

Admissions

- 1999 As a legal practitioner and solicitor
- 2004 Called to the Bar

Qualifications / Education

- 1992 B.Sc (Hons) (University of Sydney)
- 1994 LL.B (University of Sydney)
- 1999 Graduate Certificate in Professional Legal Practice (University of Technology Sydney)

Professional Experience

- 2004 – current Barrister, New South Wales Bar
- 2001-2004 Solicitor then Associate, Kemp Strang Lawyers
- 1999-2001 Solicitor, Horowitz & Bilinsky Solicitors
- 1994-1999 Land Rights Officer/Manager, NSW Aboriginal Land Council

Areas of Expertise

- Commercial/Equity
- Property
- Banking and Finance
- Building and Construction
- Estates/Probate and Wills
- Water law

Select Cases

Appeals

Simic v NSW Land and Housing Corporation & Anor. (2016) 260 CLR 85 – construction and rectification of bank guarantees issued in the wrong name (led by D Jackson QC for ANZ Bank)

Hunt & Hunt Lawyers v Mitchell Morgan Nominees Pty Ltd (2013) 247 CLR 613 – application of the proportionate liability provisions in the *Civil Liability Act 2002* (NSW) to a professional negligence claim arising from a forged loan agreement and mortgage (led by B Coles QC)

Edwin Davey Pty Ltd v Boulos Holdings Pty Ltd [2022] NSWCA 65 – mitigation of loss in contract (leading E Keynes).

***Globe Church Inc. v Allianz Australia Insurance Ltd* (2019) 99 NSWLR 470; [2019] NSWCA 27** – when time begins to run on a property liability insurance policy (leading A Gandar)

***Chaudhary v Chaudhary* [2017] NSWCA 222** – was an advance by father to his son to purchase a home a gift or a loan, cross-vesting of appeals on federal matters (led by M Ashhurst SC)

***Zaps Transport (Aust) Pty Ltd v PJG Warehousing & Distribution Pty Ltd* [2016] NSWCA 97** – defending an appeal against judgment for price and interest under a sale of business contract

***Simic v NSW Land and Housing Corporation & Anor.* [2015] NSWCA 413** - construction and rectification of bank guarantees issued in the wrong name (for ANZ Bank)

***Coolbrew Pty Ltd v Westpac Banking Corporation* [2015] NSWCA 135** – Quistclose trusts

***Wilmlink v Westpac Banking Corporation* (2015) 318 ALR 572; [2015] FCAFC 17** - application of the *Bills of Exchange Act 1909* (Cth.)

First Instance

***Credit Suisse AG v Gu (No 2)* [2022] NSWSC 198** – federal jurisdiction/special federal matters (leading D Meyerowitz-Katz)

***Zhang v Woo* [2021] NSWSC 1496** – freezing orders

***Payne v Timilty* [2021] NSWSC 986** – whether a call option to purchase land had been exercised (leading L Cooper-Hackman)

***Boulos Holdings Pty Ltd v Edwin Davey Pty Ltd* [2021] NSWSC 689** – judgment estoppel and the application of the *Personal Property Securities Act 2009* (Cth.) to an assignment deed

***Hansen v Noble* [2021] NSWSC 138** – constructive and resulting trusts

***Crosby Textor Research Strategies Results Pty Ltd v Syed* [2020] NSWSC 1792** – defending a claim for funds in court to pay legal expenses for defence of related criminal fraud charges, proprietary interests arising from theft of funds and the process of tracing (leading E Keynes)

***Xu v Lindsay Bennelong Developments Pty Ltd* [2020] NSWSC 1692** – misleading or deceptive conduct claim by a purchaser on an off the plan contract against the developer

***Westpac Banking Corporation v Kay* [2020] NSWSC 175; [2020] NSWSC 206; and *Finnie v Day & Ors.* [2021] NSWSC 276** – claims arising from alleged theft of mortgagor's identity

***TWT Property Group Pty Ltd v Cenric Group Pty Ltd* [2020] NSWSC 72** – application of Anshun estoppel and abuse of process principles to a payment claim under the *Building and Construction Industry Security of Payments Act 1999* (NSW)

***In the matter of Australasian Hail Network Pty Ltd* [2020] NSWSC 44** – security for costs application against an alleged overseas resident in an oppression suit (leading A Gandar)

***Spatt v Benson; Benson v Spatt* [2019] NSWSC 1195** – administration of a deceased estate

***In the matter of CF Mellick Pty Ltd* [2019] NSWSC 1756** – defending an application to set aside a statutory demand

***Preston v Diaspora Holdings Pty Ltd; Diaspora Holdings Pty Ltd v Owners Corporation of Strata Plan 68608* [2019] NSWSC 651** – validity of appointment of a director of a corporation by the formerly bankrupt sole shareholder holding the share on trust

***Re O'Keefe Heneghan Pty Ltd (in liq) & Others* (2018) 133 ACSR 314; [2018] NSWSC 1885; & [2019] NSWSC 106** – priority of payment of debts of partnership of companies in liquidation

***Carr v Miller & Ors.* [2018] NSWSC 1424** – defects, contract, negligence and fraud claims by purchaser of a luxury residence against builder, vendor's agent and vendor (leading A Gandar)

***Westlawn Finance Ltd v Tagg* [2018] NSWSC 1491** – misleading or deceptive conduct claim arising from the early release of a deposit under a contract for the sale of a luxury residence

Hunter New England Local Health District v Munters Pty Ltd [2018] NSWSC 788 – further discovery application in negligence claim for the cost of scanning and destruction of all the paper medical records of John Hunter Hospital due to alleged mould contamination

Wondal v Inspector-General in Bankruptcy [2018] FCA 1278 – appeal from the Administrative Appeals Tribunal on questions of law

DXC Connect Pty Ltd v Deibe & Ors [2017] NSWSC 1159 – interlocutory injunctions restraining disclosure of confidential information and enforcing restraints of trade (led by J Fernon SC)

Australian Securities Ltd v Borina Pty Ltd [2017] NSWSC 1073 – remedies available to a mortgagor who has repaid the debt under protest

UGL Rail Pty Ltd v Trox (Australia) Pty Ltd [2017] NSWSC 770 – claim for defects in sound attenuators in the Lane Cove Tunnel, assignment of contractual rights (led by M Ashhurst SC)

Independent Commission Against Corruption Investigation into the Conduct of a Former Chief Executive Officer and Members of the Board of the Gandangara Local Aboriginal Land Council (ICAC Report dated February 2017 – Operation Greer) – appeared for the person of interest, Mr Mark (Jack) Johnson, before Latham J

Professional Memberships and Activities

NSW Bar Association - Education Committee since 2017 and Accessibility Panel since 2019

NSW Bar Practice Course – Advocacy Coach since 2012

NSW Bar Association Practice Management Course 2020/2021 and 2022 – Organising Committee

Basketball Australia – Integrity Panel Member since 2021

Shore School – Council Member since 2017

Publications and Speaking Engagements

- Presenter at NSW Bar Association Practice Management Course 2020/2021 and 2022
- Presented a paper on *Carter v Mehmet* [2021] NSWCA 286, Aboriginal Heritage and conveyancing for UNSW Edge's Property Intensive day in March 2022

Interests and Activities

- Basketball, cricket and tennis
- Ballroom Dancing