

Mark Gunning

Barrister – at – Law

Nine Wentworth Chambers

Level 9, 180 Phillip Street Sydney

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Clerk: Ben Brown

Career Overview

Mark Gunning practises in a wide range of commercial and civil disputes. He was admitted to the New South Wales Bar in February 2002. He has extensive advocacy experience ranging from jury trials to a variety of civil and commercial disputes.

Major Competencies

- Broad and extensive experience in all major State Courts and jurisdictions, including the Supreme Court (Court of Appeal, Court of Criminal Appeal and single Judge), District Court, Local Court and various State tribunals
- Over fifteen years of practice at the New South Wales Bar, including appearances in District Court jury trials, Supreme Court hearings in civil / commercial matters, District Court hearings in civil / commercial matters, sentence appeals in the District Court, and many commercial and criminal hearings in the Local Court

Achievements and Experience at the Bar

Supreme Court Matters:

Appearing as sole Counsel in the successful appeal to the Court of Appeal in:

Li v Deng [2010] NSWCA 266

Appearing as Junior Counsel in the Court of Appeal, including the matters of:

The Owners – Strata Plan 74635 v Buildcorp Group Pty Ltd [2013] NSWCA 40

Hinkley v Star City Pty Ltd & Anor [2011] NSWCA 299

Appearing as sole and junior Counsel in a number of interlocutory and final hearings, including injunction applications, bankruptcy / corporate law proceedings, equity proceedings, real property proceedings and other civil and commercial disputes before a single Judge of the Supreme Court, including the matters of:

JWT Bespoke Holdings Pty Limited atf The Duncan 77 Trust v Duncan [2015] NSWSC 1641
Benson v Rational Entertainment Enterprises Ltd [2015] NSWSC 906
Perricoota Boat Club Investments Pty Limited v Anthony Rupert Watson [2014] NSWSC 378
Bares v Watson [2013] NSWSC 29
Williams v Walker [2013] NSWSC 1013
Pethers v Pethers; Estate of Pethers [2012] NSWSC 896
Nay v Iskov [2012] NSWSC 598
Cranney Farm Pty Ltd v Corowa Fertilizers Pty Ltd [2011] NSWSC 9
Permanent Custodians Ltd v AGB Developments Pty Ltd [2010] NSWSC 540

District Court Civil / Commercial Hearings and Jury Trials:

Appearing in District Court hearings of civil and commercial disputes, ranging from motions to final hearings.

Appearing for persons accused of offences such as sexual assault, robbery, attempted murder, and break enter and steal.

Local Court Matters:

Appearing for persons charged with a wide range of offences under the *Crimes Act 1900* and other Acts over which the Local Court has jurisdiction, including a large number of appearances at committal hearings, defended hearings, sentence hearings and bail hearings.

Presentation of Seminars for the College of Law and Others:

Mark Gunning has presented papers and seminars to fellow practitioners on behalf of the College of Law, Continuing Professional Development Seminars ("CPDS"), and Legalwise Seminars.

A number of his most recent papers and seminars are listed below:

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| 22 July 2015: | Advocacy Seminar - Law Society of NSW |
| 28 March 2014: | Advocacy Tips and Techniques – College of Law |
| 8 November 2011: | Persuasive Advocacy – College of Law |
| 25 May 2010: | Advocacy Tips and Pitfalls – College of Law |
| 26 March 2010: | PCA Offences – Legalwise Seminars |
| 24 February 2009: | Advocacy Tips and Techniques – College of Law |
| March 2008: | Good Faith in Commercial Transactions - CPDS. |

Career Details

June 2016 - Present

**Barrister and Member of
Nine Wentworth Chambers**

I presently practise in the areas of Equity, Contract Law, Commercial Transactions and Disputes, Building Disputes and Crime. I regularly appear in the Supreme Court of NSW, and also in District Court, Local Court, and Tribunal matters.

July 2008 – May 2016

**Barrister and Member of
University Chambers, Sydney**

I practised in the areas of Equity, Bankruptcy / Winding Up and Commercial Law. I also practised in crime.

Appearances in:

- Equity, Bankruptcy / Corporations Law and Commercial matters in the District and Supreme Courts
- a number of jury trials in sexual assault cases and other criminal matters, including drug cases, assault cases, tax offences and council prosecutions
- Criminal and civil hearings in other courts and tribunals, ranging from the Local Court to the Administrative Decisions Tribunal

February 2002 – July 2008

**Barrister and Member of
Frederick Jordan Chambers, Sydney**

My practice was very broad and covered areas including Criminal Law, Commercial Law and Equity, Family Law and Trade Practices

Appearances in:

- Local, District and Supreme Courts in many criminal matters, including jury trials, bail applications, sentence hearings and defended hearings in the Local Court

Other Relevant Experience

February 2000 – February 2002

Solicitor
Shephard & Shephard Solicitors
Parramatta

June 1998 – January 2000

Solicitor
Cole & Butler Solicitors
Moree NSW

December 1998

Admitted as a Solicitor of the Supreme Court of NSW

November 1997 – March 1998

Para-Legal
Swaab Attorneys
Sydney

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| Education |
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Bachelor of Laws

University of Sydney
1995 – 1997

Bachelor of Economics (Hons)

University of Sydney
1991 – 1994

Secondary Education (to HSC)

Parramatta Marist Brothers
1983 - 1990