

# James C Paterson

## Profile:

Extensive experience primarily practising in the civil jurisdictions of the Federal, Supreme and County Courts and in appeals to the Court of Appeal and High Court of Australia. Retained in large and complex commercial litigation concerning listed, public and private companies with domestic and international disputes.

## Barrister Victorian Bar, 1993 -

- Read with Robin Brett QC

## Cases:

- *BHP v OkTedi Mining Ltd* (for State of Victoria with Solicitor General) (VSC Court of Appeal) (contempt of court)
- *Toll Holdings Ltd v Patrick Corporation Ltd* (VSC) (corporations law, listed public companies)
- *Metropolitan Ambulance Service v John Thwaites* (for State of Victoria with Solicitor General) (re Royal Commission, FOI)
- *Magill v Magill* (High Court of Australia) (deceit)
- *Prime Life Corporation v IOOF Community Villages Ltd* (VSC) (contract, TPA purchase of business, warranty claims)
- *Greenskies Pty Ltd (in liquidation) v National Rail Corporation Ltd* (VSC) (contract, insolvency)
- *Fieldturf (IP) Inc v Griffith Hack Lawyers (a firm)* ((FCA) (NSW)) (tort, insurance)
- *Natarajan v Siebel* (VSC) (overseas investor dispute, contract, TPA)
- *Windfarm Developments v Wind Hydrogen Ltd* (VSC) (injunction, option agreement, wind generation planning)
- *Global Bins Australia Pty Ltd v Nastri* (VSC) (corporations law, international shareholder, oppression)
- *Eftel Ltd v aaNet Communications Pty Ltd* (VSC) (insolvency, telecommunications)
- *Judo Federation of Australia-Selection Appeal* (sports law, Olympic selection dispute)
- *All Saints Estate v Vic Alps Wine Co* (VSC) (contract)
- *Babe-Ease v Dimmey's Stores* (FCA) (intellectual property)
- *Mag-Tek (USA)* (Letters Rogatory for US court)

- *Premier Building v Spotless Group* (VSC) (nuisance, insurance, insolvency, construction)
- *Colourpak Ltd v Colourpak Containers* (FCA) (TPA, passing off, international)
- *Eighteen Minutes Pty Ltd v Australian Residential Property Group* (VSC) (partnership dispute)
- *Australian Securities Ltd v Laging* (credit code)
- *My Town Australia v My Town Wangaratta* (corporations law, ASIC, managed investment scheme)
- *Bates v Yates Garden Care* (franchise, TPA)
- *Goulburn Murray Water v Portikal* (VSC) (property, water law)
- *PCM Nominees v St James Development* (VSC) (corporations law, managed investment scheme)
- *P-Cubed Pty Ltd v Program Planning Professionals* (FCA) (TPA, passing off)
- *Public Trustee of Queensland v Sgro Developments* (VSC) (injunction, property)
- *Duke Eastern Gas Pipeline* (VSC) (contract, property)
- *Super Products Pty Ltd v Tilt-Lift Equipment Pty Ltd* (FCA) (intellectual property)
- *Dallbrook v Kings Parking* (FCA) (injunction, insolvency)
- *Bendigo Mining NL v Greater Bendigo Gold Mining Ltd* (VSC) (mining law, property)
- *AWB Ltd v Agripark* (FCA) (injunction)
- *Solsteel Pty Ltd v Valbruna* (VSC) (contract, international trade)
- *Ranbuild Pty Ltd v Broerson* (contract)
- *OTS Financial News Pty Ltd v ASIC*
- *Elgas Ltd v Korsten Pty Ltd*
- *ACCC v Leahy Petroleum* (ACCC examinations)
- *The Opera Group Australia Ltd v United Energy* (VSC) (contract, IT consultancy)
- *Fitzwood Pty Ltd v Pineross Property Pty Ltd* (FCA) (insolvency, corporations law, property)
- *Keg Management Services Pty Ltd v Sladeon Pty Ltd* (FCA) (insolvency, corporations law)
- *ASIC v "A.C.M."* (ASIC hearing, seeking to ban director)
- *Trust Company of Australia v Power Import Pty Ltd* (corporations law)
- *Deputy Commissioner of Taxation v Rogers and Hill* (taxation)
- *State of Victoria v Behmer and Wright*

- *Alpine Resorts Commission v Falls Creek Lift Co.* (VSC, Court of Appeal)
- Various proceedings for *Commonwealth Bank*, *ANZ Bank* and *Suncorp Metway*

Native Title Claims (for State of Victoria):

- *Gunai / Kurnai Boonerwung* peoples' application
- *Wotjobaluk* native title application
- *DjaDja Wurrung* peoples' application
- *Tanngerong* people's native title application
- *Robinvale Aboriginal Communities* native title application

Professional Associations:

- Commercial Bar Association
- Australian Bar Association

CLE Presentations/Papers:

- Litigation funding
- IP – Confidential information

**Associate to the Honourable Mr. Justice Olney, Federal Court of Australia 1991—1993**

- Federal Court of Australia
- Aboriginal Land Claim Commissioner (N.T.)

**Solicitor 1988 – 1991**

- Commercial litigation
- Intellectual property
- Commercial leasing
- Company law
- Confidential information – *Secton Pty Ltd v Delawood Pty Ltd* (1991) 21 IPR 136 (instructed counsel – A Goldberg QC and S Crennan and provided computerised litigation support in the longest running civil action heard in Supreme Court of Victoria)

**Education**

Securities Institute of Australia:

- Securities Industry Law
- Mergers and Acquisitions
- The Securities Industry
- Securities Industries Economics
- Financial Statement and Analysis

Tertiary:

- Monash University 1983—1988  
BA LLB

Secondary:

- Scotch College, Melbourne 1971--1982