

EDWARD GOODWIN

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

1. *Kemppi v Adani Mining Pty Ltd (No 4)* [2018] FCA 1245 per Robertson J (led by Tom Sullivan QC)

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

Costs of an intervener
3. *Aurizon Network Pty Ltd v Queensland Competition Authority & Ors* [2018] QSC 246 per Jackson J (led by Damian Clothier QC)

Judicial review – apprehended bias
4. *JM Kelly Builders Pty Ltd & Ors v Queensland Building and Construction Commission* [2018] QCAT 333 per Member Gardiner (led by Tom Sullivan QC)

Appeal against decision of the QBCC that a general manager was an excluded individual
5. *Kemppi v Adani Mining Pty Ltd (No 4)* (2018) 360 ALR 697; [2018] FCA 1245 per Reeves J (led by Patrick O’Shea QC, together with Andrew Stumer)

Statutory interpretation and native title
6. *Kemppi v Adani Mining Pty Ltd (No 3)* (2018) 355 ALR 553; [2018] FCA 40 per Reeves J (led by Patrick O’Shea QC, together with Andrew Stumer)

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

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

8. *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

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

Applications to set aside five statutory demands

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

Appeal from summary judgment, new evidence

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

Trial, settled after two weeks

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

Indemnity out of trust assets, strike-out application

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

Contractual dispute, construction law

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

Summary judgment, strike-out application

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

Interpretation of the UCPR and civil procedure

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

Claim for indemnification by liquidator from trust funds

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

Contractual interpretation

18. *Traivlog 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

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

Unconscionable conduct, appellate procedure

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

Contractual interpretation

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

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

22. *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)

23. *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 QC)

Caveat over mining tenements, contractual formation

24. *Nguyen v Westpac Banking Corporation* [2014] QCA 117 per Gotterson and Morris JJA and Martin J

Appeal from application for possession by receivers

25. *Chambers v Brice* [2014] QSC 52 per P Lyons J (led by Declan Kelly QC)

Contractual interpretation and judgment interest

26. *Groves v Groves* [2013] QSC 277 per Martin J (led by Jeremy Kirk SC)

Trial, forgery, unconscionable conduct

27. *Clout v Andi-Co Australia Pty Ltd & Ors* [2013] QSC 278; (2013) 96 ACSR 512 per Mullins J

Corporations Act 2001 (Cth)

28. *Willmott & Anor v McLeay & Anor* [2013] QCA 84 per Holmes, Fraser and White JJA – (led by Morrison QC)

Appeal from refusal to grant summary judgment on contractual interpretation of REIQ residential contract
29. *Chambers v Brice* [2013] QSC 232 per P Lyons J (led by Declan Kelly SC)

Trial, contractual formation and fiduciary duties of accountant
30. *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
31. *Mango Boulevard Pty Ltd v Spencer & Ors (No 3) Pty Ltd* [2013] QSC 94 per P McMurdo J (led by John Bond SC)

Costs
32. *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
33. *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)
34. *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
35. *Mango Boulevard Pty Ltd v Spencer & Ors (No. 2)* [2012] QSC 347 per P McMurdo J (led by John Bond SC)

Trial, contractual interpretation of option
36. *Cunningham v Westpac Banking Corporation* [2012] FCA 1088 per Reeves J (led by Douglas Savage SC)

Trial, misleading and deceptive conduct
37. *Westpac Banking Corporation v Helicopters Brisbane Pty Ltd & Ors* [2012] QSC 263 per Martin J

Application for summary judgment on a guarantee

38. *Chambers v Brice* [2012] QSC 305 per P Lyons J (led by Declan Kelly SC)
Preliminary ruling on expert evidence
39. *Westpac Banking Corporation v Michaelides* [2012] QDC 57 per Robin DCJ
Application for summary judgment
40. *Hutchinson & Anor v Bank of Scotland Plc* [2012] QSC 28 per Applegarth J
Succession – *Trusts (Hague Convention) Act 1991* (Cth)
41. *Westpac Banking Corporation v Kasrec* [2011] QSC per Douglas J (unreported)
Application for summary judgment on a guarantee (*Yerkey v Jones*)
42. *Westpac Banking Corporation v Boston Pacific (Qld) Pty Ltd* [2011] QDC 318 per Newton DCJ
Application for summary judgment
43. *Carbonworks International Ltd v Teschner Technologies (USA) Pty Ltd* [2011] QSC 386 per P McMurdo J
Trial, contractual formation
44. *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
45. *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
46. *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
47. *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 SC)
Trial, competition law, price fixing
48. *Groves v Commissioner of Taxation* (No. 2) (2011) 83 ATR 357 per Logan J

Non-party discovery

49. *Mayfair Realty Pty Ltd v Glen & Ors* [2011] QSC 077 per Dalton J

Application to set aside statutory demand

50. *Westpac Banking Corporation v Faress* [2011] FMCA 26 per Jarrett FM

Sequestration order

51. *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

52. *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

53. *National Australia Bank v Duckworth* [2010] QDC per Harrison DCJ

Enforcement warrant for possession of land

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

Solicitor's duty to opposing party in litigation