



**GRACE KEESING**  
*Barrister*

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**PROFESSIONAL**

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| Since 2018  | <b>Barrister</b> , Banco Chambers   |
| 2012 - 2018 | <b>Solicitor</b> , Gilbert + Tobin Lawyers (Litigation and Dispute Resolution)                                  |
| 2011 - 2012 | <b>Associate to the Hon Robert French, Chief Justice of Australia</b> , High Court of Australia                 |
| 2009 - 2012 | <b>Lecturer</b> , Australian National University (Commercial Law, Law of Business Entities, Administrative Law) |

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**PRACTICE AREAS**

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|---------------------------|-------------------------------------|
| Appellate                 | Inquiries and inquests              |
| Building and construction | Professional liability & discipline |
| Commercial law            | Public law                          |
| Consumer law              | Representative proceedings          |
| Equity                    | Torts                               |

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**QUALIFICATIONS**

**Master of Laws, New York University**

John Monash Scholarship, Hauser Global Scholarship

*First place in:* Quantitative Methods in Evidence; Regulation of Foreign Corrupt Practices; Financial Instruments and the Capital Markets

National award for best paper on dispute resolution, USA & Canada

**Bachelor of Laws, Australian National University**

First in Law with First Class Honours

*Prizes and scholarships:* First Place in Honours in Law; First Place in Final Year Law; First Place in Penultimate Year Law; First Place in Property, Equity & Trusts; First Place in Administrative Law; First Place in Constitutional Law; Australian National Undergraduate Scholarship; ANU Honours Scholarship; Australian Military Law and Justice Centre Research Scholarship (Constitutional Law)

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## **Bachelor of Economics, Australian National University**

*Prizes and scholarships:* Chancellor's Commendation for outstanding performance in economics; Chancellor's Commendation for outstanding performance in commerce; Award for most outstanding achievement in first year actuarial studies; Australian National Undergraduate Scholarship

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## **RECENT CASES**

### **Unled**

*Sinclair Recruitment Pty Ltd v Telstra Corporation Limited*, NSWSC, 2019/307812 – contract, restitution, commercial

*T Pty Ltd v Curnow & Anor*, NSWSC, 2019/27758 – equity, restitution, fraud

*Cedrus Investments Ltd v Abidin*, NSWSC, 2017/230605 – commercial, contract, foreign judgments, debt

*Big Money World Pty Ltd v Red Hair Entertainment Pty Ltd*, NSWSC, 2018/00332913 – property, consumer law, contract

*Manausakis v National Disability Insurance Agency*, AAT, 2018/0791 – public law, administrative review

*Salem & ors t/as Sparke Helmore v Nick Scali Limited*, NSWSC, 2020/00121300 – debt, professional liability, contract, equity

*Joliani v Abidin*, NSWSC, 2019/00203708 – property, commercial

*Nottle v National Disability Insurance Agency*, AAT, 2019/6488 – public law, administrative review

*Yassin v State of New South Wales*, NSWDC, 2019/00120671 – assault and battery, negligence, civil liability

*WHRX v National Disability Insurance Agency*, AAT, 2018/3038 – public law, administrative review

*Gabriel v State of New South Wales*, NSWLC – property, police powers

*Anastasis v NSW Trustee and Guardian*, NSWLC, 2017/00146754 (unled) – bailment, conversion, contract, negligence

*Inquest into the death of Mitchell Flood-Smith*, Coroner's Court, 2017/228552 – coronial inquest

**Led – Appellate**

*Australian Competition and Consumer Commission v Woolworths Group Limited*, FCA, VID818/2019 (with Cameron Moore SC) – consumer law, misleading and deceptive conduct

*State of New South Wales v Shepherd* [2019] NSWCA 261 (with Lachlan Gyles SC) – evidence, failure to give reasons, civil liability, torts

*State of New South Wales v Dargin* [2019] NSWCA 47 (with David Bennett QC, Matthew Hutchings and Naomi Oreb) – torts, trespass, nuisance

*Landpower Australia Pty Ltd v Penske Power Systems Pty Ltd* [2019] NSWCA 161 (with Anne Horvath) – summary disposal, apportionment, civil procedure

*Hands v Minister for Immigration and Border Protection* [2018] FCAFC 225 (with Frances Gordon) – administrative law, migration

*Pratten v State of New South Wales* [2019] NSWCA 124 (with Matthew Hutchings) – torts, civil liability, police powers

**Led - First instance**

*Duman v the Commonwealth*, HCA, M36/2020 (with Ron Merkel QC and Christopher Tran) – constitutional law, citizenship

*New Hope Corporation Limited v Northern Energy Corporation Limited (administrators appointed)* [2019] NSWSC 879 (with Jeremy Giles SC, Noel Hutley SC with Fiona Roughley also appearing) - contract, rectification, representative proceedings

*Anchorage Capital Master Offshore Ltd v Sparkes*, NSWSC, 2018/104383 (with Robert Dick SC and David Sulan) – professional liability, contract, consumer law, torts, directors' duties

*TX Australia Pty Limited v Australian Competition and Consumer Commission & Ors*, FCA, NSD330/2020 (with Nicholas De Young) – public law, judicial review

*In the Matter of Northern Energy Corporation Ltd (Administrators appointed) and Colton Coal Pty Ltd (Administrators appointed)*, FCA, 2058/2018 (with Jeremy Giles SC) – corporations, administration & insolvency

*Super Vision Resources Ltd v Xu*, NSWSC, 2017/364476 (with Robert Newlinds SC) - equity, freezing order, voidable transactions

*Bank of Communications Co Ltd v Sparkes*, NSWSC, 2019/00316305 (with Robert Dick SC and David Sulan) – professional liability, consumer law, directors’ duties, insolvency

*In the matter of TDE Pty Ltd ACN 608 621 263*, NSWSC, 392777/2019 (with Nicholas Bender) – commercial law, corporations, directors’ duties, oppression

*Redlands Plains Pty Ltd atf the Majestic Investment Trust v Condamine Resources Ltd*, FCA, NSD109/2019 (with David Sulan) – corporations, oppression

*Cao v Apollo Phoenix Resources Pty Ltd ACN 158 977 881 & Ors*, FCA, 1037/2018 (with Andrew Coleman SC) – corporations, oppression, contract

*In the matter of A.C.N. 004 410 833 Limited (formerly Arrium Limited) (in liquidation) ACN 004 410 833*, NSWSC, 00209100/2019 (with Robert Dick SC and David Sulan) – insolvent trading, directors’ duties, professional liability

*Manly Property Holdings Pty Ltd v Bank of Queensland*, NSWSC, 2017/286834 (with Michael Izzo SC) – mistaken payments, restitution, contract

*Hemphill v Peter McCrohon trading in his capacity as trustee of the funds held in St George Bank controlled monies account numbered 554170394*, NSWSC, 2017/388038 (with Jane Needham SC and Sebastian Hartford Davis) – equity, trusts, commercial

*City West Housing Pty Ltd v AJ Lucas Operations Pty Ltd*, NSWSC, 2016/269844 (with Frank Hicks SC) – construction, contract, professional negligence

*Jarvin v Roads and Maritime Services*, NSWLEC, 2019/00197777 (with Kate Richardson SC) – contract, planning, summary dismissal

*Pozza v State of New South Wales*, NSWDC, 2017/346772 (with Michael Windsor SC) – negligence, intentional torts, personal injury

*Shepherd v State of New South Wales*, NSWDC, 2016/00202999 (with Lachlan Gyles SC) – assault, negligence, civil liability, personal injury

*O’Sullivan v Australian Securities & Investments Commission*, AAT, 2015/0837 (with Sera Mirzabegian) – corporations, directors’ duties, disqualification

*Peters v National Disability Insurance Agency*, AAT, 2019/0906 (with Fiona Roughley) – public law, administrative review

*Colbert by her tutor Fragar v Eurolinx Pty Limited as trustee for the Audax Superannuation Fund*, NSWSC, 2015/193119 (with Jane Needham

SC and Sebastian Hartford Davis) – equity, trusts, succession, breach of contract

*Colbert by her tutor Fragar v Eurolinx Pty Ltd as trustee for the Colbert Security Trust*, NSWSC, NSWSC, 2014/203375 (with Jane Needham SC and Sebastian Hartford Davis) – equity, trusts, succession

*Dargin v State of New South Wales*, NSWDC, 2017/140382 (with Matthew Hutchings) – trespass, nuisance, bail, civil liability

*Alam v Giampietro t/as Legal & Company Solicitor & Anor*, NSWDC, 2017/61840 (with Anne Horvath) – professional liability, contract, estoppel

*Moka Nominees Pty Ltd atf the Mika Colbert Security Trust v Eurolinx Pty Ltd atf the Colbert Security Trust*, NSWSC, 2014/215448 (with Jane Needham SC and Sebastian Hartford Davis) – equity, trusts

*Breed v Boral Resources (NSW) Pty Ltd*, NSWSC, 2013/00198101 (with John Catsanos SC) – negligence, insurance, personal injury

*BSA Ltd v Innovation and Science Australia*, AAT, 2017/6765 (with Stephen Free SC) – tax, commercial law, public law

*Bridge v State of New South Wales*, NSWDC, 2018/00343302 (with Matthew Hutchings) – intentional torts, police powers, civil liability

*Patronis v State of New South Wales*, NSWDC, 2014/364550 (with Matthew Hutchings) – negligence, intentional torts, personal injury  
*Softbreeze Ltd v Cattle Company Pty Ltd*, NSWSC, 2014/210379 (with Jane Needham SC and Sebastian Hartford Davis) – equity, trusts, commercial

*Karimbla Constructions Services (NSW) Pty Ltd v Keller Pty Ltd*, NSWSC, 2018/260767 (with James Watson) – construction, equity, restitution, contract

## **Other**

*Commercial arbitration before the Hon R McDougall QC* (with Richard McHugh SC and Tim Breakspear) – contract, building and construction, remedies

*Commercial arbitration before the Hon PA Bergin SC* (with Nuala Simpson) – contract, building and construction, specific performance

*The Royal Commission into Aged Care Quality and Safety* (with John Sheahan QC, Sera Mirzabegian and Jane Buncle)