

EDWARD GOODWIN KC

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

1. *Australian Securities and Investments Commission v Australian Fiduciaries Limited* [2025] FCA 1099 per Downes J (with Julia Nikolic)

Regulatory investigation, managed investment schemes, court appointed receivers and freezing orders
2. *Knowles v Interprac Financial Planning Pty Ltd* [2025] QSC 78 per Cooper J (with Mark Eade)

Professional negligence, financial planning and limitation of actions
3. *Advanta Seeds Pty Ltd v Nuseed Pty Ltd* [2024] FCA 1105 per S Derrington J (with William LeMass)

Injunction, patents and labelling
4. ICC Arbitration 2024 (with Fiona Lubett)

Contractual interpretation, mining and concentrates
5. *Mallonland Pty Ltd & Anor v Advanta Seeds Pty Ltd* [2024] HCA 25; (2024) 418 ALR 639 (led by Peter Dunning KC, with Mei Barnes)

Class action, alleged duty of care of manufacturer for pure economic loss and limitation of actions
6. *Thomson v Australia and New Zealand Banking Group Limited* [2024] QCA 73 per Mullins P, Morrison and Bond JJA

Statutory demand, apprehended bias and civil procedure

7. *Wikely v Kea Investments Ltd* [2024] FCA 155 per Downes J (with Andrew Schriffner) per Downes J

Security for costs

8. *Endeavour Securities Australia Ltd (in liq) v Moore Stephens Audit (Vic)* [2023] FCA 841 per S Derrington J (with Paul O'Brien)

Auditor's negligence (responsible entities) and judicial guidance

9. *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

10. *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

11. *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

12. *Australia and New Zealand Banking Group Limited* [2022] QSC 18 per Williams J

Application to set aside statutory demand

13. *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

14. *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

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

Costs

16. *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

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

Costs

18. *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

19. *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

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

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

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

Costs

22. *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

23. *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)

24. *Menegazzo v PricewaterhouseCoopers & Ors* [2019] QSC 296 per Davis J

Application to appoint party experts where court has already appointed experts

25. *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

26. *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

27. *Kemppi v Adani Mining Pty Ltd (No 4)* [2018] FCA 2012 per Robertson J (led by Tom Sullivan KC)

Security for costs of appeal

28. *Aurizon Network Pty Ltd v Queensland Competition Authority & Ors (No 2)* [2018] QSC 246 per Jackson J

Costs of an intervener

29. *Aurizon Network Pty Ltd v Queensland Competition Authority & Ors* [2018] QSC 246 per Jackson J (led by Damian Clothier KC)

Judicial review – apprehended bias

30. *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

31. *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

32. *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

33. *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

34. *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

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

Applications to set aside five statutory demands

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

Appeal from summary judgment, new evidence

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

Trial, settled after two weeks

38. *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

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

Contractual dispute, construction law

40. *Keenan v Bundaberg Port Authority* [2016] FCA 134 per Reeves J
Summary judgment, strike-out application
41. *Hayes v Westpac Banking Corporation* [2015] QCA 260 per the Chief Justice, Philippides JA and Mullins J

Interpretation of the UCPR and civil procedure
42. *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
43. *Cruise Oz Pty Ltd v AAI Ltd* [2015] QSC 215 per Carmody J

Contractual interpretation
44. *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
45. *Bodapati & Anor v Westpac Banking Corporation & Anor* [2015] QCA 7 per Holmes and Gotterson JJA and P Lyons J

Unconscionable conduct, appellate procedure
46. *Glencore Queensland Limited v Ventyx Pty Ltd* [2015] QSC 14 per P McMurdo J (led by Patrick O'Shea KC)

Contractual interpretation
47. *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)
48. *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)
49. *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

50. *Nguyen v Westpac Banking Corporation* [2014] QCA 117 per Gotterson and Morris JJA and Martin J
Appeal from application for possession by receivers
51. *Chambers v Brice* [2014] QSC 52 per P Lyons J (led by Declan Kelly KC)
Contractual interpretation and judgment interest
52. *Groves v Groves* [2013] QSC 277 per Martin J (led by Jeremy Kirk SC)
Trial, forgery, unconscionable conduct
53. *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)
54. *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
55. *Chambers v Brice* [2013] QSC 232 per P Lyons J (led by Declan Kelly SC)
Trial, contractual formation and fiduciary duties of accountant
56. *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
57. *Mango Boulevard Pty Ltd v Spencer & Ors (No 3) Pty Ltd* [2013] QSC 94 per P McMurdo J (led by John Bond SC)
Costs
58. *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
59. *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)

60. *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
61. *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
62. *Cunningham v Westpac Banking Corporation* [2012] FCA 1088 per Reeves J (led by Douglas Savage SC)
Trial, misleading and deceptive conduct
63. *Westpac Banking Corporation v Helicopters Brisbane Pty Ltd & Ors* [2012] QSC 263 per Martin J
Application for summary judgment on a guarantee
64. *Chambers v Brice* [2012] QSC 305 per P Lyons J (led by Declan Kelly SC)
Preliminary ruling on expert evidence
65. *Westpac Banking Corporation v Michaelides* [2012] QDC 57 per Robin DCJ
Application for summary judgment
66. *Hutchinson & Anor v Bank of Scotland Plc* [2012] QSC 28 per Applegarth J
Succession – *Trusts (Hague Convention) Act 1991* (Cth)
67. *Westpac Banking Corporation v Kasrec* [2011] QSC per Douglas J (unreported)
Application for summary judgment on a guarantee (*Yerkey v Jones*)
68. *Westpac Banking Corporation v Boston Pacific (Qld) Pty Ltd* [2011] QDC 318 per Newton DCJ
Application for summary judgment
69. *Carbonworks International Ltd v Teschner Technologies (USA) Pty Ltd* [2011] QSC 386 per P McMurdo J
Trial, contractual formation

70. *Tinkerbelle 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
71. *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
72. *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
73. *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
74. *Groves v Commissioner of Taxation (No. 2)* (2011) 83 ATR 357 per Logan J
- Non-party discovery
75. *Mayfair Realty Pty Ltd v Glen & Ors* [2011] QSC 077 per Dalton J
- Application to set aside statutory demand
76. *Westpac Banking Corporation v Faress* [2011] FMCA 26 per Jarrett FM
- Sequestration order
77. *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
78. *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
79. *National Australia Bank v Duckworth* [2010] QDC per Harrison DCJ
- Enforcement warrant for possession of land

80. *Moore v Devanjul Pty Ltd* [2010] QSC 250 per P McMurdo J

Solicitor's duty to opposing party in litigation