

NORTH QUARTER LANE CHAMBERS

Name: Lee Clark
Telephone: 61 7 3120 9774
Email: lclark@qldbar.asn.au
Address: Level 30, 32 Turbot Street, Brisbane 4000
Admission to Qld Bar: 2011 (Supreme Court of Queensland)

**Admission
other jurisdictions:** 1998 Western Australia (Barrister and Solicitor)
2001 Victoria (Barrister and Solicitor)
2002 New South Wales (Barrister and Solicitor)
2005 Ontario, Canada (Barrister)

Practice: Commercial litigation and arbitration. Experience acting on substantial disputes in a range of subject areas including competition, energy, corporations and securities, construction, class actions, constitutional law, administrative law and international commercial and investor-state arbitration.

Recent experience includes acting as counsel for:

- Anglo American in litigation against Callide Power Management, Callide Energy and others relating to power stations operating at the Callide Coalfields (Supreme Court of Queensland)
- Queensland Sugar Limited in defence of a professional negligence claim by Wilmar Sugar Australia Limited (Supreme Court of Queensland)
- Thiess in disputes with PT Arutmin regarding a mining services contract to be performed in the Republic of Indonesia (*PT Thiess Contractors v PT Arutmin* [2015] QSC 123 and *PT Arutmin Indonesia v PT Thiess Contractors* [2013] QSC 332)
- CMI Ltd, in a preference dispute (*Re CMI Industrial Pty Ltd (in liq)* [2016] 1 Qd R 241)
- SunWater in a dispute with QCoal related companies re the construction of pipelines (*Sunwater Ltd v. Drake Coal Pty Ltd & Ors* [2017] 2 Qd R 109)
- AGL in a dispute with a buyer under a gas supply contract
- BGC Contracting in disputes with BMA regarding a construction contract (Supreme Court of Queensland and arbitration)
- Universal Telecom regarding a dispute with an agency of the Vietnamese Government, with Vietnamese and Singapore governing law (SCIA, Singapore)
- a Vietnamese State Corporation in a contractual dispute with a Spanish publicly listed electronics company (SCIA, Singapore)
- the Australian Securities and Investments Commission regarding alleged insolvent trading (Supreme Court of Queensland)

- the Australian Taxation Office regarding administrative challenges to decisions of the Commissioner of Taxation (Federal Court; AAT) (eg: *Commissioner of Taxation v Byrt* [2014] AATA 867, *Commissioner of Taxation v Hirezi* [2012] AATA 688)

Previous employment: Dwyer Durack, Perth (Solicitor, 1998-2000)
Clayton Utz, Melbourne (Associate/Senior Associate, 2001-2004)
Torys LLP, Toronto/New York (Barrister, 2004-2007)
Salans LLP, London (Senior Associate, 2009-2010)
Corrs Chambers Westgarth, Brisbane (Senior Associate, 2010-2011)

Education: Bachelor of Laws (University of Western Australia, 1996)
Master of Laws (with distinction) (University of Toronto, 2008)

Academic: Visiting practitioner, University of Queensland, tutoring civil procedure and evidence
Visiting lecturer in the University of Queensland evidence course
Visiting lecturer in the University of Queensland LLM course
Incorporated Council of Law Reporting (Qld) (**ICLRQ**): Practice Notes Editor

Publications: ICLRQ – Qld UCPR digest
The doctrine of penalties, following Paciocco v ANZ [2016] HCA 28, Q.Bar Association, 2016 (co-author with Thomas Bradley QC)
Injunctions, theory and practice, Q. Bar Association, 2015
Injunction applications and performance bonds, what principles are to be applied in Queensland?, Proctor, 2012
Australian International Arbitration Reform, Client Publication, 2010
Canada's Oversight of Arctic Shipping: The Need for Reform, (2008) 33 Tulane Maritime Law Journal at 79
Canadian nationals and NAFTA: extending equality in treatment to nationals adversely affected by state measures, LLM Thesis 2008, University of Toronto