

**CURRICULUM VITAE**  
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### Areas of Practice

Common law	Professional negligence
Commercial	Appellate Banking Bankruptcy Competition Consumer protection law Contractual disputes Corporate Insolvency Corporations Law International commercial arbitration Partnership disputes Professional Liability Real Property Restraint of trade Securities and investments
Public/Administrative	Disciplinary proceedings
Appellate	Civil Appeals
Equity	Appellate Family Provision Real Property Trusts Wills and probate
Inquests/Inquiries	Commissions and other Inquiries

### Date of Admissions

<b>Barrister, NSW:</b>	2000
<b>Solicitor, NSW:</b>	1990

### Qualifications

<b>LLM:</b>	Cambridge	1992
<b>LLB:</b>	Sydney	1990
<b>BA:</b>	Sydney	1988

## Selected cases:

- Acting for John Holland Pty Ltd and Theiss Pty Ltd, in Federal Court proceedings concerning a \$2 billion claim relating to the construction of traffic tunnels in Queensland, involving claims in contract, misleading and deceptive conduct, and professional negligence. Proceedings settled after 5 week hearing in October 2017;
- Acting for the Health Services Union (HSU), in various state and federal courts, in relation to civil recovery action against Michael Williamson and others (directors' duties, professional negligence, fraud, employment) (current). Interlocutory judgments in proceedings include *Mylan v Health Services Union NSW* [2013] FCA 190; *Health Services Union NSW v Michael Alexander Williamson* [2013] NSWIRComm 3; *Health Services Union NSW v Peter Mylan* [2014] NSWSC 1026. All proceedings ultimately settled;
- Representing a director of Cascade Coal Pty Ltd, in the ICAC inquiry into the issue of coal mining licences over property interests held by Eddie Obeid (2013);
- Acting for directors, in relation to APRA, ASIC and liquidator investigations, arising from the collapse of the Trio superannuation group (directors' duties);
- Acting for Sydney Local Health District, in Supreme Court proceedings on damages inquiry following complex commercial litigation over a 99 year public/private venture relating to the construction of a private hospital and carpark, involving issues of good faith, interpretation, restrictive covenants, financial analysis and modelling for loss of opportunity: *Macquarie International Health Clinic Pty Ltd v Sydney Local Health District*; *Sydney Local Health District v Macquarie Health Corporation Ltd (No 10)* [2016] NSWSC 1587; *Macquarie International Health Clinic Pty Ltd v Sydney Local Health District*; *Sydney Local Health District v Macquarie Health Corp Ltd (No 5)* [2014] NSWSC 1105 (Expert Evidence);
- Acting for the Fletcher Building group, in Federal Court product liability proceedings, concerning construction of pipeline;
- Acting for liquidator of Pan Pharmaceuticals in Federal Court proceedings against Jim Selim (settled);
- Acting for a director of a gold mining prospecting and mining company, in proceedings relating to mining company share transaction, involving director's duties, fiduciary duties, constructive trusts: *Chameleon Mining NL v Murchison Metals Limited* [2010] FCA 1129 (Director's Duties, fiduciary duties, constructive trusts);
- Various current proceedings in Supreme Court Commercial List (breach of fiduciary duty, oppression, fraud, unconscionability, restraint of trade).

## **Selected Publications**

*“Issues in Corporate Insolvency: Statutory Demands and the Corporations Act, s440A”* (2005) 79 *Australian Law Journal* 182 (with L Aitken)

*“Expert Reports and Waiver of Privilege”*, (2006/7) *Bar News* 71

*“Preparing Expert Witnesses: A search for ethical boundaries”*: (2006/7) *Bar News* 44

*“The “Unruly Horse” has bolted: Tinsley v Milligan”* (1994) 57 *Modern Law Review* 441

*“Security for costs against impecunious corporate plaintiffs”*, (2010/11) *Bar News* 86

Numerous conference papers on ethics, expert evidence, legal professional privilege, settlement theory, restraint of trade, bias

Presently working on 2 papers related to settlement theory and practice: *“Valuation of litigation risk in settlement negotiations: theory and practice”*, *“Identifying and overcoming the barriers to negotiated settlement”*

## **Other information**

*2014-17 Best Lawyers in Australia: Litigation*

## **Memberships**

During career at bar, member at various times of following Bar Committees: Professional Conduct Committee, Alternative Disputes Resolution Committee, Young Barristers Committee, Human Rights Committee