

**DAVID HARRIS**  

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**BARRISTER**



**CONTACT DETAILS**

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5 Wentworth Chambers, 180 Phillip Street, Sydney NSW 2000  
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**AREAS OF PRACTICE**

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- Administrative law
- Banking, securities and insolvency
- Class actions and representative proceedings
- Constitutional law
- Construction law
- Corporate and Commercial
- Equity

**ADMISSIONS**

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**2015** Barrister, New South Wales

**2010** Solicitor, Supreme Court of New South Wales and High Court of Australia

**EDUCATION**

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**2010** Graduate Diploma of Legal Practice, College of Law, Sydney

**2008** Bachelor of Arts with Bachelor of Laws, Macquarie University, Sydney  
Honours, class 1. Several awards and prizes in areas including legal research, constitutional and international law and mooted competitions.

**EXPERIENCE**

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**From 2015** Barrister, 5 Wentworth Chambers

Significant cases include:

- *BrisConnections Finance Pty Ltd (receivers and managers appointed) & Ors v Arup Pty Ltd.* Acting for Thiess and John Holland (led by John Sheahan QC and Hugh Stowe, instructed by MinterEllison) in Federal Court proceedings involving contractual and misleading and deceptive conduct claims about traffic forecasts for the Brisbane M7 Airport Link project.
- *Voyer v CIMIC Group Ltd* (NSW Supreme Court proceeding, settled prior to hearing). Defended CIMIC (led by Ross Foreman, instructed by Herbert Smith Freehills) in a contract dispute concerning employment entitlements.
- Acted for Tropfest Australia Pty Ltd (instructed by Simpsons Solicitors) in enforcement proceedings to recover sponsorship fees that were lost as a result of the cancellation of the Tropfest short film festival.
- Acting for Bupa (briefed directly, led by Cynthia Cochrane) in a range of contractual disputes and debt recovery proceedings in the NSW Supreme Court and Federal Court.

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**CURRICULUM VITAE**

- Acting for Adbri Masonry Pty Ltd (led by Cynthia Cochrane, instructed by MinterEllison) in relation subpoenas issued in NSW Supreme Court Commercial List proceedings between the Commonwealth Bank of Australia and Iyad Rafidi.
- *Bandara v Director of Public Prosecutions* [2016] NSWCA 140. Appeared as amicus (led by Michael Heath) in judicial review, administrative law proceedings in the Court of Appeal.
- *Charles Stuart Motel Pty Ltd (in liquidation) & Ors v Suchand Pty Ltd*. Acted for defendants (led by Hugh Stowe, instructed by FWO Solicitors) in expedited NSW Supreme Court proceedings commenced by the liquidators and the financier of a motel business concerning fiduciary duties and misleading and deceptive conduct. Settled prior to hearing.
- *Sproule v Sproule* (2015 NSW Supreme Court proceeding, settled mid hearing). Led by Andrew Bulley in family dispute concerning complex issues of equity and trusts.
- *Brown v Childs Property Inspections Pty Ltd* (2016, NSW District Court, unreported). Successfully defended negligence and breach of contract claims relating to a pre-purchase property inspection (led by James Gibson, instructed by Moray & Agnew Lawyers).
- *Gutierrez v Packham* (2016, NSW District Court, unreported). Obtained judgment relating to repayment of a loan given under an oral contract (unled, instructed by Tibby Morgenstern).
- *Geneville Constructions Pty Ltd v Leslight*. Acting for a builder (unled, instructed by Usher Levi Lawyers) in NSW Civil & Administrative Tribunal home building proceedings.

**2007 – 2015** Allens, Senior Associate (from January 2014) (Corporate Insolvency & Restructuring, Commercial Litigation & Dispute Resolution and Projects practice groups)

Significant cases whilst a solicitor included:

- *Inabu Pty Ltd v Leighton Holdings Limited* [2014] FCA 622. Defended Leighton Holdings in regulatory investigations, a continuous disclosure shareholder class action and mediation.
- *Re Wine National Pty Ltd, James Estate Wines Pty Ltd, Liquor National Pty Ltd* [2014] NSWSC 507. Advised Australia and New Zealand Banking Group Ltd and PricewaterhouseCoopers in relation to the receivership of the David James group of companies, including defending proceedings challenging the receivers' appointment.
- *Richards v Macquarie Bank Ltd (No 5)* [2013] FCA 1442. Defended Macquarie Bank in lengthy Federal Court proceedings involving an ASIC regulatory claim and an associated class action arising from the collapse of Storm Financial.
- *Commissioner of State Revenue v Snowy Hydro Ltd* [2012] VSCA 145. Acted for Snowy Hydro in appeal proceedings concerning the assessment of land rich duty.
- *TPG Newbridge Myer Ltd v The Deputy Commissioner of Taxation* [2011] FCA 1157. Advised TPG in relation to the ATO's application to wind up foreign group companies.
- Acted for KordaMentha, the receivers and managers of Willmott Forests, on several debt recovery proceedings and creditor's petitions.
- Acted for Bendigo and Adelaide Bank in various debt recovery proceedings following the collapse of the Great Southern managed investment schemes.
- Acted for QIC in lengthy NSW Supreme Court litigation concerning construction defects and delays on the Westpoint Shopping Centre.

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