

David Price

Curriculum vitae

Experience	2006: Commenced practice at the Bar 1995-2006: Solicitor/Senior Associate, Mallesons Stephen Jaques 1994: Tipstaff to Mr Justice Cohen, Supreme Court of NSW	
Qualifications	BEc, LLB (Hons) (Macq) - 1993 Dip Law (Barristers Admission Board) - 1992	
Areas of practice	Appellate Banking and finance Commercial law Company law Contract law	Equity and trusts Insolvency and bankruptcy Mortgages and securities Real property Wills and estates
Publications	<i>Constitutional Law, Case Summaries</i> 1st Ed (1994) - 6th Ed (2016) <i>Limitation of Actions Handbook, NSW</i> , Butterworths, 1998	
Selected cases	<i>Bayside Council v V Corp Constructions Pty Ltd</i> [2017] NSWCA 120 - Contract - Construction of deed - Development Consent - Refusal of electricity supplier to approve works required - No breach - No damage suffered <i>St George Bank v Meredith</i> [2017] NSWSC 961 - Mortgages - Surplus paid into court - Competing claims to surplus - Limitation of actions - Date for accrual of claim <i>Application by Perpetual Trustee Company Ltd</i> [2017] NSWSC 35 - Trusts - Judicial advice - Surrender of interest by beneficiary - Acceleration of interest of remaindermen - Close of class of beneficiaries <i>Gunns Finance Pty Ltd (Recrs & Mgrs Apptd) (in Liq) v Sithiravel</i> [2016] NSWSC 1543 - Contract - Identification of terms - Linked credit provider - Liability of supplier - Agency - Relationship with financial planner - Contracts Review Act - Loan agreements not unjust in circumstances <i>Beefeater Sales International v MIS Funding No 1</i> [2016] NSWCA 217 - Contract - Construction - Managed investment scheme - Whether loan agreement conditional on grant of proprietary interest in forestry scheme <i>Council of the City of Botany Bay v V Corp Constructions Pty Ltd (Unrptd, NSW District Court, 31 May 2016)</i> - Contract - Construction of deed - Variation in equity - Conventional estoppel <i>McCarthy v National Australia Bank Ltd</i> [2015] NSWCA 370 - Application for leave to appeal - Multiple applications to set aside default judgment <i>Weekes v Barlow</i> [2014] NSWSC 1776 - Family provision - Elderly claimant - Short marriage - Claimant's assets deployed for benefit of deceased -	

Lump sum ordered together with Crisp order and life interest in income from fund

National Australia Bank Ltd v Smith [2014] NSWSC 1605 - Banking - Loan agreements - Banking Code of Conduct - Contracts Review Act - Unconscionable conduct

Wardy v Salier [2014] NSWSC 473 - Family provision - Notional estate - Property subject to notional estate order - Assets in family trust - Power of appointment over family trust

Mark Anthony Productions (NSW) Pty Ltd v University of Sydney Union [2014] NSWSC 120 - Contract - Formation - Exchange of emails - No acceptance - No representation made to found promissory estoppel - Conventional estoppel - Common intention of parties - Reasonable period of notice to be given to terminate lease

Re Fluid Form Movement Pty Ltd [2013] NSWSC 2007 - Liquidator - Removal and replacement where liquidator seriously ill

Zippos Pty Ltd v National Australia Bank Ltd [2013] NSWCA 113 - Estoppel - Alleged representation to permit deferral of loan repayments - Elements to be established

Wardy v Wardy [2013] NSWSC 244 - Probate - Absence of original will - Allegation of destruction - Presumption of revocation

WorkCover Authority of NSW v Tucker [2012] NSWDC 226 - Statutory construction - Liability of director for failure of company to have workers compensation insurance - Whether actual or constructive knowledge required