



**ANNE
HORVATH SC**
Barrister

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CORE PRACTICE AREAS

My practice covers both commercial litigation and common law, extending over a wide array of topics from contract cases, corporate disputes, professional negligence/professional discipline, insurance policy disputes and catastrophic injury claims. I have appeared in numerous class actions, inquests & inquiries.

QUALIFICATIONS

2021
Elevated to senior counsel
2006
Commenced at the NSW Bar
2000
LLM (UNSW)
1995
Admission Supreme Court of New South Wales
1995
BA/LLB ANU

EMPLOYMENT

1999-2006
Senior Associate, Phillips Fox (Professional negligence & Insurance)
1997-1999
Solicitor, NSW Crown Solicitor's Office (Commercial litigation)
1995-1997
Legal Officer, Human Rights & Equal Opportunity Commission

**COMMERCIAL / PROFESSIONAL
INDEMNITY**

Nature's Care Holdings Pty Ltd v Chen (No. 2) [2024] NSWSC 107: Corporations
Chen v Nature's Care Holdings Ltd [2024] NSWSC 36: Corporations
Nature's Care Holdings Pty Ltd v Chen [2024] NSWSC 14: Corporations
STM123 No. 28 PL v Eastern Suburbs Commercial PL [2023] NSWSC 1266: Commercial dispute
Odtojan v Glynn [2023] NSWCA 276: solicitor negligence
Younes v Younes [2023] NSWSC 456: property dispute
Attwells v White [2023] NSWSC 314: solicitor negligence.
Mount Gilead PL & Hobhouse v L Macarthur-Onslow & Ors [2023] NSWCA 37 & [2021] NSWSC 948: derivative action.

BCC Trade Credit Pty Ltd v Thera Agri Capital No. 2 Pty Ltd [2023] NSWCA 20: construction of insurance contract.

Ali v Insurance Australia Limited [2022] NSWCA 174: construction of insurance contract.

M & W Zaki Pty Ltd v MindChamps Preschool Ltd (No 2) [2022] NSWCA 266: contracts and misleading conduct.

Porter v Dyer [2022] FCAFC 116: application to restrain legal practitioner.

CIMIC Group Limited v AIG Group Limited [2022] NSWSC 999: construction of insurance contracts.

Sterne v THFE Pty Limited [2022] NSWSC 450: contracts.

Lombos v Gray [2021] NSWSC 1579: solicitor negligence.

About Life Pty Ltd v Kloczko [2020] NSWSC 1909: solicitor negligence.

Pan v Royal National Capital Alliance Ltd [2020] FCA 1834: for insurer in shareholder class action.

Bradgate v Ashley Services Group & Ors [2019] FCA 1210: for auditors in shareholder class action.

Atanaskovic Hartnell v Birketu [2019] NSWSC 1006: led by P.J Brereton SC for solicitors in related case re vicarious liability for employee fraud.

Landpower v Penske [2019] NSWCA 161: the construction of apportionment legislation.

Frangie v South Western Sydney Local Health District [2019] NSWDC 42: medical negligence.

Caason Investments Pty Ltd v Cao [2018] FCA 527: for auditors in shareholder class.

Birketu v Clarke & Ors [2018] NSWSC 879 & [2018] NSWSC 1125: defending an application seeking to restrain solicitors from communicating with former clients.

Kallin Pty Ltd v ACN 107 851 847 & Anor [2018] NSWSC 124: misleading conduct surrounding the sale of a business.

Corvest 6 v PKF Pty Ltd [2016] FCA 1458: audit negligence.

GEAT v Deloitte, KPMG & Minter Ellison: NTSC 89 of 2014: audit negligence.

Gladio Pty Ltd v Buckworth [2015] NSWSC 922: contracts & misleading conduct, appeared for selling agent.

Denkha v SWSLHD: 2015/371879: medical negligence

Young v Hones [2014] NSWCA 337, [2014] NSWSC 499, [2013] NSWSC 580, [2013] NSWSC 1429: led by D.T Miller SC advocate's immunity.

Nemeth v Australian Litigation Funders Pty Ltd and Ors [2014] NSWCA 198 & [2013] NSWSC 529: contracts, led by B Coles QC.

Boorer v HLB Mann Judd (NSW) Pty Limited [2014] NSWCA 100 & [2012] NSWSC 1499: audit negligence.

ANZ v Pola: [2013] NSWSC 1801: Banking & misleading conduct by a real estate agent.

Perpetual Trustees Victoria Ltd v Belcastro [2013] NSWSC 1189: misleading conduct.

PROFESSIONAL DISCIPLINE

Health Care Complaints Commission v Godwin [2022] NSWCATOD 17: for the HCCC.

Health Care Complaints Commission v Moussa [2021] NSWCATOD 173 & [2022] NSWCATOD 26: for the practitioner.

Turner v Pharmacy Council of New South Wales [2022] NSWCATOD 156: for the practitioner.

Health Care Complaints Commission v Lui [2022] NSWCATOD 86: for the HCCC.

Health Care Complaints Commission v Ghougassian: [2021] NSWCATOD 217: for the practitioner.

Council of the New South Wales Bar Association v EFA [2021] NSWCA 339 & [2021] NSWCATOD 21: for the barrister.

Al-Mozany v Dental Council of New South Wales [2021] NSWCATOD 110: for the Council.

Health Care Complaints Commission v Dr Hart [2021] NSWCATOD 79: for the HCCC.

Windsor v Health Care Complaints Commission [2020] NSWCA 110: for the Council.

Kirby v Dental Council of New South Wales [2020] NSWCA 91, [2018] NSWSC 1869, [2017] NSWCATOD 64: for the Council.

Holt v Dental Council of New South Wales [2020] NSWCATOD 37: for the Council.

Health Care Complaints Commission v Dr Gupta [2019] NSWCATOD 29 & [2018] NSWCATOD 153: for the practitioner.

Hadi v Medical Board of Australia [2017] NSWCATOD 143: for the Board.

Knowles v Pharmacy Council of NSW [2017] NSWCATOD 138: for the Council.

Burroughs v Australian Prudential Regulatory Authority [2016] FCA 775: for the practitioner in his application for reinstatement of his licence to act as a senior manager of an insurance company.

INSURANCE POLICY DISPUTES

CIMIC Group Limited v AIG Australia Limited (No 2) [2023] NSWSC 640 (for Dual, leading Megan Caristo)

BCC Trade Credit Pty Ltd v Thera Agri Capital No. 2 Pty Ltd [2023] NSWCA 20 (for BCC. Led by Justin Gleeson SC, with Luca Moretti)

Ali v Insurance Australia Limited [2022] NSWCA 174 (for IAL, leading Grace Keesing)

Huon Valley Council v Swiss Re International SE [2022] FCA 611 (for Swiss Re)

CIMIC Group Limited v AIG Group Limited [2022] NSWSC 999 (for Dual, leading Megan Caristo)

Chubb Insurance Australia Ltd v Giabal Pty Ltd; Catlin Australia Pty Ltd v Giabal Pty Ltd [2020] NSWCA 309 (for underwriters).

Southern Classic Group PL v Arch Underwriting at Lloyd's Ltd on behalf of Syndicate 2012 & Ors [2018] NSWSC 1272 & [2018] NSWSC 1530 (for underwriters leading Tim Senior).

Novus Capital Ltd v Talbot Risk Services Pte LTD (2018) Lee J (for underwriters).

Aquagenics Pty Ltd v Certain Underwriters at Lloyds: [2017] FCA 724 (for underwriters).

Mace v Justice and Forensic Health Network; The Geo Group Australia Pty Ltd v AAI Limited t/as Vero Insurance [2016] NSWSC 803 (for Vero).

Smart & JRK Realty Pty Ltd v AAI Ltd [2015] NSWSC 392 (for Vero leading Manal Hamden).

APPEALS

Mount Gilead PL & Hobhouse v L Macarthur-Onslow & Ors [2023] NSWCA 37: derivative action.

BCC Trade Credit Pty Ltd v Thera Agri Capital No. 2 Pty Ltd [2023] NSWCA 20: Construction of an insurance policy.

Ali v Insurance Australia Limited [2022] NSWCA 174: Construction of an insurance policy.

Clancy v Plaintiffs A, B, C and D; Bird v Plaintiffs A, B, C and D [2022] NSWCA 119: intentional torts.

Porter v Dyer [2022] FCAFC 116: Confidentiality obligations & restraint of a legal practitioner.

Brian Old v Associate Professor Paul Minter [2021] NSWCA 92: Medical negligence.

Kirby v Dental Council of New South Wales [2020] NSWCA 91: administrative law.

Landpower v Penske [2019] NSWCA 161: statutory construction.

Kirby v Dental Council of New South Wales [2018] NSWSC 1869: administrative law.

Boorer v HLB Mann Judd (NSW) Pty Limited [2014] NSWCA 100: professional negligence.

OTHER TORTS

Clancy v Plaintiffs A, B, C and D; Bird v Plaintiffs A, B, C and D [2022] NSWCA 119: intentional torts.

Rouvinetis v Knoll [2013] NSWCA 24: Bias, wrongful imprisonment.

Ganassin v Invacare Australia Pty Limited [2013] NSWDC 147: Product liability.

Wurth v Sampco Pty Ltd [2013] NSWDC 173: occupier's liability.

Katellaris v Medical Council of New South Wales [2012] NSWSC 282 and [2012] NSWSC [617]: Misfeasance in public office.

Garzo v Liverpool Campbelltown Christian School Limited & Anor [2011] NSWSC 292: occupier's liability.

Pollard & v Wilson & Dubbo Council [2010] NSWCA 68: nuisance & negligence, led (for the appeal) by P.R Garling SC.

Leerdam & Anor v Noori & Ors [2009] NSWCA 90 & [2008] NSWSC 515: misfeasance in public office, led by A.S Bell SC.

INQUIRIES / INQUESTS

Inquiry into conviction of Kathleen Folbigg (2023): for Dr Cala, forensic pathologist.

Inquest into the death of Peter Gretton (2023): Counsel assisting.

Review of the Star Pty Ltd under ss 143 & 143 AA of the Casino Control Authority Act 1992 (NSW) (2022): for a former officer of Star Casino.

Inquest into the death of Harvey McGlenn (2022): for local health district.

Inquest into the death of Grant Cook (2020): Counsel assisting.

Inquest into the death of Neville Clutton (2020): for SummitCare.

Inquest into the death of Elizabeth O'Pray (2019): for Optus.

Inquest into the death of Kevin O'Halloran (2019) for local health district.

Inquest into the deaths of BLGN & DG (2018), for the Department of Family & Community Services.