

## DOMINIC DELANY

Fifth Floor, St James' Hall  
169 Phillip St  
Sydney NSW 2000  
02 8257 2540  
dominic.delany@stjames.net.au

### PRINCIPAL AREAS OF PRACTICE

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Dominic accepts briefs in all areas, including:

- Administrative & public law
- Commercial law
- Criminal law
- Equity
- Insolvency & bankruptcy
- Insurance
- Planning and environment law
- Real property

### PROFESSIONAL BACKGROUND

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*Barrister, Fifth Floor St James' Hall, June 2018 -*

*Arnold Bloch Leibler, Sydney (2013- May 2018)*

- Solicitor/Senior Associate, litigation

*Baker & McKenzie, Sydney (2012-2013)*

- Solicitor

*Western Australian Supreme Court, Court of Appeal (2011)*

- Associate to Drummond AJA, working on *Westpac Banking Corporation v Bell Group Ltd (in liq) (No 3)* (2012) 44 WAR 1; (2012) 270 FLR 1; (2012) 89 ACSR 1; [2012] WASCA 157

*East Asia Forum, Crawford School of Economics and Governance, Australian National University (2009-10)*

- Editor

### ACADEMIC QUALIFICATIONS

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*University of Sydney, Master of Laws (2015-current)*

- Master of Laws (ongoing)

*Australian National University (2005 – 2010)*

- Bachelor of Laws (Honours)/Bachelor of Asian Studies (Specialist) (Chinese)

Member, Australian National University (ANU) Distinguished Scholar Program (2005 - 2010)

Student, Tsinghua University, Beijing, studying Chinese law and literature (2007-2008)  
Member, ANU Jessup Moot Team (2006-2007)

*Liaoning University, Shenyang, China (2004)*

- Diploma of Chinese Language

Undertaken pursuant to an Australia China Council (Department of Foreign Affairs and Trade)  
'Year in China' Full Scholarship (2004)

*Australian Music Examination Board, The University of Melbourne (2002)*

- Associate Diploma of Music (Piano Performance)

## SELECTED MATTERS

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- *DLJ18 v Minister for Home Affairs* [2018] FCA 1650 (led by C Lenehan) (judicial review application)
- *DEO17 v Minister for Home Affairs* [2018] FCA 1174 (led by C Lenehan) (judicial review application)
- *Xue v Minister for Immigration and Border Protection* [2018] FCA 1527 (led by C Lenehan) (judicial review application)
- *In the matter of ACN 004 410 833 Ltd (formerly Arrium Limited)* (NSW Supreme Court) (led by P Crutchfield QC, D Snyder, and also unled) (ongoing – administrators' examinations, acting for the deed administrators)
- *Sweetpea Petroleum Pty Limited v Paltar Petroleum Limited* [2018] NSWSC 1649 (led by SJ Free SC) (interlocutory application, stay of proceedings pending reference to expert determination)
- *In the matter of SG Capricorn Investments Pty Limited (in liquidation)* (NSW Supreme Court) (unled) (liquidator's examinations, acting for an examinee)
- *Tern Hill Pty Limited as trustee for the Imaging Trust trading as X-Ray @ the Gardens v Philips Electronics Australia Limited* (NSW Supreme Court) (unled) (ongoing - misleading or deceptive conduct, contract)
- *In the matter of Earth Civil Pty Limited (in liquidation)* (NSW Supreme Court) (led by J Lockhart SC, S Lawrance) (ongoing - directors' duties, related allegations)
- *Biles v R* (NSW Court of Criminal Appeal) (led by A Francis) (murder appeal, submissions only, judgment reserved).

## SELECTED CASES AS A SOLICITOR

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- *Adani Abbot Point Terminal Pty Ltd v Lake Vermont Resources Pty Limited & Ors*, QLD Supreme Court Proceeding no 9440 of 2017 (ongoing) (contractual construction, breach of contract, unconscionable conduct)
- *Woolworths Ltd v About Life Ltd* [2017] NSWSC 1117; (2017) 18 BPR 36,983 (contractual

construction, equity - priority, notice)

- *Australia Capital Financial Management Pty Ltd v Linfield Developments Pty Ltd* [2017] NSWCA 99; (2017) 18 BPR 36,683 (equity – priority, notice)
- *Akea Ltd & Ors v Paltar Petroleum Ltd & Ors*, NSW Supreme Court Proceeding no 250753 of 2014 (misleading or deceptive conduct, unconscionable conduct)
- *Guo & Anor v Song & Ors*, NSW Supreme Court Proceeding no 92649 of 2015 (ongoing) (breach of contract, fiduciary duties, oppression)
- *Ellimark v Calvo Pty Ltd*, [2016] HCASL 238; *Calvo v Ellimark Pty Ltd* [2016] NSWCA 136 (construction of notice issued under a deed, Contracts Review Act); *Ellimark Pty Ltd v Calvo* [2015] NSWSC 1240 (construction of notice issued under a deed, unconscionable conduct, Contracts Review Act)
- *Investec Australia Finance Pty Limited v Naude* [2016] FCA 731 (bankruptcy)
- *Minumbra Pty Ltd v AM Lancewood Investment Nominees Pty Limited* (2015) 17 BPR 33,781; [2015] NSWSC 302 (construction of a contract of guarantee, subrogation)
- *Betervale v Warehouse Solutions International (No 3)* [2015] NSWSC 1356 (validity of notices to quit, options under sub-leases)
- *Blairgowrie Trading Ltd v Allco Finance Group Ltd (Recs & Mgrs Aptd )(In Liq)* (2015) 325 ALR 539; (2015) 108 ACSR 1; [2015] FCA 811 ('common fund' application)
- *Ashton v Pratt* (2015) 88 NSWLR 281; (2015) 318 ALR 260; [2015] NSWCA 12 (estoppel, contract)
- *In the matter of Brickworks Limited v M.H. Carnegie & Co Pty Limited* [2014] FCA 1313 (oppression)
- *In the matter of the Australian Securities and Investments Commission v Black* (criminal prosecution of the former chief financial officer of the company then known as ABC Learning Centres Ltd for contraventions of s. 1309(1) of the Corporations Act)
- *Minumbra Lancewood Pty Ltd v AM Lancewood Investment Nominees Pty Limited* [2013] NSWSC 1929 (construction of clause in loan agreement)

## LANGUAGES

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- English
- Mandarin Chinese