

Profile

Commenced practice at the Queensland Bar in July 2010. Moved to Sydney in September 2017, continuing practice at the NSW Bar, principally in commercial law and financial crime

Appeared in the Supreme Courts of NSW, Queensland, Victoria, WA and the ACT; NSW, Victorian and Queensland Court of Appeal; Full Federal Court and Federal Court – Sydney, Brisbane and Melbourne; High Court of Australia (Full Court and Special Leaves); High Court of New Zealand and in lower Courts and tribunals in NSW, Qld and Victoria

Notable recent appearances in higher Courts:

- appearing for the CDPP resisting Clive Palmer's judicial review proceeding in the Supreme Court of Qld concerning two prosecutions against him for breaches of the Corporations Act
- appearing for Telstra in proceedings against a former employee in the Supreme Court of NSW's Commercial List
- appearing for the administrators of *Qenos* in proceedings brought by a counterparty of the company in the Supreme Court of NSW with the final hearing heard 6 days after the proceeding commenced
- appearing for the applicant in the *Blue Sky* class action in the Federal Court
- appearing for an insurer resisting a policy holder's appeal in the New South Wales Court of Appeal and resisting the subsequent application for special leave to appeal in the High Court
- appearing for the *NewSat* companies suing their former financiers in the Victorian Supreme Court arising from a failed satellite venture
- separately appearing for a telecommunications company, electricity company, property developer and a member of a company seeking freezing orders in the NSW and the ACT Supreme Courts and the NSW District Court as against a former employee, a fraudster, a former joint venture partner and a fellow director respectively
- appearing for a director respondent in the *Forge* class action in the Federal Court and in *Forge's* liquidator's proceeding in the NSW Supreme Court against former directors
- appearing for litigation funders and a law firm in the *S&P/Clurname*, *Getswift* and *OzTech* class actions in the Federal Court and the *Surfstich* class action in the NSW Supreme Court
- appearing for a group member resisting a litigation funder's application for special leave to appeal to the High Court from the Victorian Court of Appeal's judgment in the *Banksia* class action
- appearing for a building principal suing its former contractor for breach of contract in the Supreme Court of NSW's Commercial List
- appearing for a defendant in proceedings in the Supreme Court of Queensland's Commercial List concerning trusts and fiduciary duties, including appearing in a successful appeal to the Queensland Court of Appeal from a \$3m summary judgment
- appearing for John Hancock and Bianca Rinehart in litigation against Mrs Rinehart, Hancock Prospecting and others in the WA Supreme Court

Other work:

- appearing in commercial and sports arbitrations
- advising and appearing for the Commonwealth Director of Public Prosecutions in criminal prosecutions in Courts throughout Australia, including, most recently, for the following offences:
 - o ss 184 (good faith – directors), 631 (proposing or announcing a [takeover] bid), 1309 (false information to the ASX) *Corporations Act* (Cth)
 - o ss 11.5(1) and 70.2(1) (conspiracy to bribe a foreign public official), 134.1 (obtaining property by deception), 145.1 (using a forged document), 11.2A, 400.9 (deal with money/property proceeds of indictable crime) *Criminal Code* (Cth)
 - o s 265 *Bankruptcy Act* (Cth); s 7 *Crimes (Taxation Offences) Act* (Cth); ss 19B and 42DL *Therapeutic Goods Act* (Cth)
 - o s 408C (fraud) *Criminal Code* (Qld);
- advising and appearing for the CDPP in other non-financial/ “white collar” Federal crime prosecutions
- general commercial advisory practice, specific experience directly advising corporate counsel pre-proceedings concerning contractual issues, principally in the mining, engineering and ports/shipping and telecommunications sectors
- wide experience appearing in mediations, in commercial cases and class actions
- wide experience in class action investigations, including cases involving extensive conferral with experts
- prior to relocating to Sydney, appearing unled in over 50 substantive and contested applications/motions in the Supreme Court of Queensland, including all forms of injunctions, covering all aspects of procedure in civil litigation, appearing unled in 20 trials and 10 appeals in various Queensland Courts and Tribunals and appearing unled in appeals in the Queensland Court of Appeal

Notable cases in foreign courts and for government

- appearing for Queensland resisting the High Court challenge to the constitutional validity of anti-bikie legislation introduced by the Newman government
- appearing in a commercial trial in the High Court of New Zealand concerning kiwifruit IP
- acting for the ATO seeking to enforce a AUD 50mil tax debt in the National Court of Papua New Guinea
- acting for a Bank defending a AUD1billion claim in the National Court of Papua New Guinea brought by a former Cabinet Minister in the Somare Government

Professional Activities and Affiliations

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- **Associateships** - Associate to the Hon Justice JA Dodds-Streeton, Victorian Court of Appeal and Federal Court of Australia; Associate to Judge AJ Rafter SC, District Court of Queensland
 - **NSW Bar and Bar Committees** - Current: Practice Development Committee, NSW Bar Association. Previous: Wellbeing Committee, NSW Bar Association, Wellbeing Committee and University Relations Committees, Queensland Bar Association; NSW Bar Association Examination Marker, 2018-2019; Advocacy Training Course, Australian Advocacy Institute, February 2024, before participating in the Readers Course as an Advocacy Trainer/Coach (ongoing)
 - **Sports Law** - National Sports Tribunal, Member, Legal Assistance Panel, 2022 – present, appearances for athletes in the NST in disciplinary and selection matters (eg, *Lahood v Australian Taekwondo* NST-E24-96019, March 2024); Former Honorary Lawyer, Cycling Queensland, chaired disciplinary proceedings arising from road racing and track racing incidents and disputes concerning team selections
 - **Pro Bono** - NSW Bar Association - Duty Barrister’s Scheme, Pro Bono Scheme for civil cases, work for the Arts Law Centre

Education and Admissions

BA/LLB (University of Queensland)

NSW, Queensland, High Courts of Australia and New Zealand, Singapore International Commercial Court

Publications and Presentations, sample

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- “The Varieties of Restitution” (2018) 92 *Australian Law Journal* 477, 480 (book review)
 - “Evidence in Chief”, CPD at Eight Selborne Chambers, 31 May 2024; “Past performance is not an indication of future performance” – future litigation arising from the NFT Frenzy, Crypto and the Blockchain – CPD at Eight Selborne Chambers, 27 May 2022

Higher Court judgments since 2018

Security for Costs – Foreign Plaintiff – *Mantis Funds Pty Ltd v Edgefolio UK Limited* [2025] NSWSC 1546 (with J Stoljar SC)

Trial – Contracts – Proprietary Estoppel – *Hederics v Spare Wheel Pty Ltd* [2025] NSWSC 1171 (unled)

Judicial Review – Jurisdiction of Supreme Court – s 9 and 9A ADJR Act – *Palmer v McKenzie, CDPP, ASIC* [2025] QSC 127 (with A Freeman KC)

Trial – Fraud – Employee – Stay of Civil Proceedings pending Criminal Proceedings after plaintiff’s case in chief completed – *Telstra v Sulaiman (No 3)* [2024] NSWSC 971 (unled)

Trial – Bailment – “Security Interest” PPSA – ss 441F, 440B(2)(b) Corps Act – *In the matter of Qenos Pty Ltd (administrators appointed)* [2024] NSWSC 483 (with A Leopold SC)

Stay of Civil Proceedings pending Criminal Proceedings – *Telstra v Sulaiman (No 2)* [2024] NSWSC 441 (unled)

Freezing Orders – *Telstra v Sulaiman* [2024] NSWSC 440 (unled)

High Court – Special Leave – Procedural Fairness – *Ahern v Aon Risk Services Limited* [2023] HCASL 139 (with J Potts SC)

Costs after a Trial – *Wild v Meduri & Ors (no 2)* [2023] NSWSC 669 (unled)

Appeal – Procedural Fairness – *Ahern v Aon Risk Services Australia Limited* [2023] NSWCA 91 (with J Potts SC)

Trial – Testamentary Capacity – Equitable Estoppel – *Wild vs Meduri & Ors* [2023] NSWSC 113 (unled)

Winding up – just and equitable ground – *Re Alon Pty Ltd* [2022] NSWSC 64 (unled)

Freezing Orders ex parte – *Chong v Huang* [2021] ACTSC 310 (with PH Greenwood SC)

Notice to Produce – “protected information”, Div 355, Sch 1 Taxation Administration Act – *Kupang Resources v Commonwealth of Australia* [2021] NSWSC 1580 (with CH Withers SC)

Judicial Advice – *The Application of Richard Neal in his capacity as administrator of the Estate of the Late Paula Claire Heavit* [2021] NSWSC 1489 (unled)

Corporations – Rectification of Register – *In the matter of Alon Pty Ltd* [2021] NSWSC 1021 (unled)

Trial – Testamentary Capacity – Trusts – *Gooley v Gooley* [2021] NSWSC 56 (with C Harris SC)

Trial – Building Contracts – *One Pro Baulkham Hills Pty Ltd v Ming Tian Real Property Pty Ltd* [2020] NSWSC 1043 (leading C Hamilton-Jewell)

Trial – Contracts – *Strut Master No 2 and anor v ZircoDATA Services Pty Ltd* [2020] NSWSC 716 (unled)

Bankruptcy – Creditor’s Petition – *Liang v Dai* [2020] FCA 243 (unled)

Takeovers – Dispatch of Bidder’s Statement – Extension – *In the matter of Sandon Capital Investments Limited* [2019] NSWSC 1512 (leading T Rogan)

Takeovers – Off-market Bid – Extension – *In the matter of Clime Capital Limited* [2019] NSWSC 1479 (leading T Rogan)

High Court – Representative Proceedings – Special Leave – *Australian Funding Partners Ltd v Botsman & Ors* [2019] HCATrans 102 (with CH Withers)

Professional Negligence – Interrogatories – *Budniak v NSW Trustee and Guardian* [2019] NSWSC 237 (unled)

Costs – *St Hilliers Property Pty Ltd v ACT Projects Pty Ltd (No 3)* [2019] ACTSC 32 (with PH Greenwood SC)

Security for Costs – *Aligned Investment Management v Aligned FM* [2018] NSWSC 1852 (unled)

Arbitration – Stay – *Wright Prospecting Pty Ltd v Hancock Prospecting Pty Ltd* [2018] WASC 407 (with CH Withers)

Arbitration – Stay – *Wright Prospecting Pty Ltd v Hancock Prospecting Pty Ltd* [2018] WASC 122 (with CH Withers)

Representative Proceedings – Costs – *Oztech Pty Ltd v Public Trustee of Queensland (No 17)* [2018] FCA 2068 (unled)

Representative Proceedings – Opt Out – *TW McConnell v Surfstich Group Ltd (No 2)* [2018] NSWSC 1749 (with G Rich SC)

Representative Proceedings – Settlement Approval – *Liverpool City Council v McGraw-Hill Financial, Inc (now known as S&P Global Inc)* [2018] FCA 1289 (with G Rich SC)

Representative Proceedings – Injunctions – *Webb v Getswift (No 3)* [2018] FCA 1133 (unled)

Representative Proceedings – Opt Out – *Webb v Getswift (No 2)* [2018] FCA 994 (unled)

Appeal – Summary Judgment – *Hung v Hung* [2018] QCA 087 (unled)

Credit Contracts – Transfer of Proceedings – *Picos v Western Pacific Automotive Pty Ltd* [2018] NSWSC 536 (unled)

Administrative Law – Prerogative Relief – Garnishee Orders after Default Judgment – Disqualification for Bias – Gross Sum Costs Orders – *Marlinspike Debt Acquisitions v The Undone* [2018] NSWSC 4; [2018] NSWSC 77; [2018] NSWSC 132 (unled)

Many appearances in trials and motions in lower Courts and tribunals in NSW, Qld and Victoria, including appearing for the CDPP in criminal trials before jury’s and other appearances before arbitrators.