

EDWARD GOODWIN KC

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Matters in which Edward Goodwin KC has appeared since being called to the Bar

1. *Mallonland Pty Ltd & Anor v Advanta Seeds Pty Ltd* [2023] QCA 24 per Morrison and Bond JJA and Williams J (led by Peter Dunning KC, with Mei Barnes)

Appeal, class action, alleged duty of care of manufacturer for pure economic loss, limitation of actions
2. *Thomson v Australian and New Zealand Banking Group Limited* [2022] QCA 226 per Mullins P, Bond JA and Appelgarth J

Application for appointment of contradictor
3. *Glencore Coal Queensland Pty Limited a State of Queensland & Anor* [2022] QSC 240 per Bradley J (led by Michael Izzo SC);

Separate questions, interpretation of the Taxation Administration Act, ownership of coal and applicability of royalties
4. *Australia and New Zealand Banking Group Limited* [2022] QSC 18 per Williams J

Application to set aside statutory demand
5. *Adeva Home Solutions Pty Ltd v Queensland Motorways Management Pty Ltd* [2021] QCA 198 per Fraser and Bond JJA and Wilson J (led by Patrick O'Shea KC)

Appeal, class action, form of security for costs
6. *Compass Group Education Hospitality Services Pty Ltd v Commissioner of State Revenue (CSR)* [2021] QCA 098 per Morrison and Philippides JJA and Williams J (led by Brian O'Donnell KC)

Appeal regarding interpretation of the *Payroll Tax Act 1971* (Qld) in relation to exemptions

7. *Mallonland Pty Ltd v Advanta Seeds Pty Ltd* [2021] QSC 132 per Jackson J (led by Peter Dunning KC, together with M Barnes)

Costs

8. *Mallonland Pty Ltd v Advanta Seeds Pty Ltd* [2021] QSC 074 per Jackson J (led by Peter Dunning KC and Gareth Beacham KC, together with L Judd, M Barnes and M Brooks)

Class action trial regarding seed manufacturing, negligence

9. *Furniss v Blue Sky Alternative Investments Limited* [2021] QSC 121 per Crow J

Costs

10. *Furniss v Blue Sky Alternative Investments Limited* [2021] QSC 46 per Crow J (led by Robert Bain KC)

Access to documents under section 247A of the *Corporations Act 2001* (Cth) for a proposed class action

11. *Adeva Home Solutions Pty Ltd v Queensland Motorways Management Pty Ltd* [2020] QSC 361 per Applegarth J (led by Patrick O'Shea KC)

Class action, form of security for costs

12. *Denford and Manville* [2020] FamCA 177 per Hogan J

Legal professional privilege, section 125 of the *Evidence Act 1995* (Cth)

13. *Compass Group Education Hospitality Services Pty Ltd & Anor v Commissioner of State Revenue* [2020] QSC 261 per Holmes CJ

Costs

14. *Compass Group Education Hospitality Services Pty Ltd & Anor v Commissioner of State Revenue* [2020] QSC 184 per Holmes CJ (led by Brian O'Donnell KC)

Interpretation of the *Payroll Tax Act 1971* (Qld) in relation to exemptions

15. *Shafston Avenue Construction Pty Ltd v McCann* [2020] FCAFC 85 per Farrell, Davies and Moshinsky JJ (led by Peter Dunning KC)

Challenge to deed of company arrangement under section 445D of the *Corporations Act 2001* (Cth)

16. *Menegazzo v PricewaterhouseCoopers & Ors* [2019] QSC 296 per Davis J
Application to appoint party experts where court has already appointed experts
17. *Kemppi v Adani Mining Pty Ltd* [2019] FCAFC 117; (2019) 271 FCR 423 (No 2) per Rares ACJ, Robertson and Perry JJ (led by Tom Sullivan KC)
Statutory interpretation, judicial review and native title
18. *Kemppi v Adani Mining Pty Ltd* [2019] FCAFC 94 per Rares ACJ, Robertson and Perry JJ (led by Tom Sullivan KC)
Application to amend notice of appeal to add new grounds
19. *Kemppi v Adani Mining Pty Ltd (No 4)* [2018] FCA 2012 per Robertson J (led by Tom Sullivan KC)
Security for costs of appeal
20. *Aurizon Network Pty Ltd v Queensland Competition Authority & Ors (No 2)* [2018] QSC 246 per Jackson J
Costs of an intervener
21. *Aurizon Network Pty Ltd v Queensland Competition Authority & Ors* [2018] QSC 246 per Jackson J (led by Damian Clothier KC)
Judicial review – apprehended bias
22. *JM Kelly Builders Pty Ltd & Ors v Queensland Building and Construction Commission* [2018] QCAT 333 per Member Gardiner (led by Tom Sullivan KC)
Appeal against decision of the QBCC that a general manager was an excluded individual
23. *Kemppi v Adani Mining Pty Ltd (No 4)* (2018) 360 ALR 697; [2018] FCA 1245 per Reeves J (led by Patrick O’Shea KC, together with Andrew Stumer)
Statutory interpretation and native title

24. *Kemppi v Adani Mining Pty Ltd (No 3)* (2018) 355 ALR 553; [2018] FCA 40 per Reeves J (led by Patrick O’Shea KC, together with Andrew Stumer)

Injunction and native title

25. *Murphy & Ors v Queensland Building and Construction Commission* [2018] QCAT 11 per Member Deane (decision on the papers) (led by Tom Sullivan KC)

Procedural application seeking the identification of passages from diaries to be relied upon by the QBCC

26. *Appleyard & Anor v Westpac Banking Corporation* [2017] QCA 316 per Fraser, Philippides and McMurdo JJA

Statutory interpretation of the National Credit Code, misleading and deceptive conduct and civil procedure

27. *Australian Communications Exchange Ltd v Pilot Partners Pty Ltd* [2017] QSC 176 per Jackson J

Applications to set aside five statutory demands

28. *Upton v Westpac Banking Corporation* [2017] QCA 171 per Fraser and Gotterson JJA and Mullins J

Appeal from summary judgment, new evidence

29. *Westpac Banking Corporation v Clay* [2017]

Trial, settled after two weeks

30. *Korda Mentha Pty Ltd v LM Investment Management Ltd* [2016] QSC 183 per Applegarth J (led by Andrew Crowe KC)

Indemnity out of trust assets, strike-out application

31. ICC Arbitration (Gas Pipeline), 2015 to 2016, award delivered 2017

Contractual dispute, construction law

32. *Keenan v Bundaberg Port Authority* [2016] FCA 134 per Reeves J

Summary judgment, strike-out application

33. *Hayes v Westpac Banking Corporation* [2015] QCA 260 per the Chief Justice, Philippides JA and Mullins J

Interpretation of the UCPR and civil procedure

34. *Park (liquidators of L M Investment Management Ltd) v Whyte* [2015] QSC 287 per Jackson J (led Andrew Crowe KC)

Claim for indemnification by liquidator from trust funds

35. *Cruise Oz Pty Ltd v AAI Ltd* [2015] QSC 215 per Carmody J

Contractual interpretation

36. *Traivelog Pty Ltd & Anor v Electrometals Technologies Limited (Subject to a Deed of Company Arrangement) & Ors* [2015] QSC 27 per P McMurdo J

Application to set aside deed of company arrangement

37. *Bodapati & Anor v Westpac Banking Corporation & Anor* [2015] QCA 7 per Holmes and Gotterson JJA and P Lyons J

Unconscionable conduct, appellate procedure

38. *Glencore Queensland Limited v Ventyx Pty Ltd* [2015] QSC 14 per P McMurdo J (led by Patrick O'Shea KC)

Contractual interpretation

39. *KordaMentha Pty Ltd & Anor v LM Investment Management Ltd (in liq) & Anor* [2015] QSC 004 per Martin J (led by John Bond KC)

S 96 application under the *Trusts Act 1973* (Qld)

40. *Westpac Banking Corporation v Knight Property Investments No. 3 Pty Ltd* [2014] QSC 177 per P Lyons J

Strike-out application, reflective loss and section 85 of the *Property Law Act 1974* (Qld)

41. *Australis Exploration Pty Ltd v CST Minerals Lady Annie Pty Ltd; CST Minerals Lady Annie Pty Ltd v Australis Exploration Pty Ltd & Anor* [2014] QLC 30 (led by Damien O'Brien KC)

Caveat over mining tenements, contractual formation

42. *Nguyen v Westpac Banking Corporation* [2014] QCA 117 per Gotterson and Morris JJA and Martin J
Appeal from application for possession by receivers
43. *Chambers v Brice* [2014] QSC 52 per P Lyons J (led by Declan Kelly KC)
Contractual interpretation and judgment interest
44. *Groves v Groves* [2013] QSC 277 per Martin J (led by Jeremy Kirk SC)
Trial, forgery, unconscionable conduct
45. *Clout v Andi-Co Australia Pty Ltd & Ors* [2013] QSC 278; (2013) 96 ACSR 512 per Mullins J
Insolvency, extension under s 588 of the *Corporations Act 2001* (Cth)
46. *Willmott & Anor v McLeay & Anor* [2013] QCA 84 per Holmes, Fraser and White JJA – (led by Morrison KC)
Appeal from refusal to grant summary judgment on contractual interpretation of REIQ residential contract
47. *Chambers v Brice* [2013] QSC 232 per P Lyons J (led by Declan Kelly SC)
Trial, contractual formation and fiduciary duties of accountant
48. *Mango Boulevard Pty Ltd v Spencer & Ors* [2013] QCA 182 per Holmes and Gotterson JJA and P Lyons J (led by John Bond SC)
Appeal regarding contractual interpretation of a shareholders' agreement
49. *Mango Boulevard Pty Ltd v Spencer & Ors (No 3) Pty Ltd* [2013] QSC 94 per P McMurdo J (led by John Bond SC)
Costs
50. *Crown Equipment Pty Ltd v ACN 098 568 Pty Ltd & Anor* [2013] QSC 24 per Ann Lyons J
Case stated about the interpretation of a deductible
51. *Crumpler (as liquidator and joint representative) of Global Tradewaves Ltd (a company registered in British Virgin Islands) v Global Tradewaves (in liq)* (2013) 246 FCR 138; [2013] FCA 1127 per Logan J
Application for orders under the *Cross-Border Insolvency Act 2008* (Cth)
52. *President's Club Ltd, Re: Coeur De Lion Investments Pty Ltd* [2012] QSC 364 per Mullins J (led by Sandy Thompson SC)

Derivative action application

53. *Mango Boulevard Pty Ltd Spencer & Ors (No. 2)* [2012] QSC 347 per P McMurdo J (led by John Bond SC)
Trial, contractual interpretation of option
54. *Cunningham v Westpac Banking Corporation* [2012] FCA 1088 per Reeves J (led by Douglas Savage SC)
Trial, misleading and deceptive conduct
55. *Westpac Banking Corporation v Helicopters Brisbane Pty Ltd & Ors* [2012] QSC 263 per Martin J
Application for summary judgment on a guarantee
56. *Chambers v Brice* [2012] QSC 305 per P Lyons J (led by Declan Kelly SC)
Preliminary ruling on expert evidence
57. *Westpac Banking Corporation v Michaelides* [2012] QDC 57 per Robin DCJ
Application for summary judgment
58. *Hutchinson & Anor v Bank of Scotland Plc* [2012] QSC 28 per Applegarth J
Succession – *Trusts (Hague Convention) Act 1991* (Cth)
59. *Westpac Banking Corporation v Kasrec* [2011] QSC per Douglas J (unreported)
Application for summary judgment on a guarantee (*Yerkey v Jones*)
60. *Westpac Banking Corporation v Boston Pacific (Qld) Pty Ltd* [2011] QDC 318 per Newton DCJ
Application for summary judgment
61. *Carbonworks International Ltd v Teschner Technologies (USA) Pty Ltd* [2011] QSC 386 per P McMurdo J
Trial, contractual formation
62. *Tinkerbell Enterprises Pty Ltd v Takeovers Panel* [2012] FCA 1216; (2012) 208 FCR 266; (2012) 92 ACSR 56 per Collier J (led by Declan Kelly SC)
Judicial review

63. *Shannon & Anor v Park Equipment Pty Ltd & Anor* [2011] QSC – Trial before Boddice J settled after seven days (led by Ken Barlow SC)
- Trial, contractual formation
64. *ACCC v TF Woollam & Sons Pty Ltd (No. 2)* [2011] FCA 1216 per Logan J (led by Patrick O’Shea SC)
- Penalty phase for price fixing, competition law
65. *ACCC v TF Woollam & Sons Pty Ltd* [2011] FCA 973; (2011) 196 FCR 212; (2011) 285 ALR 236 per Logan J (led by Patrick O’Shea KC)
- Trial, competition law, price fixing
66. *Groves v Commissioner of Taxation (No. 2)* (2011) 83 ATR 357 per Logan J
- Non-party discovery
67. *Mayfair Realty Pty Ltd v Glen & Ors* [2011] QSC 077 per Dalton J
- Application to set aside statutory demand
68. *Westpac Banking Corporation v Faress* [2011] FMCA 26 per Jarrett FM
- Sequestration order
69. *Buranda Properties Pty Ltd (Receivers and Managers Appointed) v Westpac Banking Corporation* [2010] FCA – Trial before Dowsett J settled after three days (led by Tom Sullivan SC)
- Trial, enforcement of securities
70. *Buranda Properties Pty Ltd (Receivers and Managers Appointed) v Buranda Properties Pty Ltd* [2010] QSC 357 per Wilson J (led by Tom Sullivan SC)
- Application to remove caveat
71. *National Australia Bank v Duckworth* [2010] QDC per Harrison DCJ
- Enforcement warrant for possession of land
72. *Moore v Devanjul Pty Ltd* [2010] QSC 250 per P McMurdo J
- Solicitor’s duty to opposing party in litigation