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[LinkedIn](#)

Qualifications and training

LLB (Hons) University of Adelaide - 1985
Accredited mediator – LEADR – 1999
ABA Advanced Advocacy Intensive – January 2016

Career outline

In August 2001 I commenced practice as a barrister, primarily being involved in commercial and insurance related matters.

Prior to commencing practice as a barrister I had 15 years experience as a litigation solicitor practicing in insurance, product liability, professional indemnity and commercial disputes.

Practice at the bar:

My experience since going to the bar includes:

- Professional indemnity matters, particularly for legal practitioners, building and design professionals, health professionals and councils.
- Indemnity disputes, claims under insurance policies, disability and life policies, reinsurance advice.
- Public liability, including catastrophic injury claims.
- Product liability – toxic torts, tobacco and asbestos litigation, agricultural claims, ACL, personal injury, economic loss and property damage claims.
- D & O and shareholder actions.
- Representative proceedings.
- Financial services and debt recovery, security enforcement.
- Commercial disputes, including equity matters, contractual disputes, trade practices and insolvency/bankruptcy.
- Property, strata schemes.
- Family provision, wills and estate.

- Corporations actions including derivative shareholders claims.
- Inquests and enquiries, including advising in connection with ASIC investigations.
- Building and construction disputes.
- Sports law - disciplinary proceedings, in particular appearing as Disciplinary Counsel for FFA in respect of matters referred to the FFA Disciplinary Committee by the Match Review Panel.

Significant matters in which I have appeared include:

Massey v Wales, (2003) 57 NSWLR 718, [2003] NSWCA 212 (company directors' emergency powers in deadlock, ratification, solicitors' retainer and liability).

Sydney Airport Corporation Limited v Boulderstone Hornibrook Engineering Pty Limited & Ors, [2003] NSWSC 486 (construction, cross claims against contractors).

Brambles Australia Limited v British American Tobacco Australia Services Ltd, (2006) 3 DDCR 580, (2006) 3 DDCR 495 (Product Liability, tobacco litigation, discovery obligations, privilege, document retention issues).

Toll Pty Ltd v Dakic & Anor, [2006] NSWCA 58 (insurance, proximate cause, application of Motor Accidents Compensation Act).

Macquarie Underwriting v Permanent Custodians Limited, [2007] FCFCFA 108 (Insurance, s 6 Law Reform (Miscellaneous Provisions) Act, s 33 Insurance Contracts Act).

Phillips v Tower Australia Limited, [2007] NSWSC 946 (life insurance, disability policy, estoppel).

Gough & Gilmour Holdings Pty Ltd v Peter Campbell Earthmoving Pty Ltd [2007] NSWSC 172, [2009] NSWCA 37 (contract, product liability, agricultural machinery, misleading and deceptive conduct).

Douglas & Anor v Maddens & Ors [2009] NSWSC 904 (professional liability, dismissal for want of due despatch).

Nelson v Hollard Insurance Company [2010] 77 NSWLR (insurance, s 46 Insurance Contracts Act).

Michalopoulos v Permanent Trustees Victoria Limited & Ors [2010] NSWSC 1450 (professional liability, mortgage/Contracts Review Act, proportionate liability).

George v Webb & Ors [2011] NSWSC 1608 (professional liability, breach of trust, misleading and deceptive conduct, proportionate liability).

Lescap Group Pty Ltd v Pacific Resort Holding Pty Ltd [2012] NSWSC 580 (contract for sale of hotel, misleading and deceptive conduct).

Keddie & Ors v Stacks Goudkamp Pty Ltd [2012] NSWCA 254 (professional liability, solicitors' liability for costs).

Tower Australia Limited v Pacific National Pty Ltd [2012] NSWSC 1594 (insurance contract, whether agreement to vary premium, estoppel)

Zakka v Elias [2013] NSWCA 119 (professional liability, solicitors' retainer, vicarious liability).

Cicek v Estate of the Late Mark Solomon [2014] NSWCA 1492 (professional liability, dismissal for want of evidence).

Coles Supermarket Australia Pty Ltd v Bright [2015] NSWCA 17 (public liability, slip and fall, whether breach of duty and causation).

Drake v Wight & Strickland, Drake v Wood Marshall Williams [2015] NSWSC 1090, 1091 (professional liability, divestment of entitlement to sue from trustee in bankruptcy, advocates' immunity).

Watkins Syndicate v Pantaenius Australia Pty Ltd (2016) 244 FCR 5, [2016] FCAFC 150, (insurance, geographical limits, s 54 *Insurance Contracts Act*, dual insurance).

Schneider v AMP Capital Investors Ltd & ors [2016] NSWSC 333 (public liability, trip hazard, duty of building management company, pre existing injury).

The Owners SP 57164 v Yau (2017) 96 NSWLR 587, [2017] NSWCA 341 (strata scheme, authority of executive committee to settle action, ratification, attempt to set aside consent judgment).

Forico Pty Ltd v Sive [2018] TASSC 21 (Construction contract, security of payments, adjudication/jurisdictional error)

Mal Owen Consulting v Ashcroft (2018) NSWCA 135 (professional liability, causation, loss of a chance, assessment of damages)

Bunnings Group Limited v Giudice (2018) NSWCA 144 (public liability, breach of duty, causation, *Civil Liability Act 2002*)

Lavis v Amaca Pty Ltd (2018) NSWDDT 6 (product liability, asbestos, damages, entitlement to future superannuation)

Via Bertino Pty Ltd v Yee [2018] NSWSC 1587 (professional liability, breach of trust, equitable compensation, costs)

Officeworks Ltd v Christopher [2019] NSWCA 96 (public liability, damages, medical causation)

Lemongrove Services Pty Ltd trading as Reimer Winter Williamson Lawyers and Anor v Rilroll Pty Ltd and Ors [2019] NSWCA 174 (professional liability, breach of duty, causation, factual findings)

Publications and Seminars

I regularly write articles and case notes in respect of developments in the law which are published on LinkedIn and elsewhere.

I have recently delivered papers for the NSW State Legal Conference and the UNSW continuing education series, in addition to seminars presented at Level 22 Chambers and for the NSW Claims Discussion Group.

Papers delivered in recent years include topics such as Causation, Proportionate Liability, Professional Negligence, Vicarious Liability and actions brought directly against insurers.