cyst.	Blue 5/1928
16.05.2019	The appellant underwent an x-ray lumbosacral spine.	Blue 5/1929 Blue 8/3479
13.06.2019	Appellant attends a consultation with Dr Anil Nair. Dr Nair wrote to the respondent agreeing that the appellant could undergo an anterior lumbar fusion, though adding there was no rush to undertake the procedure.	Red 76 T Blue 5/1931-1932
25.06.2019	Appellant attends a consultation with Dr Kirwan concerning left knee	Red 77 B Blue 5/1933

Date	Description	APPEAL BOOK & PAGE NUMBER
03.07.2019	Appellant attends an appointment at Health Focus Physiotherapy. Reports recent flare up of chronic lower back pain.	Blue 5/1996 Blue 7/2612
03.09.2019	Appellant contacts Commins Hendriks solicitors after seeing Facebook ad.	Red 81 S
05.09.2019	Appellant attends a consultation with Dr Anil Nair. The appellant remained troubled by lower back pain and extremity radicular symptoms.	Blue 5/1934, 1937 Blue 9/3969
06.09.2019	Appellant attends an appointment with GP, Dr Gaini Allen.	Blue 9/3642 S
16.06.2020	Appellant attended an appointment with Shane Robertson at Health Focus Physiotherapy. Reports sore thoracic spine and buttock.	Blue 5/1985 E Blue 7/2605 R
25.06.2020	Appellant attends an appointment with Shane Robertson at Health Focus Physiotherapy. Reports much better, some stiffness of thoracic spine on examination.	Blue 5/1984 M Blue 7/2605 B
14.07.2020	Appellant attended an appointment with Shane Robertson at Health Focus Physiotherapy. Reports swollen left knee (large Baker's cyst). 6 weeks pregnant.	Blue 5/1983 T Blue 7/2604 H
22.07.2020	Appellant attends an appointment with GP, Dr Gaini Allen. Reports ongoing pain and swelling below the left knee.	Blue 9/3638 V
03.11.2020	Appellant attends an appointment with Shane Robertson at Health Focus Physiotherapy. Reports lumbar Soreness with pregnancy. On examination, tight hip flexors.	Blue 5/1983 G Blue 7/2603 N
16.12.2020	Appellant commenced proceedings against Respondent.	Red 52 V
2021	Appellant ceases running Twinkle Toes.	Red 79 W
28.02.2021	Respondent retires.	Red 89 X Blue 4/1351 C
08.03.2021	Appellant gave birth to her fourth child.	Red 52 W Blue 7/2730
28.06.2021	Appellant attends consultation with GP, Dr Gaini Allen who prescribed antidepressant medication.	Red 77 I Blue 9/3634 D
20.05.2022	Appellant attends an appointment with Shane Robertson at Health Focus Physiotherapy. Reports sore left lumbar spine from lifting son.	Blue 7/2602 U, 2614-2617

Date	Description	APPEAL BOOK & PAGE NUMBER
11.03.2024	Appellant commenced part-time work as a health and wellbeing officer.	Red 80 E
24.06.2024	Final hearing commences	Black 1/1
25.06.2024	Appellant cross-examined.	Black 1/77 – 190
26.06.2024	Appellant cross-examined.	Black 1/226 – 290
27.06.2024	Appellant cross-examined.	Black 1/313 – 339
28.06.2024	Appellant cross-examined.	Black 1/350 – 367 G
01.07.2024	Third Further Amended Statement of Claim filed.	Red 1 - 15
01.07.2024	Appellant cross-examined.	Black 1/383 – 468 Black 1/471 - 495
02.07.2024	Appellant cross-examined.	Black 2/499 – 548 Black 2/551 – 598
03.07.2024	Appellant cross-examined.	Black 2/606 - 648
04.07.2024	Appellant cross-examined.	Black 2/651 - 753 Black 2/757 - 762
17.12.2024	Primary Judge reserved his decision	Black 4/1713 G
08.09.2025	Judgment made and entered.	Red 32 - 193
05.12.2025	Notice of Appeal filed.	Red 196 - 200