

## Mark Sheldon

### Qualifications

- LLB (Hons) University of New South Wales, 2010
- BCom (Distinction) University of New South Wales, 2010
- Admitted to practice, 2012
- Called to the Bar, 2015

### Principal Areas of Practice

- Building & Construction
- Commercial & Equity
- Competition & Consumer Law
- Corporations Law
- Insurance & Reinsurance

### Recognition

- Recommended on list of Doyles Leading Construction Barristers in New South Wales (2016)
- Doyles Emerging Construction & Infrastructure Junior Counsel New South Wales (2017)

### Selected Matters (Led)

- Acting for a top-tier Australian contractor on an international arbitration being conducted in Singapore under SIAC Rules (led by R McHugh SC and T Breakspear)
- Acted for a Vietnamese mining operator on an international arbitration against a leading international design house under SIAC Rules (led by M Dempsey SC and D Hughes)
- Acted for an Australian subcontractor against a large Australian contractor on a domestic arbitration in Melbourne concerning the Gladstone piping project (led by D Miller SC)
- Acting for Caltex Australia Pty Ltd against CCS Ceska & Anor in a complex IT services contract dispute in the Supreme Court of New South Wales (led by J Giles SC)
- Acting for Cumberland Council against Sydney Construction & Developments Pty Ltd in a dispute over a Contract for the Sale of Land in the Supreme Court of New South Wales (led by N Hutley SC and J Lazarus)
- Acting for 32 Drummoyne Pty Ltd against Skyworks Pty Ltd in a construction dispute in the Supreme Court of New South Wales (led by D Miller SC)
- Acted for Ceerose Pty Ltd (developer) against an Owners Corporation in a home building defects dispute in the Supreme Court of New South Wales (led by D Miller SC at first instance and I Roberts SC on appeal) ([2017] NSWCA 140; [2016] NSWSC 1629; [2016] NSWSC 1545)
- Acted for St Hilliers Pty Ltd against ACT Projects in a dispute under the *BCISP Act* in the Supreme Court of the ACT (led by D Miller SC) (*St Hilliers Property Pty Limited v ACT Projects Pty Ltd and Anor* [2017] ACTSC 177)
- Acted for a strata lot owner in a judicial review application under the *Strata Schemes Management Act* in the Supreme Court of New South Wales (*Colbert v MacDonald & Ors* [2016] NSWSC 1291)

### Selected Matters (Unled)

- Acted for Ralan (Culworth) Pty Ltd against an Owners Corporation in a successful appeal from an order transferring the proceedings to the Supreme Court of New South Wales (*Ralan (Culworth) Pty Ltd v Owners Corporation SP 83405* [2017] NSWCATAP 223)

- Acted for Downer EDI Engineering Pty Ltd against Deluxe Developments Pty Ltd (In Liquidation) & Anor in a construction dispute in the Supreme Court of New South Wales
- Acting for an Australian subcontractor against a large Australian contractor on a domestic arbitration in Perth concerning a mining project in Western Australia
- Acting for Fortus Holdings Pty Ltd & Anor against Somersby Land Investments Pty Ltd in a construction dispute in the Federal Court of Australia
- Acting for two individuals in a home building dispute in the District Court of New South Wales
- Acting for Peter Ray Plumbing against Quasar Constructions Pty Ltd in a construction dispute in the District Court of New South Wales
- Acted for Steelx Pty Ltd against Con Clark Tractors in a construction dispute in the Local Court of New South Wales
- Acting for Sold Out National Event Management against Mobile Stage Truck Pty Ltd in the Local Court of New South Wales

### Previous Experience

- Solicitor, Commercial Litigation - Arnold Bloch Leibler, March 2014 to September 2015
  - Focused on large and complex commercial litigation, including representing two former directors of a publicly listed entity in a series of separate liquidator claims in the Supreme Court of Western Australia
  - Advised on and acted for large corporations in relation to insurance coverage issues arising out of high profile proceedings in various state Supreme Courts and the Federal Court of Australia
- Solicitor, Construction Litigation – Corrs Chambers Westgarth, March 2011 to March 2014
  - Acted for large construction contractors and principals in a range of proceedings in the Supreme Court of New South Wales, as well as in domestic arbitrations, expert determinations and statutory adjudications
  - Experienced in defect claims, delay and disruption claims and general contractual disputes
- Tipstaff to the Hon. Justice Einstein – Supreme Court of New South Wales – Technology and Construction List, February 2010 to February 2011

### Other Relevant Activities

- Intern at the Australian Centre for International Commercial Arbitration (ACICA), 2013
- Author of commercial arbitration catchwords for the New South Wales Law Reports (with John West QC)
- Headnote author for the New South Wales Law Reports, 2011 to present
- Visiting Lecturer at UNSW teaching Resolving Civil Disputes, LAWS 2371
- Volunteer Magistrate for the Law Society of New South Wales Interschool Mock Trial Competition, 2015

### Publications

- *A wise decision on an 'unwise' amendment—New SOPA provisions considered for the first time* (2014) Australian Construction Law Newsletter Issue #159, p.28
- *The effect of Andrews v ANZ: Going beyond bank fees - It's about performance too!* [2013] I.C.L.R. 187 (International Construction Law Review)
- *ASIC - How far does its obligation of fairness extend* (2011) 26 Aust Jnl of Corp Law 112 (Australian Journal of Corporate Law) (with the Hon. Justice Clifford Einstein)