

CURRICULUM VITAE

TRISTAN SMITH

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Call 2025

Admission 2014

Areas of practice Advocacy and advice in the areas of:

- Commercial
- Insurance
- Building and construction
- Class actions
- Banking
- Regulatory
- Administrative
- Property

Professional history Barrister (May 2025 – present)

Senior Associate, Associate, Solicitor (2014-2025)
Herbert Smith Freehills
Brisbane, London, Sydney

Education Master of Laws
University of Melbourne, 2018

Bachelor of Laws (First Class Honours) / Bachelor of Business
University Medal in Law
Griffith University, 2013

Selected matters as a solicitor

Australia

- acting for a mining company in a ~\$100m property damage and business interruption claim under an industrial special risks policy following a major flood event (2024)
- acting for Boral Limited in a shareholder class action trial in the Federal Court (2024)
- acting for a listed consumer goods company in NSW Supreme Court proceedings seeking declarations regarding the interpretation of a Share Purchase Deed (2024)
- acting for a bank in several trade credit insurance claims in the NSW Supreme Court (2024)
- acting for an engineering firm in a claim under a professional indemnity policy in respect of allegedly negligent design work on a large infrastructure project (2023)
- advising a port operator on coverage issues under a construction all risks policy following the occurrence of damage arising from a dredging incident (2023)
- acting in a 5 day trial of a hull liability insurance claim following the loss of an Australian Navy vessel: *DMS Maritime Pty Ltd v RSA* [2018] QSC 303 (Bond J)
- acting for a global mining company in a \$40m building and construction dispute concerning a defective water storage dam in central Queensland (2017)
- advising a D&C JV on delay, disruption and defect claims arising from a major rail infrastructure project in NSW (2017)

England and Wales

- acting for AerCap Ireland Limited, one of the world's largest aircraft leasing companies, in relation to claims under aviation insurance policies in excess of US\$3 billion relating to the loss of aircraft and engines in Ukraine and Russia (2022)
- acting for the Financial Conduct Authority in the COVID-19 business interruption insurance test cases: *FCA v Arch* [2021] UKSC 1
- acting for a UK bank in a US\$200m trade credit insurance claim arising from the collapse of a Singaporean oil trader and preparing for arbitration under SIAC rules (2022)
- acting for an engineering contractor in a claim under a construction all risks policy and advising on issues concerning a LEG 3 defects exclusion (2019)
- acting for various insurance brokers in complex professional negligence claims, including three months on secondment at Marsh and McLennan Group
- advising on coverage issues across financial lines and property policies, including D&O, professional indemnity, trade credit, construction, ISR and cyber