



Ground Floor  
Owen Dixon Chambers  
205 William Street  
Melbourne 3000  
DX 92 Melb

**John S. Kelly**

CEO / Barristers' Clerk

**T** 9225 7777

**M** 0412 360 174

**F** 9225 8480

**E** [foleys@foleys.com.au](mailto:foleys@foleys.com.au)

**W** [www.foleys.com.au](http://www.foleys.com.au)

**T** 61 3 9225 7345 (Direct)  
61 3 9225 7777 (Clerk)  
61 3 9822 8039 (PA Rita Kaso)

**M** 61 418 348 224

**E** [tnorth@vicbar.com.au](mailto:tnorth@vicbar.com.au)

**Chambers** **Aickin Chambers**  
**Level 28, 200 Queen Street**  
**Melbourne**

Tim North QC has more than 30 years extensive and diverse experience in commercial, and litigation involving contractual disputes, corporate governance, constitutional law and regulatory review, immigration, employment law/directors' duties, proceedings involving gaming and casino establishments in the Pacific Islands, anti-competitive behaviour involving competition and anti-trust law and practice and procedures relating to Prudential Regulation in Australia.

His practice also includes matters relating to , conflicts of interest involving Legal practitioners, superannuation, partnership disputes, winding-up & insolvency, trade practices and leasing disputes, price fixing, misconduct regarding procedural fairness of arbitrators, claims of exclusivity over retail, intellectual property, constructive trusts, equity, estates and trust law. He has appeared in cases and tribunals involving the *Western Australian Mining Act*.

He appears regularly as an International Mediator and Arbitrator in Australia and the Asia-Pacific Region.

He is a member of the Australian Institute of Judicial Administration and the International Bar Association.

He is also admitted to practice in the High Court of Australia and the Federal Court of Australia. He has appeared in Supreme Courts in NSW, Queensland, South Australia, Tasmania, Western Australia, Northern Territory and Australian Capital Territory. He has also appeared in the Privy

Council and the High Court of New Zealand, the Supreme Court of the Republic of Vanuatu and the Supreme Court of the Solomon Islands.

Admitted to the Legal Profession	1 April 1980
Associate to the Late Mr Justice Kenneth Marks	1980 -1982
Signed Victorian Bar Roll	19 May 1983
Appointed QC or SC	17 December 2002
Accredited as Mediator	7 February 2008
Nationally accredited Mediator	12 June 2008
Qualifications	LLB, B.EC, Dip. Com Law

#### **Experience in different jurisdictions**

---

International	–	London, England; Tokyo, Japan; Nice, France; Los Angeles, United States of America; The Republic of Vanuatu; The Republic of the Solomon Islands; Wellington, New Zealand
Australia	–	All States and Territories

For a list of recent cases and press coverage see below:

**- END -**

## Most recent and ongoing matters, judgments and related press coverage

---

### [ASIC v Kobelt \[2019\] HCA 18](#)

#### **Background of matter**

ASIC v. Kobelt [2019] HCA 18 – appeal from (2018) 352 ALR 689 – Civil penalty prosecution in relation to allegations of unconscionable conduct and unlicensed credit provision on Aboriginal community by store owner – ASIC appealed against conclusions of Full Federal Court that conduct was not unconscionable and Kobelt sought leave to cross appeal in relation to Full Federal Court's upholding contraventions of National Consumer Credit Protection Act 2009 (Cth) for unlicensed credit provision – leave to cross appeal dismissed – appeal by ASIC dismissed – see [http://www.hcourt.gov.au/cases/case\\_a32-2018](http://www.hcourt.gov.au/cases/case_a32-2018) and at 4 hours, 9 minutes of AV <http://www.hcourt.gov.au/cases/cases-av/av-2018-12-04>

### [Kobelt v ASIC \[2018\] FCAFC018](#)

#### **On appeal from**

[ASIC v Kobelt \[2016\] FCA 1327](#)

[ASIC v Kobelt \[2016\] FCA 1561](#)

#### **Background of matter**

On appeal. It was previously found that Mr Kobelt had contravened s 29(1) of the *National Consumer Credit Protection Act 2009* (Cth) (National Credit Act) by engaging in credit activity within the meaning of s 6(1) of the *National Credit Act* when selling vehicles by way of book-up without holding a licence to engage in that credit activity. The primary judge also made a declaration that Mr Kobelt had contravened s 12CB(1) of the *Australian Securities and Investments Commission Act 2001* (Cth) (ASIC Act) in that in connection with the supply of financial services to customers of Nobbys Mintabie General Store, he engaged in a system of conduct or pattern of behaviour which was unconscionable.

## **UNELCO Proceedings at the Republic of Vanuatu / URA**

### ***Tariff Arbitration***

#### **Background of matter**

By agreement (15 December 2010), following URA determination of tariff by reference to nominal rate of return of 9.13%.

#### **Outcome**

Panel determines nominal rate of return of 10.99% (20.3% increase on rate determined by URA)

### ***Judicial Review Proceedings re: Luganville Concession (Civil Case no. 101/2011)***

#### **Background of matter**

By UNELCO on 30 May 2011 following purported grant of Luganville electricity concession to Pernix/VUI.

#### **Outcome**

Republic agrees to consent orders declaring the grant of the Luganville electricity concession to Pernix/VUI void and of no effect and mandatory orders for the retendering of the Luganville electricity concession according to law.

#### **Judicial Review Proceedings re:**

- solar feed-in tariffs;
- financial support rules;
- information requests;

[Judicial Review Case no. 25/2014](#).

#### **Background of matter**

By UNELCO on 4 November 2014 following:

- the URA's purported final order and decision regarding solar feed-in tariffs;
- the URA's purported issue of financial support rules;
- the URA's requests for information.

**Outcome**

The Court determined:

- the URA's purported final order; and decision regarding solar feed-in tariffs was invalid and quashed
- the URA's issue of financial support rules was ultra vires, and quashed;
- the URA's requests for information were valid and enforceable.

**Judgment**

Case Number U-0002-14

[Judicial Review Proceedings re: business development incentive tariff \(Judicial Review Case no. 4/2015\).](#)

**Background of matter**

By UNELCO on 4 February 2015 following the URA's purported final order and decision regarding business development incentive electricity tariff.

**Outcome**

The Court determined the URA's purported decision and final order regarding the business development incentive tariff was invalid and quashed.

**Judgement**

Case Number U-0002-14

[Judicial Review Proceedings re: Water Tariff Review in Port Vila \(Judicial Review Case no. 30/2015\).](#)

**Background of matter**

By UNELCO on 6 November 2015 following the URA's purported final order and decision regarding the water tariff In Port Vila.

**Outcome**

The Court determined the URA's decision and final order regarding the water tariff review for Port Vila was invalid and quashed.

**Judgment**

Case Number U-0022-14

**Judicial Review Proceedings re:**

- consumer complaints and dispute resolution rules;
- regulatory guidelines for power purchase agreements;

(Judicial Review Case no. 745/2015).

**Background of matter**

By UNELCO on 20 November 2015 following:

- the URA's purported final order and decision regarding consumer complaints and dispute resolution rules and procedure;
- the URA's regulatory guidelines for Power Purchase Agreements for generation and supply of electricity.

**Outcome**

The Court determined:

- the URA's purported issue of consumer complaints and dispute resolution rules was invalid and quashed;
- on the URA agreeing that the guidelines were not binding on UNELCO, the challenge to the regulatory guidelines for power purchase agreements be dismissed.

[Proceedings re: Breach of Luganville Settlement Agreement \(Civil Case no. 760/16\).](#)

**Background of matter**

By UNELCO on 17 March 2016 to enforce the Settlement Agreement between UNELCO and the Republic dated 18 February 2014.

**Outcome**

Summary judgment awarded in favour of UNELCO regarding two alleged breaches.

Listed for hearing commencing 17 December 2018.

***Judicial Review Proceedings re: utility billing and payment rules of 6 May 2016 (Judicial Review Case no. 3321/16 and Civil Case no. 832/16).***

**Background of matter**

By UNELCO on 30 September 2016 following the URA's purported final order and decision regarding utility billing and payments rules for water and electricity services.

**Outcome**

The Court declared by consent that the purported utility billing and payments rules were unenforceable in relation to UNELCO's Concessions.

**Judicial Review Proceedings re: Infringement Notice No.1. of 2016 (Judicial Review Case no. 4033/16).**

**Background of matter**

By UNELCO on 22 December 2016 following the URA's Infringement Notice No. 1 of 2016.

**Outcome**

The Court declined to make the orders sought.

**Constitutional challenge regarding URA (Amendment) Act (2016) (Constitutional Claim) (Constitutional Case no. 238/17 and Civil Case no. 474/17).**

**Background of matter**

By UNELCO on 10 February 2017 following the passing of the *Utilities Regulatory Authority (Amendment) Act* [No 19 of 2016].

**Outcome**

The Court declined to make the orders sought.

**UNELCO v Republic of Vanuatu & URA (Constitutional Case No. 840/2018)**

- Separation of powers

***Union Electric Du Vanuatu Limited v Republic of Vanuatu and Utilities Regulatory Authority Judicial Review Case No. 25 of 2014, Justice D.V. Fatiaki (29 July 2015)***

**Background of matter**

These proceedings involved claims by the plaintiff alleging misrepresentations that induced it to enter into a sale and purchase agreement (SPA) for the purchase of businesses from the defendants and breaches of warranty and false or misleading statements in breach of the *Fair Trading Act 1986* (FTA) arising in the same transaction. The plaintiff also filed claims against the third to sixth defendants as guarantors of the defendant's liability, or as assignees of the benefits under the SPA.

The defendant issued counterclaims alleging breaches by the plaintiff of its post-acquisition obligations to resource the businesses in a way that compromised the prospects of the defendant earning additional consideration payments (earn-outs) for their sale and pre-contractual misrepresentations and breaches of the FTA.



***Union Electrique Du Vanuatu Limited v The Government of the Republic of Vanuatu***  
*(International Arbitration. Electricity concessions between Unelco and the Government of Vanuatu) (2011)-(2013)*

---

**Background of matter**

The matter relates to electricity concessions between the successful tenderer (a private entity) and the Government of Vanuatu

The proceeding involved a grant of extension of time to commence a claim for judicial review and setting aside stay of proceedings. The application was granted on appeal.

Civil Appeal Case No 7 of 2012 - Judgment 4 May 2012

This matter is still pending

**Website**

<http://www.kuthenergy.com/vanuatu/>

**[NZX Ltd v Ralec Commodities Ltd & Ors \[2016\] NZHC 2742](#)**

**[Cross Country Realty Victoria Pty Ltd & Anor v Ubertas 350 William Street Pty Ltd \[2015\] VCC 1012 \(31 July 2015\)](#)**

**Background of matter**

The first plaintiff's claim is for estate agent's commission said to be owing by the defendant. The second plaintiff's claim against the defendant is put on the same basis. Each of the plaintiffs are Estate Agents and the defendant is a builder and developer of a multi-unit development. The plaintiffs or one or other of them introduced purchasers who ultimately purchased units in the development and the plaintiffs were paid some commissions for introducing some of the purchasers. The defendant denies that any money was owing to the plaintiffs and, by counterclaim, it seeks the repayment of the total sum of \$3,084,774.00 paid by it to the plaintiffs being \$1,670,889.00 to the first plaintiff and, \$1,413,885.00 to the second plaintiff. The defendant pleaded a number of breaches by the plaintiffs of mandatory disclosure requirements of the Estate Agents Act 1980 ("the Act"). The defendant also pleaded that in those circumstances, having regard to the sections 49A and 50 of the Act, the plaintiffs are prohibited from suing for any unpaid commissions and, also cannot retain any commissions previously paid to it by the defendant for introducing purchasers of units in the development.

## Judgment

### *Finance & Guarantee Company Pty Ltd v Auswild & Ors [2015] VSC 361 (28 July 2015)*

#### **Background of matter**

Application to amend statement of claim – Adequacy of statement of claim – Staged discovery desirable prior to further consideration of proposed recast amended statement of claim.

## Judgment

### *NZX Limited v Ralec Commodities Pty Ltd & Ors [2015] NZHC1140*

#### *NZX Limited v Ralec Commodities Pty Limited*

*CIV 2011 485 1299 [2012] NZHC 1585*

#### **Background of matter**

Sale and Purchase Agreement.

Jurisdiction to award security for costs between Australia and New Zealand.

#### **Judgment**

[http://my.lawsociety.org.nz/in-practice/the-changing-law/case-commentary/cases-of-note-18-24-november/NZX\\_Ltd\\_v\\_Ralec\\_Commodities\\_Pty\\_Ltd1.pdf](http://my.lawsociety.org.nz/in-practice/the-changing-law/case-commentary/cases-of-note-18-24-november/NZX_Ltd_v_Ralec_Commodities_Pty_Ltd1.pdf)

### *Carbon Black Lab Pty Ltd v Launer [2015] VSCA 126 (29 May 2015)*

#### **Background of matter**

An application for leave to appeal, and if leave is granted an appeal, from a decision of a judge of the trial division granting an application under s 90(3) of the *Transfer of Land Act 1958* for the removal of a caveat.

## Judgment

### *ARB Corporation v Roberts & Ors [2014] VSC 495 (7 October 2014)*

#### **Background of matter**

Construction of agreement of sale and invention the subject of patent applications – Obligation to pay royalties following expiration of patent granted – Whether royalties payable to defendants after expiration of the patents.

## Judgment

### *Domain Paper (Australia) Pty Ltd v Galloway [2014] FCA 936 (28 August 2014)*

#### **Background of matter**

Legal professional privilege – advice privilege – dominant purpose of giving or obtaining legal advice or the provision of legal services – whether legal advice provided to individual in personal capacity or in capacity as director of company – onus of proving claim for privilege – whether onus of proving privilege discharged

## Judgment

### *Opes Prime Group Ltd & Anor v Niako Investments Pty Ltd & Anor [2014] VSC 414*

#### **Background of matter**

Application by defendant to counterclaim against plaintiffs by counterclaim — Plaintiffs by counterclaim are a corporation and a natural person — Reason to believe Corporation will not be able to pay costs of defendant to counterclaim if successful — Application made 4 years after commencement of Counterclaim— Whether security should be ordered against corporation where a natural person is also a plaintiff — Whether security should be ordered against the natural person — Whether delay inordinate — Security for costs not ordered — *Supreme Court (General Civil Procedure) Rules 2005* rr 62.02(1) — *Corporations Act 2001* (Cth) [s 1335\(1\)](#) — Inherent jurisdiction.

## Judgment

***Gun Capital Management Pty Ltd v Solamind Pty Ltd [2013] FCA 620 (North J)***

**Background of matter**

Gun Capital Management Pty Ltd (**Gun**) made a claim for compensation for misleading and deceptive conduct against the respondents. Gun alleges that false representations were made in telephone conversations with a representative acting on behalf of each of the respondents. Gun claims a loss resulting from the false representations amounting to \$6.5 million.

This claim is brought under s 52 of the *Trade Practices Act 1974* (Cth) and other statutory provisions in like terms.

**Judgment**

<http://www.judgments.fedcourt.gov.au/judgments/Judgments/fca/single/2013/2013fca0620>

***Pistorino v Connell (2013) VSC 21 (Sifris J)***

---

**Background of matter**

Abuse of process, limited utilising of proceedings. Stay of proceedings, breach of trust case against trustee and directors and compensation in complex trust structure.

***Grocon v Construction Forestry Mining and Energy Union (CFMEU)***

---

**Background of matter**

In September 2012, Grocon brought legal action against the CFMEU as a result of union blockades at its construction sites. Grocon tendered a writ in the Victorian Supreme Court claiming the CFMEU union bosses breached court orders by trying to stop workers accessing the company's Lonsdale Street site for three consecutive days in August 2012.

The parties reached a deal that brought an end to the blockade in September 2012, but Grocon is still seeking up to \$7 million in damages from the CFMEU.

The Victorian Government has joined Grocon in the action which names specific CFMEU union officials. There were five injunctions sought against the CFMEU within five days, arising out of the blockade.

The CFMEU was found guilty in May 2013 of contempt of court for blocking access to Grocon's Myer Emporium site on five days during the dispute.

This matter is still pending.

### **Press Coverage**

[http://www.afr.com/p/national/grocon\\_sues\\_cfmeu\\_for\\_rHcU3ZHLExaeiYifLXrBfO](http://www.afr.com/p/national/grocon_sues_cfmeu_for_rHcU3ZHLExaeiYifLXrBfO)

<http://www.abc.net.au/lateline/content/2012/s3578075.htm>

### ***Sportsbet Pty Ltd v State of New South Wales & Ors***

High Court of Australia 2011

---

### **Background of matter**

On 30 March 2012, in two landmark decisions, *Sportsbet Pty Ltd v State of New South Wales & Ors* (**Sportsbet**) and *Betfair Pty Limited v Racing New South Wales & Ors* (**Betfair**), the High Court determined that race fields fees imposed on betting operators by Racing New South Wales (**RNSW**) and Harness Racing New South Wales (**HRNSW**) under New South Wales legislation are constitutionally valid.

The two cases, although argued on slightly different grounds, finally settled the question on the legality of the race field's regime, which had been in a state of uncertainty since its introduction in 2008.

While the financial implications of the regime may, in some cases, be more severe for out-of-state betting operators, the regime as applied to Sportsbet and Betfair was found not to contravene the constitutional guarantee of freedom of interstate trade and commerce.

### **Judgment**

<http://www.austlii.edu.au/au/cases/cth/HCA/2012/12.html>

<http://www.abc.net.au/news/2011-03-11/bookie-fight-to-go-to-high-court/2661682>

### **Press Coverage**

<http://www.racenet.com.au/news/78741/Betfair%E2%80%99s-model-under-pressure-after-High-Court-ruling>

<http://www.abc.net.au/news/2012-03-30/tabcorp-a-winner-in-racing-fees-battle/3924308>

## Earlier matters:

---

[\*Simpson v Wotif \(2013\) NSWSC 124\*](#) – Proceedings regarding the acquisition of a web-based company and the earn-out provisions contained within the agreement

*Sportsbet Pty Ltd and Eureka Hotel Pty. Ltd v State of Victoria & Ors.* VID 808 of 2010 Federal Court 2011

[\*Yarri Mining Pty Ltd v Eaglefield Holdings Pty Ltd \[2010\] WASCA 132\*](#) (21 July 2010) – An appeal primarily regarding a consequence of a contravention of s 69 of the *Mining Act 1978* (WA)

[\*STY \(Afforestation\) Pty Ltd v Atkinson\*](#) – (all proceedings involving the collapse of Environinvest Afforestation) Court of Appeal (2006) VSC A 283

*Octagon v Hewitt* (Proceeding involving enforcement of sponsorship and representation contract worldwide)

*Blanchett v Mitrīs* – (Proceedings involving gaming and casino establishment in the Pacific Islands)

[\*Carter v Dennis Family\*](#) – (Employment Contract) (2010) VSC 431

*VCA and Australian Prudential Regulation Authority* (2008) 105 ALD 236 – (Practice and procedure of Prudential Regulation in Australia)

*ACCC v Imagine Group and Evans* – (Anticompetitive behaviour involving contraventions of the then Trade Practices Act)

*Sportsbet Pty Ltd and Eureka Hotel Holdings v State of Victoria, VCGR and Tabcorp Holdings Ltd* (Claims of exclusivity over retail) (2011) 282 ALR 423 [\(2011\) FCA 961](#)

*Sportsbet Pty Ltd v State of Victoria and VCGR* – (Regulatory review)

*Sportsbet Pty Ltd v Harness Racing Victoria and State of Victoria No 6* – Regulatory review (2012) 293 ALR 658

*Sportsbet Pty Ltd v Racing New South Wales [2011]* (2012) 286 ALR 404 [\(2012\) HCA 13](#)

[\*Sportsbet Pty Ltd v Racing New South Wales \[2010\] FCAFC 132\*](#) – Constitutional law and regulatory review (2010) 196 FCR 226, 269 ALR 362 (2010) [FCA 604](#)

[\*Sportsbet Pty Ltd v Moraitis \(2008\) NTSC 54\*](#) – Cross-vesting between Northern Territory Supreme Court and the NSW Supreme Court

[\*VCA v Australian Prudential Regulation Authority \(2008\) AATA 580\*](#) (Prudential Regulation of Disqualification of Officers)

[\*ACCC v Australian Abalone Pty Ltd \(2007\) FCA 1834\*](#) (Restrictive Trade Practices)

[\*Sent v Primelife Corporation Limited\* \[2006\] VSC 445](#) (Employment law/Directors' duties)

[\*K & S Corporation v Number One Betting Shop\* \[2005\] SASC 228](#) (24 June 2005)  
(Constructive Trust)

[\*K & S Corporation v Number One Betting Shop and Sportingbet Plc\* \[2004\] SASC 155](#)  
(Constructive Trust)

[\*Qenos Pty Ltd v Mobil Oil Pty Ltd \(No. 2\)\* \[2002\] VSC 524](#) (Misconduct procedural fairness of arbitrator)

[\*Qenos Pty Ltd v Mobil Oil Pty Ltd \(No. 1\)\* \[2002\] VSC 379](#) (Misconduct procedural fairness of arbitrator)

[\*Quarry Quip Engineering Pty Ltd v Starr\* \[2002\] VSC 541](#) (Magistrates Appeal –whether evidence supports findings)

*ACCC v Leahy Petroleum Pty Ltd* [2003] FCA (Pricing fixing)

[\*ACCC v S.I.P. \(1999\)\* FCA 858](#) (Penalty Provision)

*ACCC v Mobil Australia* (1997) ATPR 43,884 (Strike out pleading. Competition Dispute)

*King v Lintrose Nominees Pty Ltd* (1993) VConvR 54-483; (2001) 4 VR 619  
(Principal/Agent)

[\*Spitfire Nominees Pty Ltd v Hall & Thompson \(A Firm\)\* BC200108136 \[2001\] VSCA 245](#)  
(Want of Prosecution)

*Schutt Flying Academy (Australia) Pty Ltd v Mobil Oil Australia (Court of Appeal)* (2000)  
[VSCA 103](#) (2001) 1 VR 523 (Avgas dispute)

[\*Epping Plaza Fresh Fruit & Vegetables Pty Ltd v Bevendale Pty Ltd\* \[1999\] VSCA 43](#) (23 April 1999) (Trade Practices and Leasing dispute)

[\*Jonsandi Transport Pty Ltd v Paccar Australia Ltd\* \[1999\] FCA 1788](#) (Representative proceeding)

*Young v Murphy* (Full Court) (1996) 1 VR 279

*Asea Brown Boveri Superannuation Fund No. 1 Pty Ltd v Asea Brown Boveri Pty Ltd* –  
VSC BC9707404 (Superannuation)

*David Grant v Westpac Banking* (1995) 2 VR 482 (Winding up – statutory demand)

*Linfox Pty Ltd v Citibank* (Hedigan J) (1995) 1 VR 638

*Macquarie Bank Ltd v Myer* (Appeal Court) 1994 1 VR 350 (Conflict of Interest Legal practitioners)

*Counsel for Priestly and Morris* in all aspects of litigation involving the collapse of Estate Mortgage Trusts

**Counsel for Bill Farrow & Farrow Corporation** in all aspects of litigation involving collapse of Pyramid Building Society

**Burns Phillip & Co Ltd v Bhagat** (Appeal Court) (1993) 1 VR 203 (costs Representative proceedings)

**Palko & Anor v Minister for Immigration and Ethnic Affairs** (1987) 77 ALR 125 (Immigration)

**Schofield Goodman & Sons Ltd v Zyngier** (Privy Council) (1986) AC 562, (Full Court) (1986) VR 311 (Contribution between co-sureties)

Gaming Wagering and S.92 related cases

**Sportsbet Pty Ltd v Harness Racing Victoria [No 6]** [2012] FCA 896

**Sportsbet Pty Ltd v New South Wales** [2012] HCA 13

**The State of Victoria v Sportsbet Pty Ltd** [2012] FCAFC 143

**Sportsbet Pty Ltd v Harness Racing Victoria [No 7]** [2012] FCA 1093

**Sportsbet Pty Ltd v The State of Victoria** [2011] FCA 961

**Sportsbet Pty Ltd v Harness Racing Victoria [No 4]** [2011] FCA 196

**Sportsbet Pty Ltd v Harness Racing Victoria [No 5]** [2011] FCA 954

**Sportsbet Pty Ltd v The State of Victoria** [2011] FCA 1052

**Sportsbet Pty Ltd v The State of Victoria** [2011] FCA 170

**Sportsbet Pty Ltd v New South Wales** [2010] FCA 604

**Racing New South Wales v Sportsbet Pty Ltd** [2010] FCAFC 132

**Sportsbet Pty Limited v State of New South Wales [No 8]** [2010] FCA 15

**Sportsbet Pty Ltd v Harness Racing Victoria [No 3]** [2010] FCA 1420

**Sportsbet Pty Ltd v State of New South Wales [No 11]** [2010] FCA 59

**Sportsbet Pty Ltd v State of New South Wales [No 12]** [2010] FCA 62

**Sportsbet Pty Ltd v State of New South Wales [No. 14]** [2010] FCA 127

**Sportsbet Pty Ltd v State of New South Wales [No 15]** [2010] FCA 697

**Sportsbet Pty Ltd v State of New South Wales [No 9]** [2010] FCA 31

**Sportsbet Pty Ltd v The State of Victoria** [2010] FCA 1219

**Sportsbet Pty Ltd v. Moraitis** [2010] NTSC 24

**Sportsbet Pty Limited v Harness Racing Victoria** [2009] FCA 1471



***Sportsbet Pty Limited v Racing New South Wales [No 13]*** [includes corrigendum dated 12 February 2010] [2009] FCA 1582

***Sportsbet Pty Limited v State of New South Wales [No 3]*** [2009] FCA 1283

***Sportsbet Pty Ltd v State of New South Wales [No 1]*** [2009] FCA 112

***Sportsbet Pty Ltd v State of New South Wales [No. 2]*** [2009] FCA 762

***Sportsbet Pty Ltd v State of New South Wales [No. 3]*** [2009] FCA 1248

***Sportsbet Pty Ltd v State of New South Wales [No 4]*** [2009] FCA 1509

***Sportsbet Pty Ltd v State of New South Wales [No 5]*** [2009] FCA1510

***Sportsbet Pty Ltd v State of New South Wales [No 6]*** [2009] FCA 1511

***Sportsbet Pty Ltd v State of New South Wales [No 7]*** [2009] FCA 1585

***Sportsbet Pty Ltd v. Moraitis*** [2008] NTSC 54

***K & S Corporation & Anor v. Number 1 Betting Shop Limited & Ors*** [2005] SASC 228

***Sportingbet Australia Pty Ltd v. K & S Corporation Limited & Ors*** [2004] SASC 31

***K & S Corporation and K & S Group Pty Ltd v. Number 1 Betting Shop Limited and Sportingbet PLC*** [2004] SASC 155

***Sportingbet Australia Pty Ltd v. K & S Corporation Limited & Ors*** [2003] SASC 244

### ***Sports Law***

---

There have been a number of appearances at sporting tribunals which include the following:

- 1 The Court of Arbitration for Sport (CAS)
- 2 SANZAR judicial hearings and appeals
- 3 International Rugby Board Appeals

## **Other Appointments**

---

**Associate Member of Institute of Arbitrators and Mediators**

**Affiliate Member Australian Securities Institute of Australia**

**President Victorian Rugby Union Inc (2010 to date)**

**Chairman Weary Dunlop Rugby Foundation Limited**

**President of Melbourne Rebels Rugby Union Limited**

**Chairperson of the Emerald Tourist Railway Board**

**Formerly Director/Secretary Australian Junior Rugby Union Limited (2007 – 2010)**

**Life Member Monash University Law Alumni**

**Formerly President of the Scotch College Scrum Club 2007-2009**

**Formerly President Powerpoints Master Swimming Club**

**Member of the Australian Institute of Judicial Administration**

**Member of the Australia Club**

**Member of the Kooyong Lawn Tennis Club**

**Member of the RACV Club**

**Former Member of LaTrobe University Advisory Counsel**