

Ross Glover

9th Floor Wentworth Chambers, 180 Phillip Street, Sydney NSW 2000

T: 02 8815 9252 F: 02 9233 4464 E: rglover@ninemwentworth.com.au

Notable cases:

- [Flynn & Anor v Aththas \[2017\] NSWLEC 1685](#): dispute arising under the *Trees (Disputes Between Neighbours) Act 2006* (NSW).
- [Gleeson v Bank of Queensland \[2017\] FCA 1302](#): transfer of proceedings; cross vesting; application for transfer of proceedings from the Federal Court of Australia to the Supreme Court of Queensland.
- [Waimoana Pty Ltd as Trustee for the Waimoana Superannuation Fund v Centuria Strategic Property Limited \[2017\] NSWSC 1091](#) (with McNally SC): representative actions; approval of settlement.
- [Aquawest Pty Ltd v Twynham \[2017\] NSWSC 652](#): contracts; guarantees; appeal from the Local Court of New South Wales.
- [In the matter of Bastow Civil Constructions Pty Ltd \[2017\] NSWSC 934](#): corporations law; application to set aside a creditor's statutory demand.
- [APS Satellite Pty Ltd \(formerly known as "SkyMesh Pty Ltd"\) v IPSTAR Australia Pty Ltd \[2016\] NSWSC 1898](#) (with D L Williams SC): claim for damages in relation to allegations of unconscionable conduct and defective products.
- [AAI Limited t/as GIO v McGiffen \[2016\] NSWCA 229](#) (with Romaniuk SC): administrative law; appeal from decision setting aside certificates of the Motor Accidents Authority.
- [R v Alqudsi \[2016\] NSWSC 1168](#), [\[2016\] NSWSC 1227](#) (with Staehli SC): Prosecution of offences under the *Crimes (Foreign Incursions and Recruitment) Act 1978* (Cth).
- [Allied Environmental Solutions Pty Ltd v North Burnett Regional Council \[2016\] FCA 713](#) (with McNally SC): application for security for costs.
- [Binetter v BCI Finances Pty Ltd & Ors \[2016\] HCATrans 33](#) (with Jackman SC): application for special leave to appeal to the High Court from decision of the Full Federal Court.
- [McGiffen v AAI Limited t/as GIO \[2015\] NSWC 1530](#) (with Romaniuk SC): administrative law; application for judicial review of decisions of the Motor Accidents Authority.
- [Binetter v BCI Finances Pty Limited \(in liq\) \[2015\] FCAFC 122](#) (with Jackman SC): appeal concerning the use of material obtained from a foreign jurisdiction

pursuant to the *Foreign Evidence Act* 1994 (Cth) for purposes other than the proceedings in which the material was obtained.

- [BCI Finances Pty Limited \(In Liq\) v Binetter \[2015\] FCA 786](#) (with Jackman SC): application for leave to use of material obtained from a foreign jurisdiction pursuant to the *Foreign Evidence Act* 1994 (Cth) for purposes other than the proceedings in which the material was obtained.
- [Coeclerici Asia \(Pte\) Ltd v Gujarat NRE Coke Limited \(No 2\) \[2015\] FCA 809](#): application for distribution of the proceeds of sale of judgment debtor's assets in the enforcement of a foreign arbitral award pursuant to the *International Arbitration Act*.
- [Doak v GJ & BP Chard \[2015\] NSWSC 431](#) (with McCulloch SC): application for summary dismissal in relation to a claim by a defendant for contribution/indemnity from a business partner of the plaintiff.
- [Ahern v Aon Risk Services Australia Ltd \[2015\] NSWSC 19](#) (with D L Williams SC): evidentiary rulings; professional negligence claim against insurance broker.
- [Hudson Ventures Pty Ltd v Colliers International Consultancy and Valuation Pty Limited \[2014\] FCA 982](#) (with D L Williams SC): representative actions; approval of settlements.
- [Armada \(Singapore\) Pte Ltd \(Under Judicial Management\) v Gujarat NRE Coke Limited \[2014\] FCA 636](#) (with D L Williams SC): proceedings for the enforcement of a foreign arbitral award pursuant to the *International Arbitration Act*.
- [Mercedes Holdings Pty Ltd v Waters \(No 7\) \[2013\] FCA 138](#): application for a review of a Registrar's decision, concerning access to transcripts of ASIC examinations.
- [BestCare Foods Ltd v Origin Energy LPG Ltd \(formerly Boral Gas \(NSW\) Pty Ltd\) \[2013\] NSWSC 1287](#) (with Hutley SC): claim for damages for a loss of an opportunity to derive profits following a factory explosion.
- [BestCare Foods Ltd v Origin Energy LPG Ltd \(formerly Boral Gas \(NSW\) Pty Ltd\) \[2013\] NSWCA 285](#) (with Hutley SC): separate question identifying the scope of matters to be remitted from the Court of Appeal to the trial judge.
- [Origin Energy LPG Ltd \(formerly Boral Gas \(NSW\) Pty Ltd\) v BestCare Foods Ltd \[2013\] NSWCA 90](#) (with Walker SC): appeal from the adoption of a Referee's report.
- [Waters and Others v Mercedes Holdings Pty Limited & Ors \[2012\] HCATrans 255](#) (with Hutley SC): application for special leave to appeal to the High Court concerning the proper construction of s 208 of the *Corporations Act* 2001 (Cth).

- [Waters v Mercedes Holdings \[2012\] FCAFC 80](#): (2012) 203 FCR 218 (with Walker SC): appeal concerning the proper construction of s 208 of the *Corporations Act* 2001 (Cth).
- [Origin Energy LPG Ltd v BestCare Foods Ltd \[2012\] NSWCA 407](#) (with Hutley SC): appeal involving various questions of causation.
- [BestCare Foods v Origin Energy \[2012\] NSWSC 574](#) (with Walker SC): application for the adoption of a Referee's report.
- [Traxys Europe SA v Balaji Coke Industry Pvt Ltd \(No 2\) \[2012\] FCA 276](#) (with D L Williams SC): proceedings for the enforcement of a foreign arbitral award pursuant to the *International Arbitration Act*.
- [Mercedes Holdings & Ors v Waters \(No 5\) \[2011\] FCA 1428](#) (with Hutley SC): representative proceeding concerning managed investment schemes.
- [Traxys Europe SA v Balaji Coke Industry Pvt Ltd \[2011\] FCA 1132](#) (with D L Williams SC): proceedings for the enforcement of a foreign arbitral award pursuant to the *International Arbitration Act*.
- [BestCare Foods Ltd & Anor v Origin Energy LPG Ltd \(formerly Boral Gas \(NSW\) Pty Ltd\) & Anor \[2011\] NSWSC 908](#) (with Gleeson QC): claim arising from an explosion in a factory.
- Retained by the respondent in a representative action concerning allegations of misleading or deceptive conduct arising from a property valuation (matter resolved during trial) (with D L Williams SC).
- Retained by the defendants/cross-claimant in relation to issues concerning the abatement of the purchase price of land following its destruction by fire, and insurance policy response issues (matter resolved prior to trial) (with McNally SC).
- Retained by defendants in an action for specific performance concerning an alleged agreement for the sale of shares (matter resolved during trial) (with McNally SC).
- Retained on behalf of various defendants in professional negligence disputes, including in relation to property valuation, negligent performance of works, and the negligent provision of advice.
- Retained by a bank in various recovery actions for unpaid sums under investment loans.
- Retained by insurers in relation to various claims challenging declinature of indemnity under insurance policies.

- Retained by various insurers to advise in relation to policy response and construction.