



GRACE KEESING

Barrister

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PROFESSIONAL

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

PRACTICE AREAS

Appellate	Equity
Building and construction	Inquiries and inquests
Class actions	Insurance
Commercial law	Professional liability & discipline
Consumer law	Public law
Contract law	Torts and media law

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)

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

RECENT CASES

Unled

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

T Pty Ltd v Curnow, 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 and 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

A-Mart All Sports Pty Ltd v Kiem Dang Investments Pty Ltd & Ors, NSWSC, 2021/00098893 – contract, leasing, building & construction, negligence

Preston v State of New South Wales, NSWDC, 2020/00214354 – intentional torts

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

Gabriel v Commissioner of Police, NSWLC – property, taxation, tracing

South Street Properties Pty Ltd v CW Leasing Services Pty Ltd, NSWSC, 2019/00373635 – property, equity, contract, misleading or deceptive conduct, estoppel, specific performance

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

Dawson v State of New South Wales, NSWDC, 2020/00071273 – tort, Markus direction

Tibbett v State of New South Wales, NSWDC, 2020/00098493 – tort

Abou-Chabake v State of New South Wales, NSWDC, 2020/00174492 – malicious prosecution, trespass to goods, assault and battery

Gibbs v State of New South Wales, NSWDC, 2020/00364038 – false imprisonment, assault and battery

TYKL and National Disability Insurance Agency, AAT, 2019/0104 – public law, administrative review

Toth v State of New South Wales, NSWDC, 2020/55590 – malicious prosecution, intentional torts

South Coast People and Attorney General of NSW, FCA, NSD1331/2017 – native title

Wilcox v State of New South Wales, NSWDC, 2020/353621 – intentional torts

Al-Alam v Commissioner of Police, NSWLC – property, taxation, tracing

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

Led - Appellate

Almona Pty Ltd v Parklea Corporation Pty Ltd, HCA, S128/2021 (with Noel Hutley SC and Elliot Hyde) – special leave, equity, property, fraud

Australian Competition and Consumer Commission v Woolworths Group Limited [2020] FCAFC 162 (with Cameron Moore SC) – consumer law, misleading and deceptive conduct

Coffs Harbour City Council v Polglase [2020] NSWCA 265 (with Matthew Hutchings) – duty of care, personal injury, occupiers liability

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

TX Australia Pty Limited v Australian Competition and Consumer Commission [2021] FCAFC 113 (with Nicholas De Young SC) – public law, judicial review, broadcasting services

Almona Pty Ltd v Parklea Corporation Pty Ltd [2021] NSWCA 171 (with Noel Hutley SC and Elliot Hyde) – property, equity, trusts, contract, costs

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

John XIII College v SMA, ACTCA 33/2020 (with Michael Windsor SC) – evidence, negligence

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 (No 3) [2021] NSWSC 1025 (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 [2020] FCA 1100 (with Nicholas De Young SC) – public law, judicial review, broadcasting services

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 and insolvency

CJMCG Pty Ltd as trustee for the CJMCG Superannuation Fund v Boral Ltd, FCA, NSD340/2020 (with Cameron Moore SC and Fiona Roughley) – representative proceedings, consumer law, corporations law

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

Bachy Soletanche Australia Pty Ltd v Transport for NSW, NSWSC, 2021/00097052 (with Tim Breakspear) – contract, building & construction, debt

Bank of Communications Co Ltd v Sparkes [2021] NSWSC 1025 (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, 2019/392777 (with Nicholas Bender) – commercial law, corporations, directors’ duties, oppression

TIC Realty Pty Ltd v The Australian Broadcasting Corporation, FCA, NSD884/2020 (with Clarissa Amato) – injurious falsehood, financial services

Trustees of the Roman Catholic Church for the Diocese of Maitland-Newcastle v Insurance Australia Limited, NSWSC, 2020/00130607 (with Bret Walker SC and David Lloyd SC) – insurance, contract, tort

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, 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

Bachy Soletanche Australia Pty Ltd v Transport for NSW, NSWSC, 2021/00144479 (with Tim Breakspear) – contract, building & construction, separate question

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

Parkin v Boral Ltd, FCA, NSD602/2020 (with Cameron Moore SC and Fiona Roughley) – representative proceedings, consumer law, corporations law

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) – building & 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

Sevgin v State of New South Wales, NSWDC, 2020/00210507 (with Michael Spartalis) – malicious prosecution, false imprisonment, assault and battery

New Hope Corp Ltd v Northern Energy Corporation Limited (administrators appointed) (No 2) [2019] NSWSC 952 (with Fiona Roughley) – contracts, costs

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

Peters and 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

Hutchinson v State of New South Wales, NSWDC, 2018/00348576 (with Matthew Hutchings) – intentional torts, police powers, personal injury

Martini Family Investments Pty Ltd ATF Martini Family Investments Super Fund v Boral Ltd, FCA, NSD935/2020 (with Cameron Moore SC and Fiona Roughley) – representative proceedings, consumer law, corporations law

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, 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 and 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) – building & 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)