

Set out below is a selection of recent cases in which Andrew has appeared:

Recent trials

ProLearn Corporation v Kytect Pty Ltd & Telstra Corporation Ltd (Supreme Court trial, June 2019, Digby J, judgment reserved, alleged negligence and misleading and deceptive conduct concerning the installation of an automated telephone system).

Australian Pipe and Tube Pty Ltd v QBE Australia (Australia) Ltd (No 2) [2018] FCA 1450 (Federal Court trial; Beach J; successful business interruption insurance claim and damages assessment)

Sim Development Pty Ltd v Greenvale Property Group Pty Ltd [2017] VSC 355 (Supreme Court trial; property development; contractual construction)

Sim Development Pty Ltd v Greenvale Property Group Pty Ltd (No. 2) [2017] VSC 456 (Supreme Court trial; costs; validity of *Calderbank* offers)

Southern Cross Computer Systems v Palmer & Ors (No. 2) [2017] VSC 460 (Supreme Court trial; restraint of trade clause in a share sale agreement)

MW Corp Pty Ltd v Sabita Lalita Nominees (County Court trial; dissolution of partnership) [2017] VCC 832

Webster Investments Pty Ltd v Anderson (2016) 52 VR 610 (Supreme Court trial, mortgage executed by mistake, guarantee, impairment of security, discharge of guarantor)

Ross v Gippsreal [2016] 122 ACSR 1; [2016] VSC 753 (Supreme Court trial, receiver's right to an equitable lien; construction of an indemnity)

Portbury Development Co Pty Ltd v Ottedin Investments Pty Ltd [2014] VSC 57 (Supreme Court trial, property re-sale; claims against guarantors)

Recent appeals

SIM Development Pty Ltd v Greenvale Property Group Pty Ltd [2018] VSCA 201 (Victorian Court of Appeal; property development; contractual construction; construction of *Calderbank* offers)

The Gull Lexington Group Pty Ltd v Laguna Bay (Banongill) Agricultural Pty Ltd (2018) 55 VR 273; [2018] VSCA 85 (Victorian Court of Appeal; sale of business; expert determination clause)

SIM Development Pty Ltd v Greenvale Property Group Pty Ltd [2017] VSCA 345 (Victorian Court of Appeal; removal of caveat)

Gippsreal Limited v David Anthony Ross and Richard Albarran [2017] VSCA 257 (Court of Appeal; receiver's right to an equitable lien; construction of an indemnity)

Melbourne Orthopaedic Group v Stamford Aus-Trade & Press [2015] VSCA 150 (Court of Appeal, trusts, intention to create a trust, resulting trust).

Gemmell v Le Roi Homestyle Cookies Pty Ltd (in liq) (2014) 46 VR 583; (2014) 102 ACSR 367; [2014] VSCA 182 (insolvent trading; privilege against self-incrimination).

Petrovic v Brett Grimley Sales Pty Ltd [2014] VSCA 99 (Court of Appeal, setting aside a transaction under section 172 of the *Property Law Act* – alienation with intent to defraud creditors).

Settlement Group v Purcell Partners (a firm) [2013] VSCA 68 (Court of Appeal; property settlement, professional negligence, proprietary estoppel).

V-Flow Pty Limited v Holyoake Industries (Vic) Pty Limited (2013) 296 ALR 418; (2013) 93 ACSR 76 (Full Federal Court appeal, statutory compensation under 1317H of the Corporations Act for breaches of directors' duties, account of profits, equitable compensation).