

**Examples of matters in which Edmund Robinson has appeared since being called to the Bar in May 2017**

**Appellate**

1. *Coeur de Lion Investments Pty Ltd v Lewis* (2020) 4 QR 455; [2020] QCA 111 per Philippides JA, Bond J and Bowskill J (led by Chris Ward SC; contra Gavin Handran and Nathan Boyd)  
And below: [2019] QDC 90 per Smith DCJA

Whether private prosecutions may be brought for offences under the *Corporations Act 2001* (Cth)

2. *CFMMEU v One Key Workforce Pty Ltd* [2020] FCAFC 27 per McKerracher, Farrell and Markovic JJ (Full Federal Court, Sydney) (led by Brian O'Donnell QC; contra Bret Walker SC and Claire Howell)  
And at first instance: [2019] FCA 153 per Flick J (unled; contra Claire Howell)

Successfully contended at first instance and on appeal that \$1 million held on trust should be paid to One Key Workforce

3. *China First Pty Ltd & Anor v Mount Isa Mines & Ors* [2019] 3 Qd R 173; [2018] QCA 350 per Fraser, Gotterson and McMurdo JJA (unled; contra Roger Traves QC and Stewart Webster)  
And at first instance: [2018] QSC 163; [2018] 31 QLR per Brown J (unled; contra Roger Traves QC and Stewart Webster)

Whether a judgment should be set aside because an equitable chargee was a necessary party to the proceeding and had not been joined

4. *Mineralogy Pty Ltd v BGP Geoexplorer Pte Ltd* [2019] 2 Qd R 336; [2018] QCA 256 per Gotterson and McMurdo JJA and Henry J (unled; contra Tom Pincus)  
And at first instance: [2018] QSC 42; [2018] 11 QLR per Jackson J (led by Dominic O'Sullivan QC; contra Tom Pincus)

And High Court special leave application: [2019] HCASL 43

When a US\$18 million debt ceased at law to be “payable” such that interest ceased accruing

5. *Mineralogy Pty Ltd v BGP Geopexplorer Pte Ltd* [2017] QCA 275 per Fraser JA (led by Thomas Bradley QC as his Honour then was; contra Tom Pincus)

Application for stay of enforcement of judgment pending appeal

**First instance decisions or matters (other than those listed above)**

6. Acting for the Fluor defendants in defending Santos Limited’s \$1.5 billion (approx.) claim in respect of engineering and construction work in an upstream LNG facility
7. Acting for ASIC in *ASIC v Daly & Ors* (Federal Court proceeding no. QUD269 of 2020) (led by Melanie Hindman QC and Lee Clark) – civil penalty proceeding against officers or alleged officers of the responsible entity of a managed investment scheme
8. Acting in a Supreme Court of Western Australia proceeding (led by Peter Dunning QC) for defendants being sued for approx. \$7.5 million plus 1% of net profit on mining royalties in respect of a particular project in perpetuity pursuant to an alleged pre-incorporation contract
9. Acting unled in a Supreme Court of Western Australia proceeding for a plaintiff seeking to recover approximately AU\$1 million in exchange rate fluctuation damages resulting from a late payment of a sum owed in US dollars
10. *Jolan Pty Ltd v Essential Investments Pty Ltd & Ors* per Downes J (Federal Court, decision pending) (led by John Peden QC; contra Stewart Webster and Mei Barnes)

5 day corporate oppression trial

11. *Challis & Anor v Ford Motor Company of Australia Pty Ltd* [2021] QDC 177 per Porter DCJ (unled; contra Andrew Fitzsimons and Samuel Lane)

Acted for Ford in a successful application to compel the filing and service of affidavits explaining certain matters regarding the destruction of physical evidence

12. *Mangosteen Orchard Pty Ltd v Zieth* [2021] QDC 20 per Sheridan DCJ (unled)

Successful application for interlocutory mandatory injunction for delivery up of harvesting equipment

13. *Mineralogy Pty Ltd & Anor v The State of Western Australia* [2020] QSC 344; [2020] 49 QLR per Martin J (led by Dominic O’Sullivan QC; contra Shane Doyle QC, J Thompson SC and others)

Whether declaratory arbitral awards are enforceable and whether enforcement had been properly effected; principles applicable to setting aside of orders obtained *ex parte*

14. *Parbery v QNI Metals Pty Ltd* [2020] QSC 143; [2020] 24 QLR per Mullins J (as her Honour then was) (unled; contra Shane Doyle QC, Graham Gibson QC and others)

Appeared for various defendants in a 27-day trial concerning the collapse of Queensland Nickel Pty Ltd (in liq)

Also appeared unled in interlocutory applications including:

- (a) *Parbery v QNI Metals Pty Ltd* [2018] QSC 83 (Bond J);
- (b) *Parbery v QNI Metals Pty Ltd* [2018] QSC 276 (Jackson J); and
- (c) *Parbery v QNI Metals Pty Ltd* [2019] QSC 207; [2019] 35 QLR (Mullins J).

15. *Lainor Investments Pty Ltd v SunBuster Solar Shades Pty Ltd* [2020] QDC 59 per Sheridan DCJ (unled; contra Brad Wright)

Trial; whether a commercial lease was validly terminated and, if so, whether the tenant should be granted relief against forfeiture

16. *Hamilton Tyre & Rubber Company Pty Ltd v BR International Logistics Pty Ltd* [2020] QDC before Porter DCJ (unled; contra William Wilcher)

Trial (settled after close of trial but before judgment); restitutionary claim for moneys paid under duress

17. *S A M Management (NQ) Pty Ltd v Director General of the Department of Education* [2020] QCAT (unled; contra Stephen Keim SC)

Successfully applied for a stay of the Director General's decision to cancel a service approval in respect of a childcare centre

18. *Byerwen Coal Pty Ltd v Colinta Holdings Pty Ltd (No 3)* [2019] QLC 20 per Stilgoe OAM (unled)

Costs

19. *BA v Director-General, Department of Justice and Attorney General* [2019] QCAT (pro bono) (unled; contra R Te'Kani)

Successful review of departmental decision

20. *Melbourne IT (Arq Group) v Maverick HR Pty Ltd* [2018] QDC 229 per Richards DCJ (unled)

Summary judgment and strike-out application

21. *Gailey Projects Pty Ltd v McCartney & Anor* [2017] QSC before Daubney J (led by Damien O'Brien QC; contra Ron Ashton QC)

Trial (settled after commencement); whether consultancy contract had been formed by words and conduct; alternative quantum meruit claim for services provided

22. Acted as junior counsel in three long-running Supreme Court proceedings between Anglo American Australia Limited (and related companies) and the Callide C power station concerning a long-term coal supply agreement.

### **Examples of cases in which Edmund acted as a solicitor**

1. UNCITRAL arbitration between a foreign state and a major international mining company heard by the Honourable Murray Gleeson AC QC

2. *Re Onesteel Manufacturing Pty Ltd* – proceeding in the New South Wales Supreme Court concerning whether approximately \$23 million in leased equipment vested in the lessee (a member of the Arrium group) pursuant to section 267 of the *Personal Property Securities Act 2009* (Cth)
3. *Callide Power Management Pty Ltd & Ors v Callide Coalfields (Sales) Pty Ltd & Ors* (Supreme Court proceeding no. 12122/13) – dispute involving the invocation of a hardship clause to significantly alter the terms of a long-term coal supply agreement
4. *Callide Power Management Pty Ltd & Ors v Callide Coalfields (Sales) Pty Ltd & Ors* (Supreme Court proceeding no. 11905/13) - \$100 million claim for non-supply of coal and restitutionary counterclaim
5. *Callide Power Management Pty Ltd & Ors v Callide Coalfields (Sales) Pty Ltd & Ors* (Supreme Court proceeding no. 12381/15) – Claim for specific performance of long-term coal supply agreement
6. *Seeker Aircraft America Inc v Ergon Energy Corporation Limited & Anor* – Acted for Ergon Energy Corporation in defending a claim by an American aircraft manufacturer for alleged infringement of copyright in an aircraft design
7. *In the matter of Australian Property Custodian Holdings Limited* – Acted for the receivers of APCHL against the company’s liquidators in proceedings in the Supreme Court of Victoria concerning security interests in certain choses in action
8. Various banking and insolvency proceedings including in respect of loan facilities, guarantees, mortgages and insolvent transactions
9. Acted for two years for the administrators (and subsequently liquidators) of Cubbie Group Limited including in respect of the sale of Cubbie Station to a Chinese consortium in 2013