



NAOMI D OREB

Barrister

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ADMISSION TO BAR

2014 – Ludlows award for top of bar exams (aeq.)

EDUCATION

2012 – *BCL (Distinction) and top of course, University of Oxford*

Vinerian Scholarship for best overall performance in the BCL (equivalent of Masters in Law)

1st place in Civil Procedure (Clifford Chance Prize)

1st place in Criminal Justice and Human Rights (Faculty Prize)

Faculty of Law Linklaters Scholarship

JB Watt Postgraduate Travelling Scholarship to Oxford

2009 – *LLB (Hons I), University of Sydney*

3rd in graduating class (Nancy Gordon Smith Prize)

1st place in final year exams (John George Dalley Prize 1A)

1st place in Evidence (Monahan Prize)

2007 – *BA (Hons I), University of Sydney*

University of Sydney Beauchamp Literary Prize

University of Sydney Honours Scholarship

Dean's List of Academic Excellence

AFUW (NSW) Jamieson Award

AFUW (NSW) Prize for Essays in English

Josiah Symon Scholarship No I in English

Walter Reid Memorial Book Prize

PROFESSIONAL RECOGNITION

2020

Doyle's Guide, Commercial Litigation & Dispute Resolution (Australia), "Recommended"

Doyle's Guide, Commercial Litigation & Dispute Resolution (NSW), "Leading"

PREVIOUS EMPLOYMENT

2011 – 2014

Solicitor, King and Wood Mallesons (Sydney) – Dispute Resolution

2010

Associate, the Hon. Justice Kiefel AC (as the Chief Justice then was), High Court of Australia

SELECTED APPEARANCES

GENERAL COMMERCIAL,
CORPORATIONS, EQUITY,
CONTRACT

Insurance – Opal Tower. *Icon (Co) NSW Pty Ltd v Liberty Mutual Insurance Company* (2020, FCA, virtual hearing, reserved) (Led by S Donaldson SC)

Interlocutory – set aside subpoena. (Neilson DCJ, 2020, for Suncorp, unled)

ASIC Examinations. Appeared for former CEO of a bank (2019) (Led by R Dick SC); appearances for other employees in the banking sector (2020, unled)

Israel Folau v Rugby Australia Ltd. Rugby AU Code of Conduct Tribunal (2019) (Led by J Gleeson SC, A Hochroth, for Rugby AU)

Interlocutory – security. *Anderson v Patersons Securities Ltd* [2019] NSWSC 852 (unled)

Contract. *Haines Bros Earthmoving Pty Ltd v ACCC Excavations Pty Ltd* (2019, Local Court) (unled)

Interlocutory – injunctive relief (franchising). *Just Better Care Australia Pty Ltd v Just Better Care Canberra Pty Ltd* [2018] FCA 114 (Led by J Giles SC); joinder [2018] FCA 452

Constitutional law. *Australian Information Commissioner v Elstone Pty Ltd* [2018] FCA 463 (Led by R Higgins SC)

Corporations Act. *McBain v Bellamy's Pty Ltd* [2018] NSWSC 1152 (Led by J Kirk SC)

Contract (frustration), dedication of a road. *Pier 26 Pty Ltd v GL Investment Co* (2018, Local Court) (unled)

Contract. *S&P Marine Pty Ltd v Access Private Equity Pty Ltd* (settled at hearing, 2017, Local Court) (unled)

PPSA. *Forge Group Power Pty Ltd (in liq) v GEII* (2016) 305 FLR 101 (Led by J Giles SC)

Procedural fairness. *Royal Guardian Mortgage Management v Nguyen* (2016) 332 ALR 128 (Led by T Blackburn SC)

Interlocutory – issue of subpoena to foreign entity. *Ceramic Fuel Cells Limited (in liq) v McGraw-Hill Financial, Inc* (2016) 112 ACSR 102 (Led by C Withers)

Contract (Contracts Review Act). *Layton v Hagopian* (2016, Local Court) (unled)

Contract. *Isak Investments Pty Ltd v Airport VIP Parking Pty Ltd* (2016, Local Court) (unled)

Contract (Masters v Cameron). *Latham v Manly-Warringah Sea Eagles Ltd* (2016, Local Court, for Manly) (unled)

Application for permission to appeal. *Reynolds v Highfields* [2016] FWCFB 5024 (unled)

Appeal – foreign state immunity. *Firebird Global Master Fund II v Republic of Nauru* (2015) 326 ALR 396 (Led by R Dick SC and D Barnett). See also [2015] HCATrans 15; (2014) 89 NSWLR 477 (appeal); stay application ([2014] NSWCA 375); trial ([2014] NSWSC 1358)

Representative proceedings. *Gray v Cash Converters International Limited*; see e.g. [2015] FCA 1109 (Led by A Coleman SC and D Sulan)

Insolvency. *Re Keneally (as administrator of Australian Blue Mountain International Cultural & Tourism Group Pty Ltd (admin appt))* (2015) 107 ACSR 172 (Led by D Sulan)

Equity – estoppel. *Wantagong Farms Pty Ltd v Bulle* [2015] NSWSC 1603 (Led by P Brereton SC and T Breakspear)

Various unled Supreme Court motions and applications e.g. privilege dispute (Hammerschlag J), application to re-instate deregistered company, appeared for witness giving evidence pursuant to *Evidence on Commission Act 1995* (NSW)

COMPETITION AND CONSUMER LAW

ACL/Competition/International Arbitration Act. *Dialogue Consulting Pty Ltd v Instagram, Inc* (2020, FCA, virtual hearing, reserved) (Led by A Bannon SC, C Bannan, Prof Garnett)

ACL/Representative proceedings/transfer. *West v Rane* [2019] FCA 2195 and *West v Rane (No 2)* [2020] FCA 16 (Led by N Chen SC)

ACL. *ACCC v Woolworths Group Limited* [2019] FCA 1039 (Led by C Moore SC)

Competition. *Australian Competition Tribunal v Port of Newcastle Operations Pty Ltd* [2018] HCATrans 55 (Led by R Higgins SC). Also (2017) 346 ALR 669 (Led by N Hutley SC)

ACL. *Sydney Medical Service Co-operative Ltd v Lakemba Medical Services Pty Ltd* [2016] FCA 763 (**unled**). Also subsequent contempt proceeding: *Sydney Medical Service Co-operative Ltd v Lakemba Medical Services Pty Ltd (No 2)* [2016] FCA 1188 (**unled**)

ACL. *Champion Homes Sales Pty Ltd v ProductReview.com.au Pty Ltd* (2016, NSWSC, settled at hearing) (**unled**, for ProductReview)

ACL. *ACCC v Hillside (Australia New Media) Pty Ltd t/as bet365* [2015] FCA 1007 (liability) and [2016] FCA 698 (penalty) (Led by C Moore SC)

COMMON LAW (TORT, PROFESSIONAL NEGLIGENCE, PROFESSIONAL DISCIPLINE)

Interlocutory – Leave – Privilege. *H v Commissioner of Police* [2020] NSWCA 184 (**unled**)

Representative proceedings/transfer. *Tester v Trueman* [2020] NSWSC 756 (**unled**)

Civil Liability Act. *Fede v Gray bht NSW Trustee and Guardian* [2019] HCASL 180 (Led by M Windsor SC, for Gray)

Tort. *Hutchinson v State of New South Wales* [2019] HCASL 296 (Led by M Hutchings, for the State); appeal ([2019] NSWCA 91); trial (District Court, unreported, 2018, Balla DCJ)

Tort, Bail Act. *State of New South Wales v Dargin* [2019] NSWCA 47 (Led by D Bennett AC QC and M Hutchings, for the State)

Professional discipline. *Davison v LPAB* [2019] NSWSC 959 (Led by K Richardson SC)

Tort. *State of New South Wales v Thomlinson* [2018] NSWCA 151 (Led by J Marshall SC)

Tort. *Sandrin v State of New South Wales* (unreported, 2017, for the State) (Norton DCJ, District Court, 3 days, **unled**)

Tort. *Chen v State of New South Wales (No 2)* [2016] NSWCA 292 (Led by M Windsor SC and M Spatalis, for the State)

Interlocutory – application to strike out pleadings. *Acquah v State of New South Wales* (unreported, 2018, for the State) (Robinson J, District Court, **unled**)

Interlocutory – various applications to set aside notices to produce and subpoenas. Eg before Levy DCJ (2018), Curtis DCJ (2019), Jeffreys DCJ (2019) (all for the State, **unled**)

Negligence. *Cam & Bear Pty Ltd v McGoldrick* [2016] NSWSC 1894 (Led by P Horvath)

SELECTED PUBLICATIONS

Oreb, “Interim Remedies” in *Zuckerman on Australian Civil Procedure* (2018). Topics covered: interim injunctions, security for costs, freezing orders, interim payments.

Oreb, ‘Case comment: The Legality of Kettling after Austin’ (2013) 76(4) *Modern Law Review* 735–742

Oreb, ‘Betting Across Borders: Betfair Pty Limited v Western Australia’ (2009) 31(4) *Sydney Law Review* 607–619

O’Brien and Oreb, Australian International Arbitration Act Held To Be Constitutional’ (2013) 5(1) *The ACICA News* 13-16

Reporter, New South Wales Law Reports (January 2013 – present)

UNIVERSITY DEBATING

World Universities Debating Championships: Best Speaker of 600 (in 2009)

Australasian Universities Debating Championships: Best Speaker, Best Speaker in Grand Final, Winner (in 2008)