



## GREGORY BURTON SC

5 Wentworth Chambers  
180 Phillip Street  
SYDNEY NSW 2000

### ***Selected Cases***

#### ***Re Fearndale Holdings PL***

(admin apptd) (r&m apptd) [2019] NSWSC 1810, 1885 (my referee's report in complex securities proceedings, including contested hearing on matters of credit during reference, adopted by Black J)

#### ***Johnson & Williams v Campbell; re Rockgedgiel Pastoral Co PL and Skeldon PL***

(settled shortly before long hearing) Corporations law - register of members and oppression; effect of earlier settlement on trusts; rectification and estoppel

#### ***Abraham v Watkins***

Rights of way that pre-date current statutory creation requirements; validity; scope of implication from title plans and description; removal for obsolescence.

#### ***Re Cisera FT; considering Re Dion Investments PL and Stein v Sybmore Holdings PL***

Review sought of previous authority on the scope of Court's powers under the trustee legislation to give the trustee power to extend management and administration beyond the vesting date [\[2019\] NSWCA 286](#), [\[2016\] NSWCA 319](#), [\[2017\] NSWSC 960](#); *Stein* [\[2006\] NSWSC 1004](#) reported (2006) 64 ATR 325; *Dion* [\[2014\] NSWCA 367](#).

#### ***Re S, an Incapacitated Young Person*** [\[2017\] NSWSC 859](#)

Supreme Court of NSW protective jurisdiction: difficulties with existing personal injury damages trust; taxation and other implications of replacement protective management order.

#### ***Macquarie International Health Clinic PL v Sydney Local Health District***

Complex commercial litigation over a 99 year public/private venture involving (among many others) issues of good faith, interpretation, restrictive covenants, valuation, financial analysis and modelling for loss of opportunity and mesne profits. [\[2016\] NSWSC 1587](#), [\[2008\] NSWSC 738](#), [\[2009\] NSWSC 629](#), [\[2010\] NSWSC 1139](#), [\[2010\] NSWCA 268](#), [\[2010\] NSWCA 348](#), [\[2011\] NSWCA 171](#), [2011] special leave refused by HC)

#### ***Sahab Investments PL v Castle Constructions PL***

Entitlement of registering authority to alter land titles register or to be compelled to do so. [\[2011\] NSWCA 395](#), [\[2012\] NSWCA 42](#), [\[2013\] HCA 11](#)

#### ***Heperu PL v Perpetual Trustees Ltd & Cincotta; Heperu PL v Belle***

Conversion and restitutionary rights in cheque fraud and receipt by third parties.  
[\[2009\] NSWCA 252](#), [\[2010\] NSWCA 13](#), [\[2010\] NSWCA 339](#), [\[2011\] NSWSC 1151](#)  
(settled day before delivery of judgment by HC)

Liability limited by a scheme approved under *Professional Standards Legislation*.