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Curriculum Vitae

ADMISSIONS AND QUALIFICATIONS

1983: Bachelor of Arts (University of Sydney)

1984: Bachelor of Laws (University of Sydney)

6 July 1984: Called to the Bar (NSW)

1984 to date: Barrister practising in all Australian jurisdictions

2003 to date: Senior counsel practising in all Australian jurisdictions

2012 to 2014, 2018: Member of Bar Association Professional Conduct Committee

PROFESSIONAL RECOGNITION

- Doyle's Guide – Leading Commercial Litigation and Disputes Resolution Senior Counsel NSW, 2016, 2017
- Doyle's Guide – Leading Insurance Barristers NSW, 2017
- The Best Lawyers in Australia, 2018, 2019 – Insurance Law

PRINCIPAL AREAS OF PRACTICE

Commercial and equity, corporations, insolvency, insurance and reinsurance, professional negligence, class actions

EXPERIENCE AT THE BAR - OVERVIEW

- Practised at the Bar throughout Australia since 1984 in Federal and State courts.
- Came straight to the Bar where he has practised ever since.
- With more than 30 years experience at the Bar and having been silk more than 13 years, the areas of practice are extensive.
- Believes that a capable barrister should be able to and should appear in all jurisdictions and engage in a diverse range of case work.
- Particular interests are pre-trial case strategy and cross-examination.
- Appeared in a number of leading High Court cases.
- Appeared for defendants in ASIC v Rich – one of the longest NSW civil trials – (232 hearing days, 37 witnesses, 7500 paragraph judgment).
- Appearing for defendant in Queensland Floods class action.
- Appearing for class in Dick Smith class action.

PARTICULAR AREAS OF PRACTICE INTERESTS ARE AS FOLLOWS:

Insurance and reinsurance

- Regularly advises and appears for insurers, reinsurers and insureds in all classes of insurance and reinsurance business.
- Frequently engaged in professional indemnity and directors' and officers' liability disputes.
- Particular areas include misrepresentation and non-disclosure, aggregation, utmost good faith, statutory charge on insurance monies.
- Engaged by insurers and insureds to prepare binding legal opinions.
- Appeared for insurers in leading appellate case on statutory charge on insurance monies (*Chubb v Moore*).
- Appeared in leading appellate case on sections 40 and 54 of the *Insurance Contracts Act 1984* (Cth) (*Gosford City Council v GIO*).
- Appeared for Guy Carpenter in the HIH Royal Commission.
- Presented papers on insurance issues to Australian Insurance Law Association.

Cases include:

***Chubb Insurance Company of Australia Limited v Moore* [2013] NSWCA 212, (2013) 302 ALR 101, 17 ANZ Ins Cas 61-976**

(Liability insurance; statutory charge on insurance monies; section 6 of the *Law Reform (Miscellaneous Provisions) Act 1946* (NSW); extraterritorial operation of State Acts)

***Gosford City Council v GIO General Ltd* (2003) 56 NSWLR 542 (CA)**

(Sections 40 and 54 of the *Insurance Contracts Act 1984* (Cth); circumstances that may give rise to claims)

***Lambert Leasing Inc. v QBE Insurance Ltd* [2015] NSWSC 750**

(Dual Insurance, contribution, subrogation, utmost good faith, other insurance clauses, section 45 *Insurance Contracts Act 1984* (Cth))

***Lambert Leasing Inc. v QBE Insurance Ltd (No 2)* [2015] NSWSC 1196**

(Pay-to-be paid policy, costs orders, offers of compromise under Uniform Civil Procedure Rules 2005 (NSW))

***Lambert Leasing Inc. v QBE Insurance (Australia)* [2016] NSWCA 254**

(Insurance, double insurance and contribution, section 45 *Insurance Contracts Act 1984* (Cth))

***LawCover Insurance Pty Ltd v Muriniti* [2017] NSWSC 1557**

(Insurance, utmost good faith, contract)

Rich v CGU Insurance Ltd; Silbermann v CGU Insurance Ltd (2005) 214 ALR 370; (2005) 79 ALJR 856; (2005) 13 ANZ Ins Cas 61-642 (HC)
(Director and officer insurance policies)

Wilkie v Gordian RunOff Limited & Anor (2005) 214 ALR 410; [2005] NSWSC 873
(Director and officer insurance policies)

QBE Insurance Ltd v Nguyen (2008) 100 SASR 560 (FC)
(Insurance policy construction; conclusiveness of default judgment for purposes of legal liability policy; equitable doctrines; election)

Grimson v Aviation & General (Underwriting) Agents Pty Limited (1991) 25 NSWLR 422; (1991) 7 ANZ Ins Cas 61-095 (CA)
(Statutory charge on insurance monies; leave to proceed under section 6 of the *Law Reform (Miscellaneous Provisions) Act 1946* (NSW); limitations of actions)

Smart v Westpac Banking Corporation (2011) 282 ALR 400; [2011] FCA 829
(Insurance; duty of utmost good faith)

Drayton v Martin (1996) 67 FCR 1; (1996) 137 ALR 145; (1996) 9 ANZ Ins Cas 61-322
(Professional indemnity insurance; claims made policies; section 54 of the *Law Reform (Miscellaneous Provisions) Act 1946* (NSW))

BOS International (Australia) Ltd v Babcock & Brown International Pty Ltd [2011] NSWSC 1382
(Commercial law; contracts; construction; directors and officers insurance policies)

Insurance Superannuation Commission v Regal Life Insurance Ltd (1994) 121 ALR 513
(Life insurance; powers of judicial manager)

Tropical Reef Shipyard Pty Ltd v QBE Insurance (Australia) Ltd (No 3) [2010] FCA 1439
(Business interruption insurance; summary dismissal; amendment)

Class Actions

- Currently appearing for defendant in Brisbane Floods class action (*Rodriguez & Sons Pty Ltd v Queensland Bulkwater Supply t/as Seqwater*)
- Appeared for defendant auditors in a securities class action (*Caason Investments Pty Ltd v Cao & Ors*) and appeared for cross defendants in Blue Mountains bushfires class action (*More v Endeavour Energy; Johnston v Endeavour Energy*)
- Currently appearing for class in Dick Smith class action (*In the matter of DSHE Holdings Pty Ltd*) and defendant in Equititrust class action (*In the matter of Equititrust Ltd (In Liq)*)

Cases include:

In the matter of DSHE Holdings Limited (recs and mgrs apptd) (in liq) [2018] NSWSC 82
(Leave to commence proceedings against company in liquidation; overlapping class actions)

Rodriguez & Sons Pty Ltd v Queensland Bulk Water Supply Authority t/as Seqwater (No 13)
[2018] NSWSC 565
(Evidence; business records)

Rodriguez & Sons Pty Ltd v Queensland Bulk Water Supply Authority t/as Seqwater (No 9)
[2017] NSWSC 1116
(Practice & procedure; amendments to pleading)

Hassid v Queensland Bulk Water Supply Authority t/as Seqwater (No 2) [2017] NSWSC 1064
(Class actions; "de-classing" orders)

Hassid v Queensland Bulk Water Supply Authority t/as Seqwater [2017] NSWSC 599
(Class actions; competing and overlapping classes; group definitions; strike out)

Rodriguez & Sons Pty Ltd v Queensland Bulk Water Supply Authority t/as Seqwater (No 6)
[2016] NSWSC 1279
(Practice & procedure; confidentiality orders)

Rodriguez & Sons Pty Ltd v Queensland Bulk Water Supply Authority t/as Seqwater (No 5) [2015]
NSWSC 1771
(Class actions; group definition; sub-groups; sample groups; common questions)

Caason Investments Ltd v Cao [2014] FCA 1410
(Class actions, pleading, causation, fraud on the market theory)

Rodriguez & Sons Pty Ltd v Queensland Bulk Water Supply Authority t/as Seqwater [2014]
NSWSC 1565
(Class actions; group description; pleading of negligence case)

Advised and appeared for directors in a number of the leading civil penalty proceedings

- Appeared in the leading High Court case on privilege against self-exposure to a penalty (*Rich v ASIC*).
- Appeared for defendant directors in civil penalty proceedings concerning the GIO/AMP takeover (*ASIC v Vines*), the One.Tel liquidation (*ASIC v Rich*), the MFS/Octaviar liquidation (*ASIC v Managed Investments*; *White v ASIC*; *Anderson v ASIC*).

Cases include:

Australian Securities & Investments Commission v Rich (2010) 75 ACSR 1; (2009) 236 FLR 1
(Directors' duties, business judgment rule, insolvency, evidence)

ASIC v Rich interlocutory decisions include - opinion evidence (2005) 190 FLR 242; (2005) 218 ALR 764; 54 ACSR 326; search warrants, evidence (2005) 188 FLR 416; 220 ALR 324; 52 ACSR 324; use of ASIC examinations (2006) 201 FLR 207; expert evidence, documentary evidence (2005) 191 FLR 385; penalty privilege (2003) 183 FLR 361; 203 ALR 671; 48 ACSR 6; evidence in reply (2006) 235 ALR 587; leave to tender new evidence [2005] NSWSC 706; amendment, new evidence [2005] NSWSC 940; opinion evidence [2005] NSWSC 296; pleading and cross-examination [2006] NSWSC 712; compulsory mediation [2005] NSWSC 489; opinion evidence [2005] NSWSC 939; legal professional privilege, waiver [2004] NSWSC 1089; privilege, issue

waiver [2004] NSWSC 969; privilege, waiver [2004] NSWSC 923; adjournment [2006] NSWSC 266; disqualification for apprehended bias [2004] NSWSC 970; adjournment and amendment (2004) 50 ACSR 521; unlawfully obtained evidence [2004] NSWSC 951; penalties, remedies for breach of directors duties (2003) 44 ACSR 682; privilege [2004] NSWSC 1017; documentary evidence and discretionary exclusion [2005] NSWSC 1022; privilege, disclosure waiver [2004] NSWSC 1090; privilege, waiver [2004] NSWSC 1104; evidence by audiovisual link, evidence on commission (2004) 49 ACSR 578; 22 ACLC 1125; documentary evidence, section 1305 of the *Corporations Act 2001* (Cth), business records (2005) 54 ACSR 28; expert evidence [2005] NSWSC 256; adjournment (2004) 50 ACSR 357; business records, s 1305 of the *Corporations Act 2001* (Cth) [2005] NSWSC 1031; evidence in chief [2005] NSWSC 1187; leave to appeal interlocutory rulings (2005) 54 ACSR 365; privilege, waiver [2004] NSWSC 934; evidence in re-examination (2005) NSWSC 1015; access to court file by non-parties [2002] NSWSC 198; subpoena, discovery, abuse of process (2003) 46 ACSR 86; burden and onus of proof (2003) 176 FLR 106; appeals as to costs [2003] NSWCA 194; expert evidence [2005] NSWSC 1170; costs [2003] NSWSC 293; penalty privilege (2003) 45 ACSR 305; media access to court files (2001) 51 NSWLR 643; evidence on voir dire (2004) 213 ALR 338; 51 ACSR 563.

***Australian Securities & Investments Commission v Vines* (2006) 58 ACSR 298**
(Civil penalty orders; disqualification of directors; pecuniary penalties)

***Australian Securities & Investments Commission v Managed Investments Pty Ltd (No 6)* (2013) QSC 355**
(Witnesses, competence and compellability, privilege against self-incrimination)

***White v Australian Securities and Investments Commissions* [2013] QCA 357**
(Stay of civil penalty proceedings pending criminal proceedings; sections 19 and 79 of the *Australian Securities and Investments Commission Act 2001* (Cth))

***Anderson v Australian Securities and Investment Commission* (2013) 2 Qd R 401; (2012) 91 ACSR 452; (2012) 297 ALR 546; [2012] QCA 301**
(Penalty privilege; privilege against self-incrimination; pleading rules)

Insolvency

- Advises and appears in all aspects of corporate and personal insolvency.
- Experience includes winding up, deeds of company arrangements, preferences, bankruptcy settlements.
- Appeared in leading High Court and intermediate appellate cases on deeds of company arrangement (*Lehman Brothers v City of Swan*; *BE Australia v Sutton*).

Cases include:

***Lehman Brothers Holdings Inc v City of Swan & Ors; Lehman Brothers Asia Holdings Limited (in liq) v City of Swan & Ors* (2010) 240 CLR 509; (2010) 84 ALJR 275; (2010) 265 ALR 1; [2010] HCA 11**
(Corporations law, deeds of company arrangement, releases of claims, section 444D of the *Corporations Act 2001* (Cth))

***BE Australia (Subject to a Deed of Company Arrangement) v Sutton* [2011] NSWCA 414**
(Corporations law; deeds of company arrangement; creditors admissible to proof; scope of section 447A of the *Corporations Act 2001* (Cth); industrial law; claims under section 106 of the *Industrial Relations Act 1996* (NSW))

***Morris v IMF Bentham Limited* [2018] FCA 1009**
(Bankruptcy; deceit; damages – reflective loss; summary dismissal)

***In the matter of DSHE Holdings Limited (recs and mgrs. apptd) (in liq.)* [2018] NSWSC 82**
(Leave to commence proceedings against company in liquidation; overlapping class actions)

***Re Credit Reference Association of Australia Ltd* (1998) 16 ACLC 491**
(Company arrangements and reconstructions)

***Re ACN 076 673 875 LTD (receiver and manager appointed) (in liq) Bendeich as liq, Greatorex & Ors intervening by leave* (2002) 42 ACSR 296**
(Liquidators; liquidation funding)

***Re G.B. Nathan & Co Pty Limited (In Liq)* (1991) 24 NSWLR 674; (1991) 5 ACSR 673; (1991) 9 ACLC 1291**
(Powers of court on liquidator's application for directions; liquidators control over trust property)

***Weston v Carling Constructions Pty Ltd* (2000) 175 ALR 202; (2000) 35 ACSR 100**
(Administrators' liens in company liquidation)

***Wily v Rothschild Australia Ltd* (1999) 47 NSWLR 555; (1999) 17 ACLC 1643**
(Preferences; set-off; securities)

***Mineral & Chemical Traders Pty Ltd v T. Tymczyszyn Pty Ltd (in liq.) & Horn* (1994) 15 ACSR 398; (1994) 13 ASC 40**
(Effect of liquidation on floating charge)

***Re Spedley Securities Ltd (in Liq)* (1992) 9 ACSR 83**
(Liquidators' compromise with creditors; liquidators' application for directions)

***Grace v Grace* (2007) 25 ACLC 141; [2007] NSWSC 6**
(External administration; provisional liquidation; oppression; just and equitable ground)

***Clemada Pty Limited v Hire-it Pty Limited (No. 2)* (1990) 3 ACSR 202**
(Appointment of provisional liquidators)

***Stanham v National Trust of Australia (NSW)* (1989) 15 ACLR 87; (1989) 7 ALLC 628**
(Rights of members at extraordinary general meeting; rights of members of corporations)

***Peter Nobbs Consultancy Pty Limited (In Liq) v Brambles Holdings Limited & Ors* (1987) 8 NSWLR 231; (1987) 11 ACLR 460**
(Settlements in bankruptcy; settlements under Companies Code)

***Re Ward; ex parte Official Trustee & Bankruptcy v Dabnas Pty Limited* (1984) 55 ALR 395; (1984) 3 FCR 112**

(Settlements in bankruptcy; assignments of choses in action; promissory estoppel)

Companies Law

- Areas of practice include directors' duties, deeds of company arrangement, oppression, winding up.

Cases include:

Lehman Brothers Holdings Inc v City of Swan & Ors; Lehman Brothers Asia Holdings Limited (in liq) v City of Swan & Ors (2010) 240 CLR 509; (2010) 84 ALJR 275; (2010) 265 ALR 1; [2010] HCA 11

(Liquidation; Deeds of Company Arrangement; statutory interpretation)

BE Australia (Subject to a Deed of Company Arrangement) v Sutton [2011] NSWCA 414
(Corporations law; deeds of company arrangement; creditors admissible to proof; scope of section 447A of the *Corporations Act 2001* (Cth); industrial law; claims under section 106 of the *Industrial Relations Act 1996* (NSW))

Registrar-General v Northside Developments Pty Limited (1988) 14 NSWLR 571; (1988) 14 ACLR 543; (1988) 7 ACLC 52 (CA)

(Companies' indoor management rule)

Australian Securities and Investments Commission v Rich (2010) 75 ACSR 1

(Corporations; civil penalty proceedings; directors' duty of care and diligence; standard of care; business judgment rule; pleadings and particulars; evidence)

Australian Securities & Investments Commission v Vines (2006) 56 ACSR 528; (2006) 24 ACLC 165

(Directors' duties; relief from liability)

In the matter of Wollongong Coal Ltd [2017] NSWSC 201

(Corporations law, share capital reduction, share buy-back)

In the matter of DSHE Holdings Limited (recs and mgrs. apptd) (in liq.) [2018] NSWSC 82

(Leave to commence proceedings against company in liquidation; overlapping class actions)

Downer EDI Limited v Gillies (2012) 92 ACSR 373; [2012] NSWCA 333

(Employment law; directors duties)

Spika Trading Pty Limited v Harrison (1990) 19 NSWLR 211; (1990) 1 ACSR 609; (1990) 8 ACLC 310

(Directors liabilities under section 556 of the Companies Code; contribution between directors)

Grace v Grace [2012] NSWSC 976

(Undue influence; unconscionability; laches; trusts; oppression; winding up; family law; family provision)

Grace v Grace (2007) 25 ACLC 141

(External administration; provisional liquidation; oppression; just and equitable ground)

Maurice Dry Cleaners Pty Ltd (in liq) v National Australia Bank Ltd (1990) 8 ACLC 798
(preferences, interest on preferences)

Portfolio Projects Pty Limited v Oakes Building Co Pty Limited (1987) 5 ACLC 911
(Company winding-up; abuse of process)

General Commercial

- Appeared in several recent decisions on enforcement of arbitral awards.
- Appeared in leading appellate case on statutory unconscionability (*Ipstar Australia Pty Ltd v APS Satellite Pty Ltd*)
- Other commercial cases appear under other headings.

Cases include:

Ipstar Australia Pty Ltd v APS Satellite Pty Ltd [2018] NSWCA 15
(Statutory unconscionability between commercial parties; defective goods; *Australian Consumer Law* statutory indemnities)

Morris v IMF Bentham Limited [2018] FCA 1009
(Deceit; bankruptcy; damages – reflective loss; summary dismissal)

APS Satellite Pty Ltd v IPSTAR Australia Pty Ltd [2016] NSWSC 1898
(Sale of goods, merchantable quality, fitness for purpose, statutory unconscionability)

Clipsal Australia Pty Ltd v Clipso Electrical Pty Ltd (No 3) [2017] FCA 60
(Intellectual property, trade marks, passing off, misleading and deceptive conduct)

Sahade v The Owners – Strata Plan No 62022 [2014] NSWCAT (13 January 2015)
(Strata titles, unit reallocation, management and control)

Obeid v Australian Competition and Consumer Commission [2014] FCA 839
(Restrictive trade practices, validity of section 155 Notices, anti-competitive contracts, cartel conduct, definition of “services” under the *Competition and Consumer Act 2010* (Cth))

Armada (Singapore) Pty Ltd v Gujarat NRE Coke Ltd [2014] FCA 636
(Enforcement of international arbitral award, composition of arbitral tribunal, declaration as to future breaches)

Traxys Europe SA v Balaji Coke Industries Pty Ltd (No 2) (2012) 201 FCR 535; (2012) 291 ALR 99; [2012] FCA 276
(International arbitration; public policy; enforcement of arbitral awards)

Lowe v Pascoe (No 4) [2012] NSWSC 1493
(Partnership and joint ventures)

BOS International (Australia) Ltd v Babcock & Brown International Pty Ltd [2011] NSWSC 1382
(Commercial law; contracts; construction; directors and officers insurance policies)

***Caason Investments Ltd v Cao* [2014] FCA 410**

(Class actions, pleading, causation, fraud on the market theory)

***Gillies v Downer EDI Ltd* [2011] NSWSC 1055**

(Employment law; contracts; damages)

***Garde v Workcover Authority (NSW)* (1992) 35 AILR 103**

(Termination of SES employees; *Public Sector Management Act 1988* (NSW); section 88F of the *Industrial Arbitration Act 1912* (NSW); unfair dismissal)

***Henderson v Australian Chamber of Manufactures* (1991) 34 AILR 10**

(Employment termination packages; redundancy; eligible termination payments; implied terms; estoppel)

***Fisons Pty Ltd v Rostinga Pty Ltd* (1989) NSW Conv R 44-589**

(Leases, rent review causes; declarations)

***Kitt v Tourism Commission of NSW* (1987) 11 NSWLR 686; (1987) EOC 92-196**

(*Public Service Act 1999* (Cth); anti-discrimination legislation)

***Bective Station Pty Ltd v AWB (Australia) Ltd* [2006] FCA 1596**

(misleading and deceptive conduct, termination of contract, similar fact evidence)

***Garcia v National Australia Bank Ltd* (1998) 194 CLR 395; (1998) 72 ALJR 1243; (1998) ALR 614**

(Unconscionable conduct, guarantees; rule in *Yerkey v Jones*)

***National Australia Bank Ltd v Garcia* (1996) 39 NSWLR 577; (1996) 21 ACSR 309 (CA)**

(Unconscionable conduct; guarantees)

***Portacomm Building Systems Pty Ltd v Southern Sheet* [2013] NSWCA 123**

(Practice and procedure; stay of proceedings)

***Southern Sheet & Coil Pty Limited v Portacomm Building Systems Pty Limited* [2013] NSWSC 38**

(Contracts; failure to pay; guarantee; misleading and deceptive conduct; misrepresentation)

***Lee Gleeson Pty Limited v Sterling Estates Pty Limited* (1991) 23 NSWLR 571; (1991) ATPR (Digest) 46-072 (1991) ASC 56-083**

(Misleading and deceptive conduct; promissory estoppel; enforceability of oral building contracts, procedure before referee)

***Edward Keller (Australia) Pty Limited v Henelly* (1990) 35 IR 464; 33 AILR 79 (CA)**

(Employment contracts; reasonable notice)

Equity

- Appears in all aspects of equitable claims, fiduciary relations, estoppel.
- Appeared in *Garcia v National Australia Bank* – one of the leading High Court cases on

unconscionability in a husband/wife/guarantee situation.

- Appeared in *Aid/Watch v Commission of Taxation* – a High Court case defining the boundaries of charitable trusts.
- Appeared in *Sze Tu v Lowe* – an appellate decision on trusts, tracing, partnerships and indefeasibility of title and limitation of actions.

Cases include:

***Garcia v National Australia Bank Ltd* (1998) 194 CLR 395; (1998) 72 ALJR 1243; (1998) ALR 614**

(Unconscionable conduct, guarantees; rule in *Yerkey v Jones*)

***Aid/Watch Inc v Commission of Taxation* (2010) 241 CLR 539; (2010) 85 ALJR 154; (2010) 272 ALR 417; [2010] HCA 42**

(Charitable trusts; taxation; charitable institutions; political purposes)

***Sze Tu v Lowe* [2014] NSWCA 462**

(Equity, trusts, tracing, limitations of actions, partnerships and joint ventures, Real Property Act 1900 (NSW) – indefeasibility of title)

***Griffin v Coe* [2012] NSWSC 412**

(Probate; devastavit; procedure)

***Grace v Grace* [2012] NSWSC 976**

(Undue influence; unconscionability; laches; trusts; oppression; winding up; family law; family provision)

***Grace v Grace (No 6)* [2013] NSWSC 897**

(Equity – taking of accounts)

***Westpac Banking Corporation v Billgate Pty Ltd* [2013] NSWSC 1304**

(Equity – implied and constructive trusts; unconscionable dealings; equitable fraud; unjust contracts; trade practices; misleading and deceptive conduct)

***Phoenix Rising Investments Pty Ltd, Re: Grace v Grace* [2010] NSWSC 758**

(Superannuation; trustee's duties; practice and procedure)

Negligence

- Practice has a particular focus on professional negligence.
- Has been briefed on behalf of professional indemnity insurers for over 20 years.

Cases include:

***King v Benecke* [2013] NSWSC 568**

(Solicitor's negligence; lack of formal retainer, conflict of interest)

Watkins (t/as Watkins Tapsell) v De Varda [2003] NSWCA 242
(Duty of care in absence of retainer, conflict of interests)

Studer v Boetcher [2000] NSWCA 263
(Solicitors' negligence, pressure to settle)

Amaca Pty Ltd v Hicks [2011] NSWCA 295;
(Damages; gratuitous care)

Collingwood Hotel Pty Ltd v O'Reilly; Night Knowledge Security Pty Ltd (2007) NSWCA 155
(Negligence; duties of licensees and security guards)

Amaca Pty Ltd v Banton (2007) 5 DDCR 314; (2007) NSWCA 336
(Exemplary and aggravated damages; dust diseases)

Snorkel Elevating Work Platforms Pty Ltd v Nominal Defendant [2007] ACTCA 14
(Legal practitioners; challenge to retainer; indemnity costs)

Lowns & Anor v Woods & Ors (1996) Aust. Torts Rep.81-376 (CA)
(Medical negligence, urgent request for medical assistance)

Property

- Advises and appears in property and conveyancing matters.

Reported cases include:

Franz Boensch as trustee of the Boensch Trust v Scott Darren Pascoe [2015] NSWSC 1882
(Caveats, lodgment without reasonable cause)

Pedulla v Panetta (2011) 16 BPR 30, 229; [2011] NSWSC 1386
(Real property; Torrens Assurance Fund; negligence; fraud; insurance; proportionate liability; amendment)

Chandra v Perpetual Trustees Victoria Ltd (2007) 13 BPR 24,675; (2007) ANZ Conv 12481; (2007) Aust Torts Reports 81-896; (2007) NSW Conv R 56-187; [2007] NSWSC 694
(Torrens system; assurance fund; indefeasibility of title; professional negligence)

Drulroad Pty Limited v Gibson (1993) ANZ Conv Rep 115
(Oral agreement for mortgage; priorities)

Family

Cases include:

F Firm v Ruane & Ors [2014] Fam CAFC
(Accrued jurisdiction of Family Court, professional negligence claim in Family Law proceedings, single justiciable controversy, intermediate appellate courts departing from their own earlier decisions)

***Grace v Grace (No. 9)* [2014] NSWSC 1239**

(Interest on costs, costs in cross-vested *Family Law Act 1975* (Cth) proceedings)

***Ruane & Bachmann-Ruane and Ors (Accrued jurisdiction)* (2012) 48 Fam LR 131; [2012] FamCA 369**

(Constitution; Accrued jurisdiction of Family Court)

***Grace v Grace* [2012] NSWSC 976**

(Undue influence; unconscionability; laches; trusts; oppression; winding up; family law; family provision)