

BERNARD LLOYD

Barrister | Nine Wentworth Chambers | T (02) 8815 9245 | blloyd@ninewentworth.com.au

SELECTED CASES

Transportation

Health Administration Corporation v Toll Global Forwarding Pty Ltd [2024] NSWSC 285 – preliminary discovery – Led by H Younan SC (HWLE)

British Airways PLC v Roller Truck Australia Pty Ltd & Anor [2023] NSWDC 112 – preliminary discovery – Unled (HWLE)

ThyssenKrupp Material Australia Pty Ltd v SILA Global Pty Ltd [2022] NSWSC 1528 – discharge of security – Led by M Pesman SC (Polczynski Robinson)

Levenspiel v Grinter [2021] NSWLC 11 – vessel collision – negligence – Unled (HWLE)

Grueff v Virgin Australia Airlines Pty Ltd [2021] FCA 501 – personal injury – Civil Aviation (Carriers' Liability) Act 1959 (Cth) – Montreal Convention – Unled (HWLE)

Brindabella Airlines Pty Ltd (in liquidation) v Alpha Flight Services Pty Ltd [2019] NSWSC 1148 – preliminary discovery – Unled (Clyde & Co)

Bhatia v Malaysian Airline System Berhad [2018] FCA 1471 – personal injury – Civil Aviation (Carriers' Liability) Act 1959 (Cth) – Montreal Convention – Unled (Clyde & Co)

Halime v Singapore Airlines Ltd [2014] NSWSC 1681 – application for summary dismissal – Civil Aviation (Carriers' Liability) Act 1959 (Cth) – Unled (Clyde & Co)

Leasing

Sneakerboy Retail Pty Ltd trading as Sneakerboy v Georges Properties Pty Ltd [2020] NSWSC 996 – interpretation of Retail and Other Commercial Leases (COVID-19) Regulation 2020 – Unled (Bartier Perry)

Sneakerboy Retail Pty Ltd trading as Sneakerboy v Georges Properties Pty Ltd (No 2) [2020] NSWSC 1141 – interpretation of Retail and Other Commercial Leases (COVID-19) Regulation 2020 – Unled (Bartier Perry)

Goldfish Bar and Restaurant Pty Ltd v Roche Group Pty Ltd [2022] NSWSC 1481 – commercial lease construction – Unled (Herro Solicitors)

Sunny Superior Seafood Pty Ltd v Stevens [2021] NSWSC 381 – relief against forfeiture – Unled (Herro Solicitors)

Commercial

PCL Holdings Pty Limited v C & Tahatos Investments [2023] NSWDC 303 – Australian Consumer Law – Misleading and deceptive conduct – Unled (George Goulas)

Australian Retirement Holdings Pty Ltd v Tracey Anne Higgins in her capacity as administrator of the estate of the late Monica May Pritchard [2021] NSWSC 1158 – adverse possession – Unled (Heydons Lawyers)

Shire Real Estate Pty Ltd v Kersten [2021] NSWSC 1255 – restraint of trade – Unled (Swaab)

Slater & Gordon Ltd v Sellar & Ors [2020] NSWSC 1793 – restraint of trade – Unled (Mark O'Brien Legal)

Dyjecinska v Step-Up Renovations (NSW) Pty Ltd [2024] NSWSC 159 – appeal – construction of the *Home Building Act 1989* (NSW) – Led by F Hicks SC (Brander Smith McKnight)

Blue Haven Pools South Pty Ltd v Maloney [2019] NSWCATAP 259 – appeal – *Home Building Act 1989* (NSW) – Unled (Chamberlains Law Firm)

Maloney v Blue Haven Pools South Pty Ltd [2019] NSWCATCD 17 – *Home Building Act 1989* (NSW) – Unled (Chamberlains Law Firm)

Xbox Pty Ltd v The Trustee for Wagga Motors Unit Trust t/as Wagga Motors [2016] NSWSC 1422 – asset preservation – Unled (Mills Oakley)

Boral Limited v Foley & Bear Pty Ltd t/as J&R Industries [2016] NSWCA 373 – appeal, contract, parties to contract, proof of contract – Led by J Priestley SC (Don Cameron & Associates)

Foley & Bear Pty Ltd trading as J & R Industries v Boral Ltd [2015] NSWDC 240 – breach of contract – contractual construction – Unled (Slater & Gordon)

Griffin v Ingram [2014] NSWCATAP 5 – NCAT jurisdiction – statutory construction – Unled (Church & Grace)

Equity

Q (a pseudonym) v E Co (a pseudonym) [2020] NSWCA 220 – property estoppel – Led by N Hutley SC (Armstrong Law Partners)

E Co (a pseudonym v Q (a pseudonym) (No 4) [2019] NSWSC 429 – property estoppel – Led by J Priestley SC

E Co (a pseudonym v Q (a pseudonym) (No 3) [2018] NSWSC 646 – property estoppel – application to re-open hearing – Led by J Priestley SC

E Co (a pseudonym v Q (a pseudonym) [2018] NSWSC 442 – property estoppel – Led by J Priestley SC

Jubilee Properties Pty Ltd v Parkview Farm Pty Ltd [2014] NSWSC 563 – breach of trust – Led by R Newlinds SC (Bartier Perry)

Wang v Chea (No 3) [2015] NSWDC 164 – additional security for costs – Unled (Jason Li Lawyers)

Wang v Chea [2014] NSWDC 328 – security for costs – Unled (Jason Li Lawyers)

Inquests

Inquest into the death of Cecilia Devine [2024] NSWCorC 58 – Appeared on behalf of Ms Devine's family

Inquest into the deaths of Ashley Jenkinson, Ronald and Diane Hughes and Vanessa Tadros (2023 Sea-World Helicopter Crash) – Appearing on behalf of Jetpoint Pty Ltd – Ongoing (Wotton & Kearney)