

## BRETT LE PLASTRIER

### Qualifications and Awards

2017, 2019, 2020 Doyle's Guide Recommended Infrastructure and Construction Junior

- 2008-2009      **Bachelor of Civil Law** (University of Oxford)
- Restitution; Corporate Finance Law; Evidence; Administrative Law
  - Commonwealth Scholar 2008-2009
- 2001-2006      **Bachelor of Laws (First Class Honours; University Medal)** (University of Queensland)
- Ross Anderson Memorial Prize
  - Walter Harrison Prize
  - Union College Academic Medal
  - Dean's List (all years)
- Bachelor of Arts** (University of Queensland)
- Dean's List (all years)

### Admissions

- August 2012      Barrister of the Supreme Court of New South Wales
- July 2009         Barrister of the Supreme Court of Queensland, the Federal Court of Australia, and the High Court of Australia
- March 2008       Solicitor of the Supreme Court of Queensland

### Experience

- July 2009-        ***Barrister-at-Law***
- 2008                ***Russells***  
Solicitor in insolvency and general commercial litigation.  
Cases worked on include *Octaviar Limited (Formerly MFS Limited)*, Re [2008] QSC 216
- 2007-2008        ***Australian Government Solicitor***  
Solicitor advising on and acting in respect of competition law matters.  
Cases worked on include *ACCC v Qantas & Others*

### ***Judge's Associate (Tipstaff)***

Associate (tipstaff) to Jerrard JA, Queensland Court of Appeal

## List of Significant Cases as Counsel - Hearings

### **Building and Construction**

- *Diona Pty Ltd v Downer EDI Works Pty Ltd* [2020] NSWSC 480 (*SOPA*; whether determination void; whether jurisdictional error; whether Adjudicator failed to consider the contract; instructed by Mills Oakley (unled)
- *Hanson Construction Materials Pty Ltd v Broilton Group Pty Limited* (*SOPA*; whether payment claim valid that included work after the reference date; ambit of jurisdictional error; instructed by King & Wood Mallesons; led by N Kidd SC)
  - [2020] NSWCA 63
  - [2019] NSWSC 1641
- *Krolczyk & Muir v Jarad Winner & Anor* (certifier negligence; five-day trial; instructed by Colin Biggers Paisley; settled on day two; unled)
- *Sought After Investments Pty Ltd v Unicus Homes Pty Ltd* [2019] NSWSC 600 (*SOPA*; whether multiple payment claims served in respect of one reference date; whether multiple supporting statements issued in respect of one payment claim; whether more than one supporting statement could be provided in respect of a single payment claim; instructed by Mills Oakley; led by G Sirtes SC)
- *Alliance Project Group Pty Ltd v The Owners - Strata Plan No. 92334* [2019] NSWCATAP 154 (*Home Building Act*; *Civil and Administrative Tribunal Act*; whether proceedings were “misconceived”; instructed by Harrington Legal; unled)
- *Skynworks NSW Pty Ltd (in liq) v 32 Drummoyne Pty Ltd (formerly QY & Lynn Pty Ltd)* [2018] NSWSC 1521 (security for costs in relation to a plaintiff suing in relation to defects and delay; instructed by Mills Oakley; led by G Sirtes SC)
- *Stepanoski v Aslan* [2018] NSWSC 1160 (formation of contract; defects; instructed by Redenbach Legal; led by F Corsaro SC)
- *Jones & Jones v Petrie & Ginty* (NSWDC) (defects; misleading or deceptive conduct; five-day trial; instructed by Somerville Legal; unled)
- *Woodwork Shavings Pty Ltd v East* (NSWDC) (defects; quantum meruit; trial settled on day two; instructed by Somerville Legal unled)
- *Zhou v Rosch* [2017] FCA 805 (*Home Building Act*; quantum meruit; estoppel; application to amend; instructed by Fielding Robinson; leading J. Ambikapathy)
- *Empire Glass and Aluminium Pty Limited v Lipman Pty Ltd* (construction of a dispute resolution clause in a building contract; instructed by Vincent Young)
  - [2017] NSWCA 217 (led by D Miller SC)
  - [2017] NSWSC 253 (led by N Kidd SC)
- *D&K Developments Pty Ltd v Kumar* [2016] NSWSC 1307 (strike-out application; instructed by K&L Gates; unled)
- *J. Hutchinson Pty Ltd v Glavcom Pty Ltd* [2016] NSWSC 126 (judicial review of adjudicator’s decision under the SOP Act; fraud; natural justice; reference dates; instructed by Colin Biggers & Paisley, led by D Miller SC)

- *Tzaneros Investments Pty Limited v Walker Group Constructions Pty Limited* [2016] NSWSC 50 (assignment of warranties; negligence; instructed by Sarvaas Ciappara Lawyers, led by M Dempsey SC and J Hogan-Doran)
- *Committee of the Trangie Nevertire Irrigation Scheme v Smith* [2013] NSWSC 128 (trial; construction of a water channel; delay; easement; instructed by Lovett and Green; led by R Weber SC (now Weber SC DCJ))
- *HIGB Pty Ltd v Townsville City Council* [2009] QSC 285 (contractual construction; instructed by Townsville City Council; led by RG Bain QC)
- *Viridian Noosa Pty Ltd v Neumann Contractors Pty Ltd* [2009] QSC 398 (arbitration provision; stay application; instructed by Herbert Smith Freehills; led by KE Downes QC)
- Various adjudications for both private companies and government bodies under *SOPA* (NSW) and *BCIPA* and *BIF* (QLD) including drafting submissions, drafting opinions, and settling expert evidence
- Various NCAT trials including *H Build Pty Ltd v Nixon* [2018] NSWCATCD 20 (two-day trial before Ian Bailey AM SC; variation; termination; defects; instructed by Fielding Robinson; unled)
- Various arbitrations

### Corporations / Insolvency / Bankruptcy

- *Slap Corporation Pty Ltd v Civil, Infrastructure & Logistics Pty Ltd* (2017) 50 VR 542; (2017) 317 FLR 456; [2017] VSC 168 (whether a statutory demand was void; whether a line of cases decided by Brereton J was correct; instructed by McBride Legal; unled)
- *In the matter of Heavy Plant Leasing Pty Ltd* [2017] NSWSC 1835 (costs; instructed by Hewlett Legal; unled)
- *Qualify Me Pty Ltd v Get Qualified Australia Pty Ltd* [2017] FCA 676 (application for personal costs against liquidator; instructed by Birchall Legal unled)
- *Seeto Kai (Holdings) Ltd v Chow* (foreign judgments; *Companies Act 1997* (PNG); meaning of “judgment creditor” under the *Foreign Judgments Act*; instructed by Turner Freeman Lawyers)
  - Appeal – [2016] QCA 112 (led by N Ferrett)
  - Trial - [2015] QSC 193 (unled)
- *ASIC v Meerkin & Ors* [2015] FCA 259 (five-day trial regarding breach of disclosure provisions under the *Corporations Act*; instructed by Atanaskovic Hartnell; unled against Senior Counsel)
- *Re S2 Corporation* (public examination of a director for liquidators; instructed by Patane Lawyers; unled)
- *Bankrupt Estate of Brian Edward Carroll* (public examination of bankrupt, accountant, and transferee of property under the *Bankruptcy Act*; instructed by Piper Alderman; unled)
- *David Lewis Clout as Trustee of the Property of Salvatore Mario Littore and Aurora Littore v Vincent John Littore and David Alan Littore* 2015 NSWSC; unreported; (cross-vesting application; instructed by Gadens; leading JA Granger)
- *Bowcher (Liquidator); In the Matter of Meares Nominees Pty Ltd (In Liq)* (2014) 98 ACSR 1; [2013] FCA 631 (application; opposing section 588FF(3) leave; instructed by BCK Lawyers; unled)
- *Van Wijk (Trustee), in the matter of Power Infrastructure Services Pty Ltd v Power Infrastructure Services Pty Ltd* [2014] FCA 1430 (application; successful appointment of a provisional liquidator to a subsidiary of a publicly listed company; instructed by Redmond + Redmond; led by C Coulsen)
- *Creswick v Coast RV Pty Ltd* [2013] NSWSC 1078 (appeal; agency; instructed by Lynch Andrews; unled)

- *In re Tabtill Pty Ltd* [2012] QSC 204 (opposition to winding-up by co-guarantor of a company; ambit of discretion after *Laneport v ASIC* [2011] HCA 18; instructed by Thomsons Lawyers; unled)
- *Findlay v Next Financial Limited* [2012] FCA 241 (managed investment schemes; request for particulars; instructed by King & Wood Mallesons; unled)
- *Deputy Commissioner of Taxation v C-Change Cairns Pty Ltd* [2011] 85 ATR 789; [2011] FCA 1372 (opposing a winding-up application; instructed by Loel Solicitors; unled)
- *ASIC v Global Rule Pty Ltd & Ors* [2010] QSC 342 (managed investment scheme winding-up application; instructed by Minter Ellison; led by KE Downes QC)
- *ASIC v Edwards & Ors* [2009] QSC 360 (application to distribute funds after a winding-up; instructed by Ashurst; led by KE Downes QC)
- Various opinions for banks, insurers, and ASIC (the latter with Flanagan SC, now Justice Flanagan of the Queensland Supreme Court)

### Equity/Property

- *Gall v Pham (No. 2)* (respondent to an application to set aside a judgment given by Lindsay J in 2015; constructive trusts; respondent on appeal; instructed by Morgan Mac Lawyers; leading NY Li against Senior Counsel and senior junior who is now Senior Counsel below, and against Senior Counsel on appeal)
  - [2020] NSWCA 116
  - [2019] NSWSC 1294
- *Freeman v Jayaraj* (three day trial before Darke J in the New South Wales Supreme Court regarding the sale of a property; contractual construction; estoppel; instructed by Unsworth Legal; led by G Sirtes SC (decision pending))
- *Lucantonio v Benscrape Pty Ltd* [2020] NSWSC 579 (Pleadings; Strike out/summary judgment application; adequacy of pleading; Whether reasonable cause of action; instructed by Makinson d'Apice; led by M Condon SC)
- *Benkath Nominees Pty Ltd v The Bab Company Pty Ltd (No 2)* [2019] NSWSC 1091 (whether a gross sum costs order payable at the end of the proceedings; instructed by MacGregor O'Reilly Nash Solicitors; unled)
- *Robert Huang and Others v Dong Chen and Anor* [2017] NSWSC 1699 (joint venture dispute involving construction of an apartment complex; *non est factum*; specific performance; instructed by Mills Oakley; led by N Kidd SC, then unled leading E Ball)
- *Australia Health & Nutrition Association Limited v Hive Marketing Group Pty Limited* [2018] NSWSC 1236 (stay of proceedings; exclusive jurisdiction clause; instructed by Squire Patton Boggs; unled)
- *MJH Group Pty Ltd v Stockhausen* [2017] NSWSC 1702 (stay of proceedings based on concurrent criminal proceedings; instructed by K&L Gates; unled)
- *Hanson Construction Materials Pty Ltd v Roberts* (extension of caveat in the Real Property List in unique circumstances; applicable principles; instructed by Patane Lawyers)
  - Appeal – [2016] NSWCA 240 (led by J Giles SC)
  - Motion – [2016] NSWSC 989 (leading E Anderson)
- *Caratti v Commissioner of Taxation* [2016] FCA 754 (application; power of ATO to enforce a deed; instructed by Australian Government Solicitor; led by M Brabazon SC)

- *Rebuild Now Pty Ltd v McGrath* (whether plaintiff had standing to sue as trustee; instructed by Lynch Andrews)
  - Costs – [2016] NSWSC 858 (leading S Jayasuriya)
  - Appeal - [2016] NSWSSC 636 (unled)
- *Gall v Pham* [2015] NSWSC 1710 (trial; Lindsay J; gift; trust; lottery winnings; vesting of title; instructed by Turner Freeman; leading JA Granger)
- *SEQ Homemaker One Pty Ltd v Spar Corporate Pty Ltd & Ors* [2015] QDC 238 (application; pleadings; rectification; estoppel; instructed by Clamenz Lawyers; unled)
- *Richmond Valley Council v Sneesby* [2015] NSWSC; unreported; Black J (motion; extension of a caveat; nature of a contractual right to caveat; whether *Troncone v Aliperti* is good law; instructed by Hannigans Lawyers; unled)
- *Macquarie Bank Ltd v The Two Eagles Pty Ltd* [2014] NSWSC 367 (motion; misappropriation of monies; tracing; opposing receiver's report and payment of receiver's costs from the fund; instructed by Bennett + Philp Lawyers; unled against Senior Counsel with a junior, and senior junior with a junior)
- *Butler v YT Pty Ltd & Ors* [2014] NSWDC unreported; Elkaim SC DCJ (six-day trial; *Barnes v Addy*; tortious interference with contract; misleading or deceptive conduct; restitution; rescission for common mistake; repudiation; appeared for three out of six parties as defendants and cross-claimants; instructed by Turner Freeman; unled)
- *Estate of Lock* [2013] QSC; unreported; Henry J (application; opposing leave by personal representative to commence proceedings; instructed by BCK Lawyers; unled)
- *Ramzy v Body Corporate for GC3 CTS38396 & Anor* [2012] QDC 397 (appeal against orders of a magistrate; test for leave; body corporate title; instructed by QLD Law Group; unled)
- *Wilson v Snip* [2012] QDC 400 (trial; proprietary estoppel; instructed by LynchMorgan; unled)

### **Contract/Banking/Trade Practices**

- *Spyrides v Marsh & Ors* [2019] NSWSC 1289 (two-day trial; contract formation; agency; constructive trusts; recipient liability; instructed by Somerville Legal; leading D Edney against Senior Counsel)
- *Plankton Australia Pty Limited v Rainstorm Dust Control Pty Limited* (formation of contract; estoppel; misleading or deceptive conduct; instructed by Bartier Perry)
  - [2017] FCA 1616 (transfer application; unled)
  - [2018] FCA 174 (four-day trial; unled)
  - [2018] FCA 727 (application for leave to appeal out of time; led by G Sirtes SC)
  - [2018] FCAFC 205 (appeal; led by G Sirtes SC)
- *Douglas Allen Lloyd v Andrew John Doust* [2018] NSWDC 463 (four-day trial; contract terms and formation; damages; instructed by Peacockes Solicitors; unled)
- *Muddle v Cormie* [2017] NSWSC 1581 (appeal from Local Court trial; validity of a guarantee; instructed by Leyden Legal; leading J Ambikapathy)
- *GG Australia Pty Ltd v Sphere Projects Pty Ltd (No 2)* [2017] FCA 664 (security for costs; overlap between misleading or deceptive conduct and defamation; instructed by Nicholas Dibb Solicitors; unled)

- *Redmond Family Holdings v GC Access Pty Ltd & Ors* [2016] NSWSC 796 (four-day trial; Black J; future representations; indirect causation; instructed by EKM Legal; unled)
- *Allied Environmental Solutions Pty Ltd v North Burnett Regional Council* [2016] FCA 713 (contractual construction and estoppel; security for costs; instructed by KSAR Legal; led by M Rudge SC)
- *Stacks MIS Ltd v Tolteca P/L; Tolteca P/L v Lillas & Loel Lawyers P/L* (unconscionable conduct under the ASIC Act; instructed by Turner Freeman; led by N Ferret)
  - Four-day trial before A Lyons J - [2015] QSC 276
  - Joinder application - [2015] QSC 148
  - Costs - [2015] QSC 80
- *Westpac Bank v Henderson* [2015] NSWSC; unreported; Ball J (guarantee; summary judgment and application for informal service in novel circumstances; instructed by Kemp Strang; unled)
- *Hudson v Standfield* [2013] QDC 289 (two-day trial; agency; contractual construction; PAMD Act; instructed by Turner Freeman; unled)
- *Perpetual Custodians Ltd v IOOF Investment Management Ltd; Murray v Perennial Investment Partners Ltd* (contractual construction; takeovers; instructed by Atanaskovic Hartnell)
  - Appeal – (2013) 304 ALR 436; [2013] NSWCA 231 (led by I Jackman SC and R Scruby)
  - Trial – [2012] NSWSC 1318 (led by I Jackman SC and R Scruby)
- *Turcinovic v Curtsen Pty Ltd* [2010] QDC 251 (summary judgment; contractual construction; instructed by Denise Maxwell Solicitors; unled)
- Various Local Court trials

## Negligence

- *Wang v State of New South Wales* [2019] NSWSC 1332 (orders to prevent continued proceedings; instructed by Crown Solicitors Office; unled)
- *Forster v Cooke & Turner* [2014] QSC; unreported; Bodice J and de Jersey CJ (professional negligence; financial advisors; strike-out application; subsequent application for costs due to amendments that reflected the basis for the strike-out; instructed by Gadens Lawyers; unled)
- *Zaphir v Chen* [2014] QLDMC 256 (trial; measure of damage for loss of use of a chattel; instructed by D'Arcy & Co; led by Dr DB O'Sullivan QC)

## Intellectual Property

- *Qualify Me Pty Ltd v Get Qualified Australia Pty Ltd* (misleading or deceptive conduct; trademark infringement; strike-out application in relation to LinkedIn and Facebook; instructed by Birchall Legal)
  - Application for personal costs against liquidator – [2017] FCA 676 (unled)
  - Costs from a discovery application – (No 4) [2017] FCA 68 (unled)
  - Indemnity costs - [2016] FCA 460 (unled)
  - Costs – [2016] FCA 309 (unled)
  - Costs – [2017] FCA 68 (unled)

- Strike-out application – [2016] FCA 192 (led by S Burley SC (now Justice Burley of the Federal Court))
- *NV Sumatra Tobacco Trading Company v British American Tobacco Australia Services Limited* (trademark infringement; instructed by Corrs Chambers Westgarth)
  - Costs – [2012] FCA 219 (unled)
  - *De novo* rehearing under the *Trademarks Act* – (2011) 283 ALR 743; (2011) 89 IPR 357; [2011] FCA 1051 (led by KE Downes QC)
  - Application to adduce opinion evidence – [2011] FCA 255 (led by KE Downes QC)
  - Application for further security for costs – [2010] FCA 1372 (led by KE Downes QC)

#### **Administrative Law / Planning Law / Native Title**

- *Lang v Carron Investments Pty Ltd* (judicial review application; *Wednesbury* unreasonableness; instructed by Neumann & Turnour Lawyers)
  - Appeal – [2016] VSCA 287 (led by E Muston SC)
  - Hearing - [2016] VSC 165 (unled against Queen’s Counsel)
- *Chief Executive, Department of Justice and Attorney-General v Campaigntrack Victoria Pty Ltd & Ors*
  - Appeal - [2016] QCA 37 (appeal on whether QCAT Appeal Panel had erred in construction of PAMDA and QCAT Act; instructed by McLean & Associates; led by CL Hughes QC)
  - Hearing - [2015] QCATA 61 (appeal to QCAT Appeal Panel; whether QCAT has jurisdiction to extend time under PAMDA; instructed by McLean & Associates; unled against Queen’s Counsel)
- *Miller on behalf of the Birriah People v State of Queensland (No 2)* [2016] FCA 1434 (appeared in long-running native title dispute for the holder of a crown lease; instructed by B&G Law; unled)
- *David Lewis Clout as Trustee of the Property of Salvatore Mario Littore and Aurora Littore v Vincent John Littore and David Alan Littore* [2015] NSWLEC 148 (application to extend a caveat under the *Water Management Act*; instructed by Gadens; unled)
- *IK Chemists Pty Ltd v CHOF4 Artarmon Pty Ltd*
  - Appeal - [2015] NSWCATAP 144 (appeal to NCAT Appeal Panel; instructed by Sparke Helmore; led by M Condon SC)
  - First instance - [2014] NSWCATCD 150 (statutory construction; successfully argued that NCAT has no jurisdiction to hear retail disputes in excess of \$400,000; instructed by Sparke Helmore; unled)
- *Philip Shayer v Byron Bay Retirement Villages Pty Ltd* [2014] NSWCATCD 160 (strike-out application; instructed by LynchAndrews; unled)
- *Lewani Springs Resort Pty Ltd v Gold Coast City Council & Anor*
  - Costs – [2011] QPELR 16 [2010] QCA 200 (led by CL Hughes QC)
  - Appeal – (2010) 174 LGERA 370; [2010] QCA 145 (led by CL Hughes QC)
- *Wirkeus v The Body Corporate for Goldieslie Park* [2010] QSC 397 (strike-out application; planning law; negligence; instructed by McCullough Robertson; led by KE Downes QC)

- *State of Queensland v Springfield Land Corporation (No 2) P/L & Anor* (2009) 171 LGERA 38; [2009] QCA 381 (acquisition of land; instructed by Russells Law; led by SL Doyle QC and M Hinson QC)

### **Applications for Leave to Appeal**

- *EDC Consultants Pty Ltd v Thiess Construction Pty Ltd* [2014] QSC; unreported; Mullins J (application for leave to appeal from Mullins J's costs order; successful; instructed by Keystone Lawyers; unled)
- *NV Sumatra Tobacco Trading Company v British American Tobacco Australia Services Limited* – (2011) 94 IPR 226; [2011] FCA 1228 (trademark infringement; instructed by Corrs Chambers Westgarth; led by KE Downes QC)
- *Lewani Springs Resort Pty Ltd v Gold Coast City Council & Anor* [2010] HCATrans 295 (special leave application; planning law; statutory interpretation; instructed by Macdonald and Balanda; led by CL Hughes QC)

### **Selected List of Significant Cases as Counsel That Did Not / Have Not Progressed to Hearing**

#### **Building and Construction**

- Various disputes regarding the installation of flammable cladding in both residential and commercial buildings in the Supreme Court of New South Wales, the District Court of New South Wales, and NCAT.
- *Walan Construction Services P/L v Cockram Construction Ltd* (NSWSC; delay claim; breach of contract; instructed by Fielding Robinson Lawyers; led by G Sirtes SC)
- *Unique Urban Built Pty Ltd v Broken Hill City Council* (SASC; defects claim; instructed by Redenbach Lee; led by F Corsaro SC)
- *Hutchinson Builders Pty Ltd v Pendle Thorpe Walker Architects Pty Ltd* (NSWSC; delay claim; disruption claim; instructed by KSAR Law; led by D Miller SC)
- *Strata Plan No. 80787 v Oceania Property Corporation (Cremorne) Pty Ltd & Di Blasio Constructions Pty Ltd* (NSWSC; defects claim; instructed by Fielding Robinson; unled)
- *Owners Corporation v Yaconb* (NSWSC; defects claim; instructed by Buckner Jones Solicitors; led by N Kidd SC)
- *O'Mahoney Constructions v Moama Resort* (NSWDC; defects claim; instructed by KSAR Law; unled)
- *245 Bridge Road Pty Ltd v Tomkins Commercial and Industrial Builders P/L* (QSC; appearance at security for costs application; construction dispute concerning the construction of a commercial building arising out of a BCISPA claim; delay claims; misleading or deceptive conduct; estoppel; instructed by Russells Law; led by D O'Brien QC)
- *Bailey Civil Contractors P/L v Rockhampton Regional Council* (QSC; three-year long construction dispute concerning water tunnels; defects; delay; instructed by McCullough Robertson; led by R Holt QC)
- *Sunland Homes v Scottish Pacific Factoring* (NSWDC; construction dispute concerning defective home building; instructed by BCK Lawyers; unled)

#### **Equity and Contract**

- *McAssey v Nemo (BC Holdings)* - Supreme Court of New South Wales regarding a claim in respect of child care centres (instructed by Arnold Bloch Liebler, led by CRC Newlinds SC)



- Acted in the Supreme Court of New South Wales in a partnership dispute (instructed by Cornwalls; led by M Condon)
- Acted in the Supreme Court of New South Wales for MJH Group against an ex-employee in proceedings for breach of fiduciary duty (instructed by K&L Gates; led by R Scruby SC)
- Acted in the Supreme Court of New South Wales in proceedings involving a question of whether a retention of title clause creates fiduciary obligations – settled prior to hearing (instructed by K&L Gates; leading EBS Ball, against Senior Counsel with junior)
- Acted in the Supreme Court of Queensland in an oppression suit (instructed by Fletcher Law; led by JC Giles SC)
- Acted in Supreme Court of Queensland proceedings for a lender acting under a loan agreement to recover monies (instructed by Makinson D’Apice; unled)
- *Arnotts v Walters* (NSWSC; contract; gift; dispute involving whether monies advanced as loans or gifts; instructed by Everingham Solomons; led by P Blackburn-Hart SC)
- *Ferris v Clarkson* (QLDSC; contractual construction; interpretation of *PAMDA*; instructed by McCormick and Williams Lawyers; led by T Thawley SC (now Justice Thawley of the Federal Court))
- *Yahoo7 v Google* (NSWSC; injunction; contractual construction; instructed by King & Wood Mallesons; led by N Hutley SC)
- *Metcash Trading Ltd v Australian Executors and Trustees* (QLDSC; construction of a lease; instructed by Russells Law; unled)
- *Gonda v Singer & Ors* (NSWSC; three-week trial settled on day one; undue influence; unconscionability; fraud; instructed by David Geddes Solicitor; led by P Blackburn-Hart SC)
- *George v Perpetual Trustee Company* (QLDSC; fraud exception to indefeasibility; restitution; change of position; instructed by Corrs Chambers Westgarth; unled)
- *Larter & Larter v Ryan* (QLDSC; undue influence; estoppel; exceptions to indefeasibility; instructed by Turner Freeman; unled)
- *Jetz Pty Ltd v AAIP Pty Ltd* (QLDSC; trusts; penalty clauses; contractual construction; tracing; instructed by QLD Law Group; unled)

### **Trade Practices and Intellectual Property**

- *Goyal v ANZ Bank & Ors* (FCA; misleading or deceptive conduct in relation to cancellation of broker accreditation; instructed by Turner Freeman; unled)
- *COZero v Det Norske Veritas* (FCA; misleading or deceptive conduct in relation to carbon credits trading with the United Nations; instructed by Birchall Legal; led by C Moore SC)

### **Taxation**

- *MOGS Pty Ltd v Commissioner of Taxation* (FCA; bad faith; instructed by Clamenz Evans Ellis; led by F Kunc SC (now Justice Kunc of the NSW Supreme Court))

### **Publications**

- Contributor, *Robson’s Annotated Corporations Legislation* (Thomson Reuters; looseleaf)