

## **Greg Burton SC: Selected Cases**

*Stein v Sybmore Holdings* [\[2006\] NSWSC 1004](#) (Campbell J) (scope of power to alter trusts in section 81 *Trustee Act 1925 (NSW)* to vary vesting dates and beneficiary rights)

*Hagan v Waterhouse* (1992) 34 NSWLR 308 (equity, trustees' duties, alleged fraud, limitation acts in trust context)

*Labraga v Pomfret* [\[2005\] NSWSC 973](#) (removal of executors/trustees)

*Exception Holdings Pty Ltd v Albarran (No 2)* [2005] NSWSC 981 (subrogation to security rights)

*Heperu Pty Ltd v Belle* [\[2009\] NSWCA 252](#), [\[2010\] NSWCA 13](#), [\[2010\] NSWCA 339](#), [\[2011\] NSWSC 1151](#) (tracing and account rights in respect of retained benefits)

*Macquarie International Health Clinic Pty Ltd v Sydney South West Area Health Service* [\[2008\] NSWSC 738](#), [\[2009\] NSWSC 629](#), [\[2010\] NSWSC 1139](#), [\[2010\] NSWCA 268](#), [\[2010\] NSWCA 348](#), [\[2011\] NSWCA 171](#) and ongoing (good faith, many areas of commercial, finance, valuation and property law)

*Residential Housing Corporation Pty Ltd v Esber* [\[2011\] NSWCA 25](#) (rights and obligations of mortgagees in respect of surplus in equity and under section 58(3) *Real Property Act 1900 (NSW)*)

*Sahab Holdings Pty Ltd v Registrar-General and Castle Constructions Pty Ltd* [\[2011\] NSWCA 395](#), [\[2012\] NSWCA 42](#), [\[2013\] HCA 11](#), 44 (interaction of powers to alter register and principles of indefeasibility)