

DAVID L WILLIAMS SC

List of Cases

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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)

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

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

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(Liquidation; Deeds of Company Arrangement; statutory interpretation)

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(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
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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)

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***Shekhani v Ardino* [2009] NSWCA 361**
(Appeals from credit findings)

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***(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)

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(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**
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***Grace v Grace* (2007) 25 ACLC 141**
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(Negligence; duties of licensees and security guards)

***Amaca Pty Ltd v Banton* (2007) 5 DDCR 314; [2007] NSWCA 336**
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(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)

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***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)

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(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)

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(Admissibility of expert evidence; discretionary exclusion)

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(Expert evidence; cross examination on the voir dire)

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***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**
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***Australian Securities & Investments Commission v Vines* (2003) 21 ACLC 59**
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***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**
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(Life insurance; powers of judicial manager)

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(Oral agreement for mortgage; priorities)

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(Liquidators' compromise with creditors; liquidators' application for directions)

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(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)*; section 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)

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(Statutory charge on insurance monies; leave to proceed under section 6 of the *Law Reform (Miscellaneous) Provisions Act 1946 (NSW)*; limitations of actions)

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

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

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***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)

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

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***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)

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***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)