



**MEG
O'SULLIVAN SC**
Barrister

+61 8600 1728
meg.osullivan@vicbar.com.au

ADMISSIONS

Appointed Senior Counsel 2021

Victorian Bar 2005

Solicitor (Victoria - 2002; New South Wales - 2004)

EDUCATION

Monash University - LLB (Hons) (2001) BA (Hons) (1998)

Australian National University – National Parliamentary Internship (1996)

University of Copenhagen, Denmark (2000)

PRIOR EMPLOYMENT

Mallesons Stephen Jaques (Articled Clerk 2001; Solicitor 2002-2005)

SELECTED CASES

COMMERCIAL LAW

Fred IT Group Pty Ltd v PharmX Pty Ltd (S ECI 2021 01394): acting for the plaintiff in this contract/trusts/debt claim.

Corum Systems Pty Ltd v Fred IT Group Pty Ltd (S CI 2020 02683): acting for the defendant in this proceeding involving breach of contract and misleading or deceptive conduct claims.

Keyport Pty Ltd v Health Department of Western Australia (CI 2020 03074): acted for the State of Western Australia in this commercial proceeding involving procurement of Covid related PPE (led by Philip Solomon QC).

Advice to ASIC concerning prospective proceedings for breach of directors' duties (2020) (led by Peter Collinson QC, with Georgia Berlic).

PharmX Pty Ltd v Fred IT Group Pty Ltd [2019] VSC 748: acted for the defendant in this proceeding concerning a joint-venture dispute involving change-of-control of one of the joint-venturers (led by Philip Solomon QC).

PharmX Pty Ltd v Fred IT Group Pty Ltd (No 2) [2019] VSC 494: acted for the defendant opposing an application for dispensation from the Harman obligation.

PharmX Pty Ltd v Fred IT Group Pty Ltd [\[2019\] VSC 231](#): acted for the defendant (led by Philip Solomon QC).

NGF Foods Pty Ltd v Bisso IT Pty Ltd (CI-19-03109): acted for the defendant in this proceeding concerning damage to tenanted premises.

Australian Pipe & Tube Pty Ltd v QBE Insurance (Australia) Limited (No 2) [\[2018\] FCA 1450](#): acted for QBE in this proceeding concerning a business interruption/loss of profits claim (led by Philip Solomon QC).

Nichols & Ors v Walter Elliot Holdings Pty Ltd (VCAT C3643/2015): acted pro bono for 14 residents against the owner and operator of a retirement village in litigation alleging unfair terms and seeking equitable and statutory relief (with Cam Truong).

ROYAL COMMISSIONS/ INQUESTS

Royal Commission into the Casino Operator and Licence (Crown Casino Royal Commission) 2021: acted as Counsel Assisting the Royal Commissioner (led by Adrian Finanzio SC and Penny Neskovic QC, with Geoff Kozminsky) (see [report](#)).

Vukovic Inquest: acted for Corrections Victoria in this Coronial Inquest into a prison suicide: see [findings](#) (4 April 2022).

EQUITY & TRUSTS

Rbagodia Pty Ltd v Business Service Brokers Pty Ltd (S CI 2019 05425): acted for the defendant in this trusts proceeding.

Salkovic v Salkovic (SECI 2019 01802): acted for the defendant (equity & trusts; proprietary estoppel).

LAIC v LAIC Inc [\[2018\] VSC 413](#): acted for the defendant in a 19-day trial concerning a complex trusts, express trusts, resulting trusts, constructive trusts, and associations law claim.

McDonald v Dunscombe [\[2018\] VSC 283](#): acted for the defendant in a 8-day trial; proceeding concerned equity & trusts and proprietary estoppel (led by Philip Solomon QC).

Crouch v Dunscombe (SCI 2015 04335): acted for the defendant; proceeding concerned equity & trusts and proprietary estoppel (led by Philip Solomon QC).

PROPERTY

Owners Corporation 1 Plan No. PS735439F v Singh (Owners Corporations) [\[2022\] VCAT 389](#): appeared as amicus curiae at the request of the Tribunal in this test case involving a new provision in the *Owners Corporation Act* 2006 (Vic) (leading Chris Lum).

Cox v McMillan [\[2020\] VSC 11](#): acted for the defendant in this easement dispute.

In the matter of an application under section 84(1)(a) and 84(1)(c) of the Property Law Act; Preety v Spring Property Developments Pty Ltd (S ECI 2019 03605): acted for the plaintiff in this application for modification of a caveat (led by Adrian Finanzio SC).

Collins v Greater Geelong City Council (No 1) (Building and Property) [\[2018\] VCAT 1873](#): acted for the applicant in this proceeding concerning a landslip (nuisance; s.16 Water Act claim) and consequent property damage.

Owners Corporation 4 PS539033E v Bensons Property Group Pty Ltd [\[2018\] VCAT 1769](#) (owners corporations; commercial)

Collins v Greater Geelong City Council (No 2) (Building and Property) [\[2018\] VCAT 2044](#) (landslip; nuisance; property damage)

Brand v Dungey (CI 18 00571): acted for the defendant in this dispute concerning easements and public rights of way.

Glen Ora v Brimbank City Council (SCI 2017 00266): acted for Brimbank City Council in this proceeding concerning rights of way (led by Adrian Finanzio SC).

Fort Knox Self Storage (Vic) Pty Ltd & Ors v Collins & Ors (S CI 2017 03026): acted for the defendant in this proceeding concerning public roadways.

Owners Corporation No 1 PS 644619K v Sofy Pty Ltd (CI 2019 01448): acted for the defendant in this dispute concerning easements, owners corporations and trespass.

Hazelwood Power Partnership v Latrobe City Council [\[2016\] VSCA 129](#): acted for Latrobe City Council in this appeal from a Supreme Court decision concerning mining, roads and drains (led by Adrian Finanzio SC).

Hazelwood Power Partnership v Latrobe City Council [\[2015\] VSC 638](#): acted for Latrobe City Council in this trial concerning mining, roads and drains (led by Adrian Finanzio SC).

Boerkamp v Minister for Planning [\[2014\] VSC 167](#): acted for the plaintiff in this standing dispute (led by Stuart Morris QC).

Aerolite Quarries Pty Ltd v Secretary, Department of Premier and Cabinet [\[2014\] VSC 616](#): acted for the Secretary (led by Kerri Judd QC) in this proceeding concerning protection of aboriginal heritage.

INSURANCE

Advised *Consumer Action Law Centre* on a pro-bono basis concerning a suite of cases involving contested insurance products (extended warranties) (2022).

Advised *Newcrest Mining Limited* in respect of a foreshadowed insurance claim for business interruption and property damage (led by Philip Solomon QC) (2021).

Tripod Farmers Pty Ltd v QBE Insurance Australia Ltd & Ors (SCI 2018 01945): acted for the plaintiffs in this claim regarding breach of insurance broking services (led by Cam Truong QC, with Rebecca Howe).

Australian Pipe & Tube Pty Ltd v QBE Insurance (Australia) Limited (No 2) [\[2018\] FCA 1450](#): acted for QBE in this proceeding concerning a business interruption/loss of profits claim (led by Philip Solomon QC).

Victoria University v Hansen Yuncken Pty Ltd (CI-18-05353) (property damage; building and construction).

PERSONAL INJURY

De Fegeby v State of Victoria & Ors (CI-19-02236): acting for the State of Victoria (leading Ben Jellis)

Chetcuti & Ors v State of Victoria (S CI 2019 01983): acted for the State of Victoria (led by Michael Wheelahan QC then Philip Solomon QC) in this proceeding concerning complex duty of care and Crown liability questions arising from psychiatric injury suffered in consequence of a crime committed by a prisoner on parole.

Sowersby v State of Victoria (2019): advised the State of Victoria in respect of this prisoner escapee case (led by Stephen O'Meara QC).

Major Carpets Pty Ltd v Marandos [\[2018\] VSCA 133](#) (led by Michael Wheelahan QC) (accident compensation).

Poole v State of Victoria (CI-18-02778): acted for the State of Victoria (led by Michael Wheelahan QC) in this proceeding concerning complex duty of care and Crown liability questions arising from psychiatric injury suffered in consequence of a crime committed by a prisoner on parole.

Daniel O'Donnell v Latrobe Regional Hospital & Ors (SCI 2017 02537): acted for a third party in this personal injury claim.

Taseska v MSS Security Pty Ltd [\[2016\] VSCA 193](#) (led by Michael Wheelahan QC) (negligence)

Betts & Ors v State of Victoria (CI-16-02334): acted for the State of Victoria (led by Michael Wheelahan QC then Philip Solomon QC) in this proceeding concerning complex duty of care and Crown liability questions arising from psychiatric injury suffered in consequence of a crime committed by a prisoner on parole.

Corp v State of Victoria (CI-16-03944): acted for the State of Victoria (led by Michael Wheelahan QC then Philip Solomon QC) in this proceeding concerning complex duty of care and Crown liability questions arising from psychiatric injury suffered in consequence of a crime committed by a prisoner on parole.

Phillips & Wietering v State of Victoria (CI-16-02020): acted for the State of Victoria (led by Michael Wheelahan QC then Philip Solomon QC) in this proceeding concerning complex duty of care and Crown liability questions arising from psychiatric injury suffered in consequence of a crime committed by a prisoner on parole.

Harrison v State of Victoria (CI-16-02017): acted for the State of Victoria (led by Michael Wheelahan QC then Philip Solomon QC) in this proceeding concerning complex duty of care and Crown liability questions arising from psychiatric injury suffered in consequence of a crime committed by a prisoner on parole.

Siernans v State of Victoria (CI-16-04059): acted for the State of Victoria (led by Michael Wheelahan QC then Philip Solomon QC) in this proceeding concerning complex duty of care and Crown liability questions arising from psychiatric injury suffered in consequence of a crime committed by a prisoner on parole.

O'Toole v State of Victoria (CI-16-02865): acted for the State of Victoria (led by Michael Wheelahan QC then Philip Solomon QC) in this proceeding concerning complex duty of care and Crown liability questions arising from psychiatric injury suffered in consequence of a crime committed by a prisoner on parole.

Rudd v State of Victoria (CI-16-02332): acted for the State of Victoria (led by Michael Wheelahan QC then Philip Solomon QC) in this proceeding concerning complex duty of care and Crown liability questions arising from psychiatric injury suffered in consequence of a crime committed by a prisoner on parole.

Wicking & Ors v State of Victoria & Ors (CI-16-02014): acted for the State of Victoria (led by Michael Wheelahan QC then Philip Solomon QC) in this proceeding concerning complex duty of care and Crown liability questions arising from psychiatric injury suffered in consequence of a crime committed by a prisoner on parole.

Seery v State of Victoria (CI-15-05306): acted for the State of Victoria (led by Michael Wheelahan QC then Philip Solomon QC) in this proceeding concerning complex duty of care and Crown liability questions arising from psychiatric injury suffered in consequence of a crime committed by a prisoner on parole.

OTHER TORTS

Allan and Megan Lourie v Telstra Corporation Limited (Supreme Court of Tasmania 1334 of 2020): acted for Telstra in this nuisance (fire) and negligence case.

Devon v Madgnicks & Ors [\[2016\] FCA 875](#): acted for a defendant in this professional liability case.

Owners Corporation No 1 PS 644619K v Sofy Pty Ltd (CI 2019 01448): acted for the defendant in this owners corporation, trespass and easement case.

Howard & Anor v O'Brien & Ors (CI-18-02623): acted for the defendants in this nuisance case (led by Michael Gronow QC).

CONSUMER LAW

Insurance Replacement Rentals Pty Ltd v Mekonnon (unreported, Magistrates' Court, 15 Nov 2018) (consumer protection)

Nichols & Ors v Walter Elliott Holdings Pty Ltd (ACL; unfair terms)

APPOINTMENTS/M'SHIP

Current member of the Executive of the Commercial Bar Association of Victoria

Current member of the Victorian Bar Pro-Bono Committee (since 2018)

Elected member of the Victorian Bar Council (2018 – 2020)

Appointed member of the Counsel Committee of the Victorian Bar (2018-2020)

Appointed member of the Audit, Finance and Risk Committee of the Victorian Bar (2018-2020)

Elected member of the Executive of the Commercial Bar Association of Victoria (2017-2019)

Law Institute of Victoria

Women Barristers Association

Monash Association of Debaters (life member)

ACADEMIC AWARDS

The Monash Vice-Chancellor's Undergraduate Research Scholarship 1997

ANU Institute of Advanced Studies Summer Research Scholarship 1997/98

Hector Munroe Prize for Best Philosophy Honours Student 1997

Monash Philosophy Award for Best First Year Philosophy Student 1994

Winner, World University Debating Championships, 1998/99

Runner Up, Australasian University Debating Championships 1999

Chief Adjudicator, World University Debating Championships 2000

Current as at May 2022