

ANTHONY LO SURDO SC

12 Wentworth Selborne Chambers, Sydney
Lonsdale Chambers, Melbourne
William Forster Chambers, Darwin
Outer Temple Chambers, London, Dubai
Arbitra International, London, Washington DC

Curriculum Vitae



Appointed Senior Counsel (QC equivalent): 6 October 2011

Admissions

Barrister: 9 August 1996
Solicitor: 3 July 1987

Jurisdictions

Throughout Australia and internationally

Educational and Professional Qualifications

Bachelor of Arts (University of Sydney, 1985)
Bachelor of Laws (University of Sydney, 1987)
Accredited Mediator (LEADR) (1993)
Master of Laws (University of Sydney, 1996)

CONTACTS:

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brett@greenslist.com.au; luke@greenslist.com.au

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Darwin NT 0801

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clerk@williamforster.com

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London EC4M 8BU, +44 (0) 207 936 7070, info@arbitra.co.uk

Additional Professional Qualifications

National Accredited Mediator (2008)
Arbitrator (2010)
Expert Determiner (2010)
Advanced Mediator (2013)
Fellow, Australian Centre for International Commercial Arbitration (2016)
Fellow, Resolution Institute (2016)
International Mediation Institute, Certified Mediator (2017)
Singapore International Mediation Institute, Certified Mediator (2017)
Fellow, Chartered Institute of Arbitrators (2020)
Grade 1 Arbitrator, Resolution Institute (2020)
Registered International and Domestic Arbitrator, Papua New Guinea (2020)
Accredited Mediator, Instructor and Coach – Advanced Mediator Training, Papua New Guinea (2021)
Registered Expert Determiner, Resolution Institute (2021)

Practice Areas

Administrative law	Equity
Alternative dispute resolution (including mediation & arbitration)	Insurance
Banking, finance & securities law	Insolvency
Commercial (including contract law)	Partnerships
Consumer protection	Professional indemnity
Corporations law	Product liability
	Property
	Representative proceedings
	Sports law

Biographical Summary

Anthony has a broad practice both at trial and appellate level spanning diverse areas including commercial, equity, corporations, insurance law, professional indemnity, property and sports law. He has a particular interest in banking and insolvency in respect of which he has written extensively and has been named in *“Doyles Guide to the Australian Legal Profession”* in 2011 and again in 2015-2020 as one of Australia’s leading insolvency and restructuring barristers.

Anthony is accredited as an advanced mediator, arbitrator and expert determiner. He is regularly retained as a mediator in complex multi-party disputes. He has also been ranked by *“Doyles Guide to the Australian Legal Profession”* as a leading mediator in New South Wales in 2018-2021.

He is also often appointed as an arbitrator in commercial and sports-related disputes both domestically and internationally. He has been recognised by *“Doyles Guide to the Australian Legal Profession”* in 2019-2021 as one of Australia’s leading Senior Counsel in Arbitration.

Advisory and Advocacy

Anthony has advised and/or has appeared for:

- ASIC in relation to breaches of continuous disclosure provisions, breaches of market manipulation requirements, misleading and deceptive conduct and unconscionable conduct, and disciplinary proceeding involving insolvency practitioners.
- Banks and other financial institutions in relation to the enforcement of security interests and banker/customer disputes.
- Creditors of insolvent companies and individuals.
- Directors in relation to breach of directors' duties and insolvent trading claims.
- Insolvency administrators (voluntary administrators, receivers, trustees in bankruptcy and liquidators).
- Insurers in relation to indemnity issues generally, professional indemnity (including advising and appearing in defence of surveyors, architects, valuers, brokers, town planners, builders and lawyers) and product liability.
- Lessors (including major shopping centre proprietors) and lessees in relation to disputes which have arisen between them (including proceedings for possession and for relief against forfeiture).
- Vendors and purchasers of land, builders and developers.
- Corporations and individuals in relation to contractual disputes (including share sale agreements and agreements for the sale of interests in other personal property).
- Professional Sportspersons, Clubs and Associations including for Triathlon Australia in 2012 in an arbitration hearing which concerned an appeal by World Champion Emma Snowsill against her non-inclusion in the Australian Olympic Team, for athletes charged with breaches of the world anti-doping regulations and for Kurtley Beale in a code of conduct hearing brought by the Australian Rugby Union (ARU) in the ARU Code of Conduct Tribunal.

Mediation*Mediation Panel Appointments*

Court of Arbitration for Sport
International Mediation Institute
Singapore International Mediation Institute

Sport Resolutions (UK)
Asian International Arbitration Centre (AIAC)
ADGM Arbitration Centre, Mediation Panel
Australian Centre for International Commercial Arbitration (ACICA)
Resolution Institute Panel of Advanced Mediators
PNG Alternative Dispute Resolution List, National Court of PNG
Northern Territory Government, Petroleum Regulations, Mediators Panel
Supreme Court of NSW Mediation Panel
District Court of NSW Mediation Panel

Experience

Anthony is accredited as an advanced mediator by Resolution Institute (formerly LEADR). He is also accredited the New South Wales Bar Association under the National Mediator Accreditation System Standards (NMAS). He is ranked by “*Doyles Guide to the Australian Legal Profession*” as a leading mediator in New South Wales, 2018-2021.

In 2021, Anthony was accredited in Papua New Guinea as a mediator, coach and instructor.

As part of his ongoing commitment to excellence in mediation, in 2017 Anthony attained certification as a mediator by the International Mediation Institute (IMI) and the Singapore International Mediation Institute (SIMI) and in doing so joins a select number of mediators in Australia to achieve that qualification and the only Silk.

In recognition of his specialist knowledge of mediation and sports law, in January 2016, Anthony was appointed by the International Council of Arbitration for Sport (ICAS) as a mediator of the Court of Arbitration for Sport (CAS) and in February 2019 he was appointed to the mediation panel of Sport Resolutions (UK).

Anthony has acted as mediator in a vast array of matters since he was first accredited in 1993. He has mediated hundreds of complex disputes since 2009. He uses his experience as both Senior Counsel and as a mediator to quickly identify the issues and to gain an understanding of the position of each party in the mediation so as to assist in facilitating a fair and efficient resolution to a dispute.

Anthony’s work as a mediator includes:

- Banking disputes
- Contractual disputes
- Corporations law disputes including claims arising from insolvency
- Partnership disputes
- Disputes between joint venturers
- Disputes between lenders and valuers involving allegations of negligent property valuation
- Medical negligence

- Claims for compensation by victims of historic institutional abuse
- Claims involving alleged negligence by lawyers
- Claims involving the alleged negligence of town planners
- Claims involving the alleged negligence of accountants
- Claims against investment advisors including financial planners
- Claims against directors and officers
- Employment disputes
- Claims involving restraints of trade
- Claims involving damages for personal injury
- Shareholder disputes
- Succession claims
- Planning disputes
- Building and construction claims
- Property disputes
- Sports disputes

Arbitration

Anthony is an accredited arbitrator, a Fellow of the Chartered Institute of Arbitrators and registered in the Australian Register of Practising Arbitrators as a Grade 1 Arbitrator.

Arbitral Panel Appointments

Court of Arbitration for Sport (General and Football Lists)

Qatar International Center for Conciliation and Arbitration

Dubai International Arbitration Centre

AIAC

Thailand Arbitration Centre (THAC)

Singapore International Arbitration Centre (Reserve List)

Hong Kong International Arbitration Centre (HKIAC)

ACICA

National Court of PNG, International and Domestic Arbitrator Register

Sport Resolutions (UK), International Panel of Arbitrators

The FA (England), Judiciary Panel

National Sports Tribunal, Australia

Acting Racing Appeals Tribunal, NSW

Football Australia (FA) Appeals Committee

FA Dispute Resolution Chamber

FA Disciplinary and Ethics Committee

FNSW Appeals Tribunal

District Court of NSW

Local Court of NSW

Experience

Having regard to his experience in international arbitration, in June 2016, Anthony was appointed a Fellow of the Australian Centre for International Commercial Arbitration and a Fellow of Resolution Institute.

In 2020, he was appointed as a Fellow of the Chartered Institute of Arbitrators. Also, in 2020, Anthony's professional credentials were recognised by his Honour Deputy Chief Justice Kandakasi of the National Court of Papua New Guinea as an international arbitrator and included in the Court's Register of International and Domestic Arbitrators.

In recognition of his specialist knowledge of arbitration and sports law:

- in January 2016, Anthony was appointed by the International Council of Arbitration for Sport (ICAS) as an arbitrator of the Court of Arbitration for Sport (CAS) and his name appears on both the general list and the football list;
- in January 2019, he was appointed as the Acting Racing Appeals Tribunal (NSW)
- in February 2019, he was appointed to the International Panel of Arbitrators maintained by Sport Resolutions (UK);
- in March 2020, he was appointed as one of the inaugural part-time members of the National Sports Tribunal; and
- in September 2021, he was appointed to The FA (England) Judiciary Panel.

He has sat as both a sole and panel arbitrator including as Chair in almost 90 domestic and international arbitrations involving commercial, disciplinary and governance disputes.

CAS

In January 2018, Anthony presided over a hearing of a CAS Appeal Panel in Lausanne, Switzerland. In April 2018, he was appointed to the CAS ad hoc panel for the Commonwealth Games, Gold Coast, Australia.

In May 2018, Anthony was appointed to the CAS ad hoc panel for the Asian Games, Jakarta, Indonesia in August/September 2018.

In September 2018, Anthony was appointed as a sole arbitrator of an appeal to CAS from a determination of a single judge of the FIFA Players' Status Committee which was heard in Shanghai.

In December 2018, Anthony presided over a hearing of a CAS Appeal Panel in a disciplinary matter arising in Asia.

In February 2019, Anthony was appointed by a party in a commercial dispute.

In June 2019, Anthony was appointed as the sole arbitrator by parties in a disciplinary matter.

In August 2019, Anthony was appointed President of a panel in a good governance appeal.

In September 2019, Anthony was appointed to the Ad hoc panel for the FIBA World Cup.

In October 2019, Anthony was appointed President of a panel in a commercial dispute.

In May 2020, Anthony was appointed as Sole Arbitrator in a commercial dispute.

In July 2020, Anthony was appointed by a party in a commercial dispute.

Sport Resolutions (UK)

In 2019, Anthony was appointed as a member of the International Tennis Federation (ITF) International Panel for the Davis Cup and in 2020 to the same panel for the Fed Cup.

In 2020, Anthony was appointed as Chair of an ITF Independent Tribunal Panel to determine a dispute between the ITF and a Member Federation.

FA (Australia)

As a member of the FA Appeals Committee since 2008, Anthony has determined both disciplinary and non-disciplinary disputes that have arisen between the FA, Member Federations, Clubs, and Players mostly involving players and coaches of international repute.

As a member of the FA Dispute Resolution Chamber since 2008, Anthony has determined commercial disputes and appeals that have arisen between the FA, Member Federations, Clubs, and Players under the FA Grievance Resolution Regulations, some of which have involved players and coaches of international repute.

As a member of the FA Disciplinary and Ethics Committee also since 2008, he has determined disciplinary issues arising from on-field incidents involving players and coaches of international repute competing in Australia's Premier National football league (Hyundai A-League).

Football NSW

As the Chairman of the Football NSW Appeals Tribunal since 2012, Anthony has determined appeals involving both disciplinary and non-disciplinary disputes that have arisen between FNSW, Members of FNSW, Clubs and Players under the FNSW Grievance and Disciplinary Regulations.

Acting Racing Appeals Tribunal

As the Acting Racing Appeals Tribunal, Anthony has determined appeals heard on a *de novo* basis from first instance decisions in the thoroughbred and harness racing industries.

Other Arbitral Appointments

Anthony has been nominated by the President of Resolution Institute as a sole arbitrator in a domestic commercial dispute, by Surf Life Saving New South Wales to preside over a Judiciary Committee hearing in a code of conduct matter and by Australian Sailing in relation to member protection policy complaint.

Expert Determiner

Anthony is accredited by the NSW Bar Association as an expert determiner and is also registered by Resolution Institute as an expert determiner.

Academic Appointments

General Editor, *Banking and Finance Law of Australia* (LexisNexis) (2014 - 2020)

Editorial Panel of the *Insolvency Law Bulletin* (LexisNexis Butterworths) (1992 -)

Editorial Panel of the *Australian Banking & Finance Law Bulletin* (LexisNexis Butterworths) (1990-2013) (2016-)

Editorial Panel of the *Australian Civil Liability Bulletin* (LexisNexis Butterworths 2008 -)

Other Appointments

Manly Warringah Football Referees Association

Vice-President, Football Operations, Mosman Swans Junior Australian Rules Football Club (2011-2013)

Professional Memberships

Member, DIFC-LCIA Arbitration Centre

NSW Bar Association

Victorian Bar Association

International Mediation Institute

Resolution Institute

Australian Centre for International Commercial Arbitration

Australian and New Zealand Sports Law Association

Chartered Institute of Arbitrators

Former Member of the NSW Bar Association Bar News, Equal Opportunity, Health, Sport and Recreation and ADR Committees

Significant Cases, Presentations and Publications

Will be provided upon request.

Personal Interests

- Reading
- Walking
- Football (Soccer) (including as a qualified NSW Referee (FFA 3))
- Rugby League and AFL