

# DAVID L WILLIAMS SC

## List of Cases

(Arranged chronologically – for list by topics see curriculum vitae)

---

***Bank of Queensland Ltd v AIG Australia Ltd* [2018] NSWSC 1689**

(Insurance; number of claims; aggregation; representative proceedings)

***Scenic Tours Pty Ltd v Moore* [2018] NSWCA 238**

(Representative proceedings; common questions; Australian Consumer Law consumer guarantees; damages; *Civil Liability Act 2002* (NSW) as a surrogate federal law)

***Australian Insolvency Group v LCM Litigation Investment Fund No 1 (No 2)* [2018] NSWSC 1571**

(Res judicata; issue estoppel; Anshun estoppel)

***Gujarat NRE India Pty Ltd v Wollongong Coal Limited* [2018] NSWSC 1459**

(Guarantee and indemnity; debt; equitable set off)

***Morris v IMF Bentham Limited* [2018] FCA 1009**

(Deceit; bankruptcy; damages – reflective loss; summary dismissal)

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

(Evidence; business records)

***In the matter of DSHE Holdings Limited (recs and mgrs apptd) (in liq)* [2018] NSWSC 275**

(Representative proceedings; costs)

***Ipstar Australia Pty Ltd v APS Satellite Pty Ltd* [2018] NSWCA 15**

(Statutory unconscionability between commercial parties; defective goods; *Australian Consumer Law* statutory indemnities)

***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)

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

(Insurance, utmost good faith, contract)

***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 Bulkwater Supply Authority t/as Seqwater* [2017] NSWSC 599**

(Class actions; competing and overlapping classes; group definitions; strike out)

***In the matter of Wollongong Coal Ltd* [2017] NSWSC 201**  
(Corporations law; share capital reduction; share buy-back)

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

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

***BCI Finances Pty Ltd (in liq) v Binetter (No 4)* [2016] FCA 1351**  
(Directors' duties; fiduciary duties; tax evasion schemes)

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

***Lambert Leasing Inc. v QBE Insurance (Australia) Ltd* [2016] NSWCA 254**  
(Insurance; double insurance and contribution; section 45 *Insurance Contracts Act 1984* (Cth))

***Clipsal Australia Pty Ltd v Clipso Electrical Pty Ltd (No 2)* [2016] FCA 596**  
(Evidence; discretion to exclude; procedural prejudice)

***Theiss Pty Ltd and John Holland Pty Ltd v Parsons Brinckerhoff Australia Pty Ltd* [2016] NSWSC 173**  
(Contracts; remedies; torts; negligence; standard of care; apportionment of responsibility and damages)

***Walker v New South Wales Bar Association (No 2)* [2016] FCA 1051**  
(Costs; multiple sets of costs; indemnity costs)

***Walker v New South Wales Bar Association* [2016] FCA 799**  
(Membership of corporation; rights and remedies; oppressive or unfair conduct; appointment as senior counsel)

***BCI Finances Pty Ltd (in liq) v Binetter (No 3)* [2015] FCA 1336**  
(Remedies and orders; third party freezing orders; re-opening application)

***NRM Trading Pty Ltd v Australian Competition and Consumer Commission* [2015] FCA 595**  
(Stay application)

***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)

***Lambert Leasing Inc. v QBE Insurance Ltd (No 2)* [2015] NSWSC 1196**  
(Pay-to-be paid insurance policy; costs orders; offers of compromise)

***Boensch v Pascoe* [2015] NSWSC 1882**  
(Real property; Torrens title; caveats against dealings; who may lodge and what interest sufficient)

***Lambert Leasing Inc. v QBE Insurance Ltd* [2015] NSWSC 750**  
(Insurance; contribution; indemnity; section 45 *Insurance Contracts Act 1984* (Cth); utmost good faith)

***Commonwealth Bank of Australia v CAN 076 848 112 Pty Ltd* [2015] NSWCA 314**  
(Appeal and new trial; when appeal lies; interlocutory orders and judgments)

**Ahern v Aon Risk Services Australia Ltd [2015] NSWSC 19**

(Evidence; admissibility; tendency; co-incidence and propensity; similar fact)

**Sze Tu v Lowe (No 2) [2015] NSWCA 91**

(Procedure; civil proceedings in State and Territory courts; costs)

**BCI Finances Pty Ltd (in liq) v Binetter [2015] FCA 86**

(Freezing orders)

**Sahade v The Owners – Strata Plan No 62022 [2015] NSWCATCD 5**

(Strata titles; unit reallocation; management and control)

**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)

**Hudson Ventures Pty Ltd v Colliers International Consultancy and Valuation Pty Ltd [2014] FCA 982**

(Procedure and evidence; representative proceedings)

**Caason Investments Ltd v Cao [2014] FCA 1410**

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

**Commonwealth Bank of Australia v ZYX Learning Centres Limited [2014] NSWSC 1676**

(Summary dismissal; strike out; pleadings and particulars)

**Obeid v Australian Competition and Consumer Commission [2014] FCAFC 155**

(Restrictive trade practices; validity of section 155 Notices; anti-competitive contracts; cartel conduct; definition of “services” under *Competition and Consumer Act 2010* (Cth))

**Rodriguez & Sons Pty Ltd v Queensland Bulk Water Supply Authority t/as Seqwater [2014] NSWSC 1565**

(Class actions; group description; pleading of negligence case)

**F Firm v Ruane & Ors [2014] FamCAFC 189**

(Accrued jurisdiction of Family Court; professional negligence claim in Family Law proceedings; single justiciable controversy; intermediate appellate courts departing from their own earlier decisions)

**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 *Competition and Consumer Act 2010* (Cth))

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

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

**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)

**Grace v Grace (No 8) [2014] NSWSC 419**

(Practice and procedure; subpoenas, redaction)

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

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

**White v Australian Securities and Investments Commissions [2013] QCA 357**

(Stay of civil penalty proceedings pending criminal proceedings; ss. 19 and 79 *Australian Securities and Investments Commission Act* (Cth) 2001)

***Australia Securities and Investments Commission v ACN 101 634 146 Pty Ltd (in liquidation)***  
[2013] QSC 280

(Practice and procedure; evidentiary use of information)

***Australian Securities & Investments Commission v Managed Investments Pty Ltd (No 6)***  
[2013] QSC 355

(Witnesses, competence and compellability, privilege against self-incrimination)

***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)

***Chubb Insurance Company of Australia Limited v Moore (No 2)*** [2013] NSWCA 299, (2013) 17 ANZ Ins Cas 61-985

(Practice and procedure; costs)

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

(Insurance; statutory charge on insurance monies; s. 6 Law Reform (Miscellaneous Provisions) Act 1946 (NSW); extraterritorial operation of state acts)

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

(Practice and procedure; stay of proceedings)

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

(Equity – taking of accounts)

***Grace v Grace (No 4)*** [2013] NSWSC 385

(Costs; practice and procedure; inquiry as to undertaking as to damages)

***Ceva Logistics (Australia) Pty Ltd v Redbro Investments Pty Ltd*** [2013] NSWCA 46

(Miscarriage of fact finding; new trial; hearsay evidence in medical reports)

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

(Contracts; misrepresentation; misleading and deceptive conduct)

***Grace v Grace (No 3)*** [2012] NSWSC 1623

(Practice and procedure; stay application pending appeal)

***Westpac Banking Corporation v Billgate Pty Ltd*** [2012] NSWSC 1447

(Practice and procedure)

***Griffin v Coe (No 2)*** [2012] NSWSC 1239

(Practice and procedure; costs)

***Griffin v Matthews*** [2012] NSWCA 348

(Probate; devastavit; practice and procedure; summary disposal)

***Anderson v Australian Securities and Investments Commission*** (2012) 91 ACSR 452; (2012) 297 ALR 546; [2012] QCA 301; [2013] 2 Qd R 401

(Penalty privilege; privilege against self-incrimination; pleading rules)

***Lowe v Pascoe (No 4)*** [2012] NSWSC 1493

(Partnership and joint ventures)

***King v Benecke*** [2012] NSWSC 1012

(Practice and procedure)

***Downer EDI Ltd v Gillies (No 2)*** [2012] NSWCA 384

(Practice and procedure; costs)

***Downer EDI Limited v Gillies* (2012) 92 ACSR 373; [2012] NSWCA 333**  
(Employment law; directors duties)

***Grace v Grace* [2012] NSWSC 976**  
(Undue influence; unconscionability; laches; trusts; oppression; winding up; family law; family provision)

***Lowe v Pascoe (No 2)* [2012] NSWSC 885**  
(Admissibility of evidence in a fresh trial)

***Griffin v Coe* [2012] NSWSC 412**  
(Probate; devastavit; procedure)

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

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

***Geoffrey Alan Lowe & Anor v Scott Pascoe & Ors* [2012] NSWSC 151**  
(Practice and procedure; illness of trial judge; new trial)

***Lowe v Pascoe (No 3)* [2011] NSWSC 192**  
(Practice and procedure; jurisdiction; re-opening case)

***Gillies v Downer EDI Ltd* [2011] NSWSC 1055**  
(Employment law; contracts; damages)

***Amaca Pty Ltd v Hicks (No 2)* [2011] NSWCA 360**  
(Practice and procedure; indemnity costs)

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

***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 s447A Corporations Act 2001 (Cth); industrial law; claims under s106 Industrial Relations Act 1996 (NSW))

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

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

***Lambert Leasing Inc v QBE Insurance Ltd* [2011] NSWSC 745**  
(Insurance; practice and procedure; stay of proceedings; Forum non conveniens)

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

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

***Grace v Grace* [2010] NSWSC 1527**  
(Practice and procedure; legitimate forensic purpose)

***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)

***Grace v Grace* [2010] NSWSC 1526**

(Hearsay re business records)

***Grace v Grace* [2010] NSWSC 1516**

(Leave to cross-examine own witness; unfavourable evidence)

***Grace v Grace* [2010] NSWSC 1515**

(Leave to cross-examine own witness; unfavourable evidence)

***Grace v Grace* [2010] NSWSC 1514**

(Privilege; waiver; obvious mistake)

***Grace v Grace* [2010] NSWSC 1513**

(Practice and procedure; notice to produce served in response to late served affidavits not yet admitted)

***Tropical Reef Shipyard Pty Ltd v QBE Insurance (Australia) Ltd (No 2)* (2010) 274 ALR 626; [2010] FCA 1093**

(Business interruption; quantification of losses; adequacy of statement of claim)

***Lowe v Pascoe (as Trustee of Estate of late Kut Sze Tu)* (2010) 5 ASTLR 1; [2010] NSWSC 388**

(Existence of partnership and joint venture; breach of trust)

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

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

***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)

***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)

***Gillies v Downer EDI Limited* [2010] NSWSC 1323**

(Privilege; waiver of privilege)

***Tropical Reef Shipyard Pty Ltd v QBE Insurance (Australia) Ltd (No 2)* [2010] FCA 1093**

(Practice and procedure; summary judgment; business interruption insurance)

***Wilson v Sydney Markets Limited (No 2)* [2009] NSWADT 281**

(Retail shopping leases; changes to core trading hours)

***QBE Insurance (Australia) Limited v Tropical Reef Shipyard Pty Ltd* [2009] FCAFC 161**

(Separate questions; business interruption insurance)

***Shekhani v Ardino* [2009] NSWCA 361**

(Appeals from credit findings)

***Wilson v Sydney Markets Limited* [2009] NSWADT 256**

(Jurisdiction of Administrative Decisions Tribunal; construction of *Retail Leases Act 1994* (NSW))

***(Re Jones – Mashman) Amaca Pty Ltd v CSR Ltd (No 2)*** (2009) 7 DDCR 557; [2009] NSWDDT 24  
(Jurisdiction of Dust Diseases Tribunal; contribution)

***City of Swan v Lehman Brothers Australia Ltd*** [2009] FCAFC 130  
(Deed of company arrangement; statutory construction)

***Commissioner of Taxation v Aid/Watch Incorporated*** [2009] FCAFC 128  
(Charitable institutions; charitable and political purposes)

***City of Swan v Lehman Brothers Australia Ltd*** (subject to a deed of company arrangement)  
[2009] 73 ACSR 86  
(Deed of company arrangement; third party release; separate questions)

***Shipley v MASU Financial Management*** (2008) 68 ACSR 412  
(Subpoenas; confidentiality of material produced to ASIC under compulsory process)

***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)

***Fowler Corbett & Jessop t/as Haydon Fowler Corbett Jessop v Toro Constructions*** [2008] NSWCA 178  
(Personal costs orders against solicitors)

***Twynam Pastoral Pty Ltd v AWR (Australia) Ltd*** (2008) FCA 1922  
(Tendency evidence)

***Aid/Watch Incorporated v Commissioner of Taxation*** (2008) 71 ATR 386; [2008] AATA 652  
(Charitable institutions)

***Grace v Grace*** (2007) 25 ACLC 141  
(External administration; provision liquidation; oppression; just and equitable ground)

***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)

***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)

***HIH Insurance Ltd (in liq) v Adler*** [2007] NSWSC 745  
(Strike out; trade practices; accessorial liability; journal entries as evidence of damages)

***Grace v Grace*** (2007) 25 ACLC 141; [2007] NSWSC 6  
(Appointment of provisional liquidator for corporation; external administration)

***Bective Station Pty Ltd v AWB (Australia) Ltd*** [2006] FCA 1596  
(Contracts; trade practice; tendency evidence)

***Australian Securities & Investments Commission v Rich*** (2006) 58 ACSR 414  
(Evidence in reply; splitting a plaintiff's case)

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

***Australian Securities & Investments Commission v Vines* (2006) 56 ACSR 528; (2006) 24 ACLC 165**  
(Directors' duties; relief from liability)

***(Re Mowbray) Brambles Australia Limited v British Amehan Tobacco Australia Services Limited* (2006) NSWDDT 15**  
(Discovery; destruction of documents; document retention policy)

***Australian Securities & Investments Commission v Vines* (2005) 55 ACSR 617; (2005) 23 ACLC 1,387**  
(Directors' duties of care and diligence; Directors' duties of honesty; civil penalty proceedings)

***Rich v Australian Securities & Investments Commission* (2005) 54 ACSR 365 (CA)**  
(Appeals from interlocutory rulings)

***Australian Securities & Investments Commission v Rich* (2005) 54 ACSR 28; (2005) 23 ACLC 838**  
(Admissibility of business records; discretionary exclusion)

***Australian Securities & Investments Commission v Vines* (2005) 23 ACLC 1387**  
(Standard of care of executive directors and chief financial officers)

***Australian Securities & Investments Commission v Rich* (2005) 220 ALR 324; (2005) 188 FLR 416; (2005) 52 ACSR 374**  
(Use of evidence obtained under search warrant)

***Australian Securities & Investments Commission v Rich* (2005) 218 ALR 764; (2005) 54 ACSR 326; (2005) 23 ACLC 1,111 (CA)**  
(Admissibility of expert evidence; discretionary exclusion)

***Australian Securities & Investments Commission v Rich* (2005) 216 ALR 320; (2005) 53 ACSR 752; (2005) 23 ACLC 838**  
(Admissibility of business records; authentication; documentary opinion evidence)

***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)

***Australian Securities & Investments Commission v Rich* (2005) 190 FLR 242; (2005) 53 ACSR 110; (2005) 23 ACLC 430; [2005] NSWSC**  
(Admissibility of expert evidence; discretionary exclusion)

***Rich v Australian Securities & Investments Commission* (2004) 220 CLR 129; (2004) 209 ALR 271; (2004) 78 ALJR 1354; (2004) 50 ACSR 242; (2004) 22 ACLC 1198**  
(Privilege against self exposure to a penalty)

***Australian Securities & Investments Commission v Rich* (2004) 213 ALR 338; (2004) 51 ACSR 363**  
(Expert evidence; cross examination on the voir dire)

***Re One.Tel Ltd (in liq); Australian Securities & Investments Commission v Rich* (2003) 44 ACSR 682; (2005) 23 ACLC 556**  
(Civil penalty orders; declarations)

***Gosford City Council v GIO General Ltd* (2003) 56 NSWLR 542 (CA)**  
(Sections 40 and 54 of the *Insurance Contracts Act*)



***Australian Securities & Investments Commission v Vines* (2003) 21 ACLC 159**  
(Practice and procedure; evidence of witnesses who will not swear affidavits)

***Australian Securities & Investments Commission v Vines* (2003) 21 ACLC 59**  
(Outlines of evidence)

***Australian Securities & Investments Commission v Vines* (2003) 176 FLR 106; (2003) 46 ACSR 719**  
(Privilege against self exposure to a penalty; effect on case management directions)

***Australian Securities & Investments Commission v Vines* (2003) 48 ACSR 291**  
(Admissibility of expert opinion evidence)

***Australian Securities & Investments Commission v Vines* (2003) 48 ACSR 282**  
(Admissibility of evidence against multiple defendants; discretionary exclusion)

***Australian Securities & Investments Commission v Vines* (2003) 182 FLR 405; (2003) 48 ACSR 322**  
(Standard of skill and care for directors; expert evidence)

***Gosford City Council v GIO General Ltd* (2002) 12 ANZ Ins Cases 61-527**  
(Sections 40 and 54 of the *Insurance Contracts Act 1984* (Cth))

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

***Australian Securities & Investments Commission v Rich* (2001) 38 ACSR 251**  
(Practice and Procedure – media access to court materials)

***Studer v Boettcher* (2001) ACL Rep 300 NSW 8 (CA)**  
(Solicitors' negligence)

***John Wakim & Sons Pty Ltd v BBA Industries Pty Ltd* (2002) 10 BPR 18,475; (2001) ANZ Conv R 48; (2000) NSW Conv R 55-946**  
(Contract; estoppel; section 54A of the *Conveyancing Act 1919* (NSW))

***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)

***Treweeke v Wyong Shire Council* (1999) 29 MVR 489 (CA)**  
(Negligence; misfeasance rule)

***Commissioner of Taxation v Macquarie Health Corporation Ltd* (1998) 88 FCR 451, (1988) 17 ACLC 171; (1988) 98 ATC 5214; (1998) 40 ATR 349**  
(Constructive trusts; Limitation of actions; abuse of process; winding up; s.218 *Income Tax Assessment Act 1997* (Cth) notices)

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

***Wilkinson v Feldworth Financial Services Pty Ltd* (1998) 29 ACSR 642; (1998) 17 ACLC 220**  
(Breach of trust; misleading and deceptive conduct)

***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*)

***Ultra Refurbishing & Construction Pty Ltd v John Goubran & Associates Pty Ltd* (1997) 13 BCL 330**

(Injunctions; security bonds)

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

***Lowns & Anor v Woods & Ors* (1996) Aust. Tort R.81-376 (CA)**  
(Medical negligence)

***Drayton v Martin* (1996) 67 FCR 1; (1996) 137 ALR 145; (1996) 9 ANZ Ins Cas 61-322**  
(Professional indemnity insurance; claims made policies; s.54 *Insurance Contracts Act 1984* (Cth))

***Trade Practices Commission v TNT Australia Pty Limited* (1994) ATPR 41-286**  
(Abuse of process; discovery on interlocutory applications)

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

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

***Erolen v Baulkham Hills Shire Council* (1993) 10 ACSR 441; (1993) 11 ACLC 511**  
(Security for costs)

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

***Reid v Howard* (1993) 31 NSWLR 298 (CA)**  
(Privilege against self incrimination)

***TNT Australia Pty Limited v Fels* (1992) ATPR 40, 595**  
(Discovery; challenges to s. 155 notices)

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

***Garde v Workcover Authority (NSW)* (1992) 35 AILR 303; 35 AILR 423 (FC)**  
(Powers of single judge; no case to answer submission)

***Garde v Workcover Authority (NSW)* (1992) 35 AILR 103**  
(Termination of SES employees; *Public Sector Management Act 1988* (NSW); s. 88F *Industrial Arbitration Act 1912* (NSW); unfair dismissal)

***Garde v Workcover Authority (NSW)* (1992) 34 AILR 398**  
(No case to answer submissions)

***Fisons Pty Ltd v Rostinga Pty Ltd* (1991) ANZ Conv R 438**  
(Leases; rent review clauses)

***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 s.6 of the *Law Reform (Miscellaneous) Provisions Act 1946* (NSW); limitations of actions)

***Henderson v Australian Chamber of Manufactures* (1991) 34 AILR 10**  
(Employment termination packages; redundancy; eligible termination payments; implied terms; estoppel)

**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)

**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)

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

(Directors liabilities under s. 556 Companies Code; contribution between directors)

**Maurice Drycleaners Pty Limited v National Australia Bank Limited** (1990) 8 ACLC 798

(Winding up; interest on void dispositions)

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

(Employment contracts; reasonable notice)

**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)

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

(Leases, rent review causes; declarations)

**Vaughan v O'Meara** (1989) 31 IR 221; 31 AILR 311

(Jurisdiction of Industrial Commission under section 88F *Industrial Arbitration Act 1912* (NSW))

**O'Meara v Vaughan** (1989) 31 IR 266

(Powers of Industrial Commission to stay of proceedings in Supreme Court)

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

(Companies' indoor management rule)

**Whitehouse v Remme** (1988) 64 LGRA 375

(Jurisdiction of Land & Environment Court; trespass; injunction)

**Corporate Affairs Commission (NSW) v Prime Commodities Pty Limited & Ors** (1987) 11 ACLR 584; (1987) 5 ACLC 787

(Corporate Affairs Commission powers; injunctions)

**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)

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

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

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

**Wentworth v Rogers & Anor (No. 3)** (1986) NSWLR 642 (CA)

(Practice and procedure on death of trial judge; substitution of judges; costs)

***Guthega Development Pty Limited v Minister Administering the National Parks & Wildlife Act (NSW) 1974 (1986) 7 NSWLR 353; (1986) 61 LGRA 401 (CA)***

(Building control and town planning; environmental impact statements; *National Parks & Wildlife Act 1974* (NSW))

***Leichhardt Municipal Council v Maritime Services Board of New South Wales (1985) 57 LGRA 169***

(Noise control; environmental impact statements; determining authorities)

***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)