



**ANDREW BULLEY**  
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### **Areas of Practice**

Alternative Dispute Resolution (Mediation & Arbitration)	Corporate
Appellate	Equity
Banking, Securities and Insolvency	Guardianship/Trusts
Class Actions & Representative Proceedings	Property Law/Retail & Property
Commercial Litigation	Regulatory
Commissions and Inquiries	Trade Practices
	Trusts
	Wills & Estates

### **Admissions**

Bar (NSW)	1997
Solicitor (NSW)	1986

### **Education**

Master of Laws (University of Sydney)	1994
Bachelor of Laws (University of Sydney)	1985
Bachelor of Arts (University of Sydney)	1983

### **Professional Career**

Since coming to the Bar in 1997, Mr. Bulley has appeared in a variety of jurisdictions for parties in a wide range of matters. Although Mr. Bulley primarily appears before the New South Wales Supreme Court and Court of Appeal, he has also acted on matters in the District and Local Courts.

Mr. Bulley accepts briefs in a wide range of matters and has acted in both complex, large-scale litigation as well as on smaller matters. He is briefed by a variety of solicitors' firms including large firms in the Sydney CBD, as well as small firms and sole practitioners outside the CBD and in country NSW.

His practice now involves a wide range of commercial and equity matters, and Mr. Bulley has also appeared for parties in insolvency and bankruptcy, land and property disputes and wills and estate litigation.

Since 2009 he has been an Advocacy Instructor in the Bar Readers Course run by the NSW Bar Association. Mr. Bulley has been a Director of Counsel's Chambers Limited since 2007.

Prior to coming to the Bar in 1997, Mr. Bulley practised as a commercial litigator at Ebsworth & Ebsworth (now HWL Ebsworth) on matters including contracts of insurance, professional indemnity, and transport and commercial litigation.

### **Professional Experience**

#### *5 Wentworth Chambers*

Barrister

2000 – Present

#### *New South Wales Bar Association*

Advocacy Instructor, Bar Readers Course

2009 – Present

#### *Ebsworth & Ebsworth*

Senior Associate

1992 – 1997

Solicitor

1986 – 1992

### **Selected Cases**

#### **General Commercial and Equity**

- *Changizi v. Rizaie* [\[2021\] NSWSC 613](#) – proceedings involved alleged breach of fiduciary duties on the part of a director alleged to have been involved in the burning down of their business premises and the destruction of the company business. The proceeding also involved a cross-claim involving misleading and deceptive conduct concerning the acquisition and contribution of assets in the company.
- *In the matter of Synergy Medical Imaging Pty Ltd* [\[2021\] NSWSC 579](#) – an Interlocutory Application seeking declarations as to the effect of Terms of Settlement entered into at Mediation pursuant to s 73 of the *Civil Procedure Act 2005* (NSW) and whether the Terms contained implied obligations of good faith as well as an obligation to do all things necessary to enable each party to have the benefit of the Terms; and as to costs of that Application; *In the matter of Synergy Medical Imaging Pty Ltd (No 2)* [\[2021\] NSWSC 627](#).
- *Ferngrove Pharmaceuticals Australia Pty Ltd v. HLW Investments Pty Ltd* [\[2020\] NSWSC 1137](#) – dispute involving a contract for the sale of goods and whether the First Defendant entered the contract as a disclosed Agent for a disclosed Chinese corporation (not a party to the proceedings) and whether the Second and Third Defendants guaranteed the First Defendants’ obligations pursuant to the contract.
- *Bailey v. Seneca Ltd, in the matter of Seneca Textiles Ltd* [\[2020\] FCA 242](#) –

costs application in the winding up of a domestically registered foreign corporation.

- Dowsett v. King [\[2019\] NSWSC 1459](#) – gift of personal property and as to Costs of those proceedings. Dowsett v. King (No 2) [\[2020\] NSWSC 6](#)
- Marcos Accountants Pty Ltd v. Nigtol Pty Ltd [\[2019\] NSWSC 909](#) – setting aside notices to produce and subpoena.
- Flynn v. PPK Mining Equipment Pty Ltd [\[2019\] NSWSC 851](#) – security for costs application.
- Galati v. Deans (No. 2) [\[2018\] NSWSC 1813](#) – leave to further amend pleading.
- Pattinson v. Bellwether Agriculture Pty Ltd (in liq) [\[2018\] NSWSC 38](#) – misleading and deceptive conduct, led by Faulkner SC.
- CB Australia Ltd v. Shepherd [\[2017\] NSWSC 1968](#) – contract for sale of shares.
- Smith v. Smith [\[2017\] NSWSC 408](#) – power of attorney and fiduciary duties.
- Hastie Group Ltd (in liq) v. Moore t/as Deloitte Touche Tohmatsu [\[2016\] NSWSC1355](#) – confidentiality and privileged documents, led by Studdy SC.
- Hastie Group Ltd (in liq) v. Moore & Ors [\[2016\] NSWSC 1315](#) – client legal privilege of documents, led by Studdy SC.
- Sydney Markets Credit Services Cooperative Ltd v. Barry Anthony Taylor & Ors; ACN 123 849 883 Pty Ltd v. Sydney Markets Credit Services Cooperative Ltd [\[2014\]NSWSC 754](#) – equitable charge over land and priorities.
- Todd v. Jingalong Pty Ltd [\[2014\] NSWSC 362](#) – exceptions to indefeasibility of Title.
- Harris v. Digital Pulse Pty Ltd [\[2003\] NSWCA 10](#) – fiduciary duties and exemplary damages, led by Einfeld QC.

### **Wills and Probate**

- Smith v. Smith [\[2017\] NSWSC 408](#) – power of attorney and fiduciary duties.
- The Estate of Helen Manning Shave [\[2012\] NSWSC 1428](#) – application for commission by executors.
- Smith v. Daniels and Anor [\[2010\] NSWSC 604](#) – claim for provision out of deceased estate.

## **Publications and Presentations**

- Bulley, Mason and Carter: “Halsbury’s Laws of Australia”  
Lexis Nexis, Butterworths (1995)
- Bulley, Mason and Carter: “Restitution Law in Australia”  
Lexis Nexis, Butterworths (1995)
- Bulley: “Setting aside Statutory Demands and Solicitors’ obligations in dealing with Counsel’s Advice”  
City of Sydney Law Society, Continuing Professional Development Programme (2010, 2011)
- Bulley: “Remedies and Damages: Practical and Creative Solutions for Getting What you Want”  
Legalwise, Retail and Commercial Leasing Fundamentals (2019)
- Bulley: “Power of Attorney, Fiduciary Obligations and Liability of Third Parties”  
BenchTV, A Benchmark Production (2018)
- Bulley: “Restitution and the Defence of Change of Position”  
BenchTV, A Benchmark Production (2018)
- Bulley: “Competing Presumptions – Resulting Trusts and Advancement”  
5 Wentworth Online Presentation (June, 2020) and Law Society of New South Wales, Specialist Accreditation Week (November, 2020)

## **Professional Associations**

### **Current**

Member, New South Wales Bar Association  
Director, Counsel’s Chambers Limited

### **Past**

Alternative Dispute Resolution Committee, New South Wales Bar Association  
Duty Barrister Scheme, New South Wales Bar Association