



Leo Gor

Called to the bar: June 2005

Admitted as a Solicitor: 1992

Entitled to Practice in all Australian Jurisdictions

Areas of Practice

- Building & Construction
- Commercial
- Corporations
- Equity
- Insolvency
- Insurance / Reinsurance
- Partnership
- Property
- Public / Administrative

Leo is regularly briefed, led and unled, across a number of superior court jurisdictions. Leo's capital markets and economics grounding enables him to quickly understand the commercial pressure points at the heart of each dispute. His broad experience both at the Bar and at pre-eminent commercial litigation firms means that he understands the need for a timely, focused, commercial and a proactive approach in each matter.

Selected Cases

Corporations

- ***Ingot Capital Investments Pty Ltd v Macquarie Equity Capital Market Ltd*** (2008) 73 NSWLR 653
Overview: Corporate capital raising – Director's duties – Common law duties of advisors
- ***Ingot Capital Investments Pty Ltd v Macquarie Equity Capital Markets (No 6)*** (2007) 63 ACSR 1
Overview: Corporate capital raising – Director's duties – Common law duties of advisors
- ***Australian Securities and Investments Commission (ASIC) v Krecichwost*** (2007) 213 FLR 314, led by M Ashhurst SC
Overview: Financial services
- ***HP Mercantile Pty Ltd, Re; Tumut River Orchard Management (in liq)*** (2009) 76 ACSR 277
Overview: Managed investment schemes – Insolvency
- ***Re Bonheur Holdings Pty Ltd*** (2019) 141 ACSR 409; [2019] NSWSC 1434
Overview: Statutory demands – Genuine dispute as to liability – Defects leading to substantial injustice

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Employment

January 2003–March 2005

Baker & McKenzie, Sydney

November 1998–December 2002

Freshfields Bruckhaus Deringer, London

April 1995 –September 1998

Freshfields, Moscow

March 1992 –February 1995

Freehill Hollingdale & Page, Melbourne

Education

Monash University, Melbourne

B.Ec (1989) and LL.B (HONS) (1991)

Joint Brian Benjamin Prize winner in Equity and Trusts (1988)




Insurance & Reinsurance

- ***Todd v Alterra at Lloyds Ltd*** (2016) 239 FCR 12, led by R McHugh SC
Overview: Coverage for third party financial services claims - Insolvency
- ***New Cap Reinsurance Corp Ltd v Daya*** (2008) 216 FLR 126
Overview: Coverage - Director's liabilities

Equity


- ***Australian Financial Services and Leasing Pty Ltd v Hills Industries Ltd*** (2014) 253 CLR 560, led by B W Walker SC
Overview: Unjust enrichment - Change of position defence - Restitution
- ***Hills Industries Ltd v Australian Financial Services & Leasing Pty Ltd; Australian Financial Services & Leasing Pty Ltd v Bosch Security Systems Pty Ltd*** (2012) 295 ALR 147
Overview: Unjust enrichment - Change of position defence - Restitution
- ***Australian Financial Services & Leasing Pty Ltd v Hills Industries Ltd*** [2011] NSWSC 267
Overview: Unjust enrichment - Mistake - Change of position defence
- ***O'Connor v O'Connor*** [2017] NSWSC 1648
Overview: Breach of fiduciary and director duties in closely held company
- ***O'Connor v O'Connor*** [2018] NSWCA 214, led by E A Cheeseman SC (as her Honour then was)
Overview: Breach of fiduciary and director duties in closely held company

Public/Administrative

- ***Agricultural Societies Council of NSW v Christie*** (2016) 340 ALR 560
Overview: Judicial Review - Apprehended bias- Fairness - Remedies
 - ***Christie v Agricultural Societies Council of NSW Ltd*** [2015] NSWSC 1118
Overview: Judicial review - Domestic tribunal - Apprehended bias
 - ***Rahman v Commissioner of Taxation*** [2017] FCA 1128
Overview: Judicial review - Scope to re-open and review administrative decisions
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Property

- ***Sentinel Orange Homemaker Pty Ltd v Davis Investment Group Holdings Pty Ltd (in liq)*** (2021) 20 BPR 41,497; [2021] NSWSC 550
Overview: Contract interpretation – validity of termination – meaning of ‘reasonable endeavors’
 - ***DPG Project 33 Pty Ltd v Aqualand Chatswood 3 Pty Ltd*** [2020] NSWSC 1663, led by Jackman SC
Overview: Options – contract interpretation – effective exercise of option – assignment of rights
 - ***Allen Taylor & Co Pty Ltd t/as Boral Timber v Harrison*** (2010) 15 BPR 28,505
Overview: Caveats – nature of caveatable interest
 - ***Singh v Walk Pty Ltd*** (2015) 18 BPR 35,145
Overview: Real property - Deposit - Forfeiture
 - ***Channell v Graham*** [2016] NSWCATCD 80
Overview: Contract formation - Defective works - Rectification
 - ***Channell v Graham*** [2017] NSWCATAP 129
Overview: Contract - Terms - Defective works
 - ***Cuzeno Pty Ltd v Owners - Strata Plan 65870*** [2013] NSWSC 1385
Overview: Real property - Easements - Creation - Necessity for effective use
 - ***St George Bank (A Division of Westpac Banking Corporation) v Zhang*** [2013] NSWSC 1418
Overview: Mortgage – Subdivision of land and impact on security
 - ***St George Bank (A Division of Westpac Banking Corporation) v Zhang (No 2)*** [2013] NSWSC 1455
Overview: Subdivision of land and impact on security
 - ***Tran v Perpetual Trustees Victoria Ltd*** [2012] NSWSC 1560
Overview: Banking and finance - Borrowings - Fraud - Charges to loan account – *Contracts Review Act* scope and remedies
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Building & Construction

- ***Iridium Developments Pty Ltd v A-Civil Aust. Pty Ltd*** [2021] NSWSC 1601
Overview: *Security of Payment* – what is a jurisdictional error – whether s. 13(4)(b) is a jurisdictional fact
- ***EQ Constructions Pty Ltd v A-Civil Aust. Pty Ltd*** [2021] NSWSC 1604
Overview: *Security of Payment* – what is a jurisdictional error – whether s. 13(4)(b) is a jurisdictional fact
- ***Duynstee v Dickens and Dickens t/as NRJ Irrigation Systems*** [2009] NSWSC 292
Overview: Building contracts – Progress claim – Validity
- ***Gibson (NSW Fair Trading) v Graham*** [2013] NSWSC 1909
Overview: Unlicensed building work
- ***Owners - Strata Plan No 84741 v Nazero Constructions Pty Ltd*** [2016] NSWSC 832
Overview: Contract - Terms and conditions - Deed of release

Partnership

- ***Comlin Holdings Pty Ltd v Metlej Developments Pty Ltd*** [2018] NSWSC 761, led by Newlinds SC
Overview: Partnerships and joint ventures - Agreement to purchase and develop – Abandonment – Laches - Limitations Act defences
 - ***Comlin Holdings Pty Ltd v Metlej Developments Pty Ltd*** [2019] NSWCA 62, led by J Stoljar SC
Overview: Judges - Recusal - Apprehended bias
 - ***Comlin Holdings Pty Ltd v Metlej Developments Pty Ltd*** (2019) 99 NSWLR 447, led by J Stoljar SC
Overview: Evidence - Further evidence on appeal
 - ***Comlin Holdings Pty Ltd v Metlej Developments Pty Ltd (no. 3)*** [2019] NSWCA 214, led by J Stoljar SC
Overview: Partnership – Existence
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Insolvency

- ***Accord Pacific Holdings Pty Ltd v Gleeson as Liquidator of Accord Pacific Land Pty Ltd (in liq)*** [2011] NSWSC 1021, led by M Aldridge SC (as his Honour then was)
Overview: Liquidators - Removal - Bias
- ***HP Mercantile Pty Ltd v Crouch, Re; Tumut River Orchard Management Ltd (in liq)*** [2009] FCA 1492
Overview: Examination of persons - Abuse of process - Production of documents
- ***LB Schofields One Pty Ltd v Trevet Property Pty Ltd*** [2015] FCA 1416
Overview: Statutory demands - Setting aside
- ***Primavera v Bakos*** [2018] NSWSC 142
Overview: Deed of settlement with liquidator - Retroactive approval

Commercial

- ***Illawarra Community Housing Trust Ltd v MP Park Lane Pty Ltd*** [2020] NSWSC 751, led by Jackman SC
Overview: Contract - expert determination – interpretation – whether void for uncertainty
 - ***Arcaba v K & K Real Estate Pty Ltd*** [2016] NSWSC 1793
Overview: Contract - Oral - Formation
 - ***Consulting Pty Ltd v JPD Media and Design Pty Ltd t/a Durie Design*** [2017] NSWSC 1171, led by L Einstein
Overview: Contract - Oral and written agreement - Termination
 - ***Curnow Consulting Pty Ltd v JPD Media and Design Pty Ltd t/a Durie Design (No 2)*** [2018] NSWSC 28
Overview: Contract - Wrongful termination - Damages
 - ***Kahler v Castle Hill Country Club Ltd*** [2017] NSWSC 851
Overview: Voluntary associations - Meetings - General meeting - Restraint order
 - ***Palin v Vetterli*** [2013] NSWSC 893
Overview: Contract – Misrepresentation – Setting aside
 - ***QLD Holdings - 1 Pty Ltd v Collingwood Holdings Pty Ltd*** [2009] NSWSC 732
Overview: Contract - Incompleteness
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