



JEROME ENTWISLE

Barrister

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Professional

NSW Bar (since 2018)

Allens (2013 – 2018). Commercial litigation and dispute resolution.

Tipstaff to the Hon. Justice Ball, Supreme Court of NSW (2012).

Researcher, University of Sydney (2013). Research assistant to Prof. Jennifer Hill – Corporations Law.

Areas of practices

Commercial law
Equity
Corporations law
Insurance
Insolvency

Class actions
Consumer law
Regulatory investigations
Public law
Climate change litigation

Recent cases – *unled*

<i>Spagnolo v Parramatta Leagues Club Ltd</i>	[2023] NSWSC 112	Construction of company constitution; expedition application
<i>The Owners – Strata Plan No 87231 v 3A Composites GmbH (No 6)</i>	[2023] FCA 188	Class action; access to documents concerning group members losses
<i>Goodwin v HBCA Pty Ltd</i>	[2022] FCAFC 166 [2022] FCA 52	Security for costs in unfunded class action (first instance and appeal)
<i>In the matter of AGL Limited</i>	[2022] NSWSC 576	Scheme or arrangement; appearing for interested party concerned about climate impacts

<i>Business Finance Pty Ltd v Partner Invest Pty Ltd</i>	[2022] NSWSC 1	Equitable assignment; constructive trusts
<i>G&S Engineering Services Pty Ltd v MACH Energy Australia Pty Ltd</i>	[2022] NSWSC 1170	Privilege
<i>Flynn v PPK Mining Equipment Pty Ltd</i>	[2022] NSWSC 501	Application to set aside subpoena
<i>ET-China.com International Holdings Ltd v Cheung</i>	[2021] NSWCA 24; 388 ALR 128; 150 ACSR 461 [2019] NSWSC 1874; 142 ACSR 121	Directors' fiduciary duties; <i>Barnes v Addy</i> liability (first instance and appeal)
<i>In the matter of QSmart Securities Pty Ltd</i>	[2021] NSWSC 1687	Contested winding up application
<i>Corrs Chambers Westgarth (a firm) v Charter Pacific Corporation Ltd</i>	[2021] WADC 114	Stay under <i>Service and Execution of Process Act 1992</i> (Cth)
<i>Stines v The GEO Group Australia Pty Ltd</i>	[2021] NSWDC 550	Statutory construction – Part 2A of the <i>Civil Liability Act</i>
<i>Farmers Fruit Box & Plastics Pty Ltd v Select Carbon Pty Ltd</i>	[2021] NSWSC 563	Strike out; apprehended bias
<i>Dimarti v Westpac Banking Corporation</i>	[2020] NSWSC 1342	Strike out; <i>Barnes v Addy</i> pleading
<i>Konekt Limited, in the matter of Konekt Limited</i>	[2019] FCA 1811 [2019] FCA 1997 [2019] FCA 2105	Scheme of arrangement
Recent cases - led		
<i>The Owners Strata Plan No 91086 v Fairview Architectural Pty Ltd (No 3)</i>	[2023] FCA 814	Class action; joinder of insurer – <i>with P Braham SC</i>
<i>Augusta Pool 1 UK Ltd v Williamson</i>	[2023] NSWCA 93	Approval of funding commission in class action settlement – <i>with D Sulan SC</i>

<i>Second COVID-19 insurance test cases (Swiss Re International Se v LCA Marrickville Pty Ltd)</i>	[2022] FCAFC 17; 290 FCR 435 [2021] FCA 1206	Business interruption insurance – with <i>I Jackman SC and P Herzfeld SC</i>
<i>Nuix class actions</i>	[2022] VSC 479	Competing class actions – with <i>M Darke SC</i>
<i>Santangelo v Yates Holding Victoria Pty Ltd</i>	[2022] NSWSC 397	Specific performance; sale of land – with <i>D Sulan SC</i>
<i>Moussa v Camden Council (No. 3)</i>	[2022] NSWSC 913	Summary dismissal; piercing the corporate veil – with <i>I Roberts SC</i>
<i>Wigmans v AMP Limited</i>	[2021] HCA 7; 270 CLR 623	Shareholder class action; competing class actions – with <i>C Moore SC and G Donnellan</i>
<i>Keybridge Capital Ltd v WAM Active Ltd</i>	[2021] NSWCA 203; 105 NSWLR 278	Corporations; take-over offers – with <i>N Hutley SC</i>
<i>DSHE Holdings (Receivers & Managers Appointed)(in liquidation) v Nicholas Abboud (No 3); National Australia Bank Limited v Nicholas Abboud (No 4)</i>	[2021] NSWSC 673; 155 ACSR 1; 359 FLR 331 [2022] NSWSC 91	Directors’ duties – with <i>R Foreman SC and K Boyd</i>
<i>Bowers v The Law Society of NSW</i>	[2021] NSWCA 270 [2021] NSWSC 611 [2021] NSWSC 420	Solicitors practising certificate – with <i>T Wong SC and K Richards SC</i>
<i>Registered Clubs Association of New South Wales v Stolz</i>	[2021] FCA 1418; 157 ACSR 465 [2021] FCA 576	Injunction to protect administration of justice – with <i>C Withers SC</i>
<i>The Owners – Strata Plan No 91086 v Fairview Architectural Pty Ltd (No 2)</i>	[2021] FCA 779	Order for inspection of respondent’s documents – with <i>I Roberts SC</i>
<i>Haselhurst v Toyota Motor Corporation Australia Ltd</i>	[2020] NSWCA 66; 101 NSWLR 890	Representative proceedings; class closure – with <i>R Higgins SC</i>
<i>The Owners – Strata Plan No 87231 v 3A Composites GmbH (No 3)</i>	[2020] FCA 748	Representative proceedings; class closure – with <i>J Gleeson SC and W Edwards SC</i>

<i>The Owners – Strata Plan No 87231 v 3A Composites GmbH (No 5)</i>	[2020] FCA 1576; 148 ACSR 445	Representative proceedings; Merck orders – <i>with W Edwards SC</i>
<i>Roderick v Washington H Soul Pattinson and Company Limited</i>	[2020] NSWSC 1224 [2020] NSWSC 1225	Employment contract; anti-suit injunction – <i>with D Sulan SC</i>
<i>Reilly v Australia and New Zealand Banking Group Ltd (No 2)</i>	[2020] FCA 1502	Limitation periods under ASIC Act- <i>with J Williams SC</i>
<i>CDK16 v Minister for Immigration and Border Protection</i>	[2020] FCA 1837	Judicial review of decision re protection visa – <i>with T Wong SC</i>
<i>Australian Prudential Regulation Authority v Kelaher</i>	[2019] FCA 1521	Civil penalty proceedings; superannuation trustee duties under SIS Act – <i>with R Dick SC and F Roughley</i>
<i>Pleash, in the matter of Equititrust Limited (in liquidation) (receiver appointed)</i>	[2019] FCA 1063	Judicial advice for settlement of proceedings – <i>with J Arnott SC</i>
<i>Commonwealth v Calabretta; in the matter of Condura Pty Ltd (in liq)</i>	[2019] FCA 219 [2019] FCA 444	Removal of liquidator – <i>with J Giles SC</i>

Representative proceedings – recent

<i>ACT Junior Doctors Class Action (for respondent)</i>	Federal Court	Workplace class action - <i>unled</i>
<i>Hog’s Breath class action (for respondent)</i>	Federal Court	Franchisee class action – <i>unled</i>
<i>AMP shareholder class action (for plaintiffs - settled)</i>	Supreme Court	Shareholder class action – <i>with C Moore SC and G Donnellan</i>
<i>Combustible cladding class actions (for applicants)</i>	Federal Court	Consumer law class action – <i>with I Roberts SC and W Edwards SC</i>
<i>Business interruption insurance class actions (for respondents)</i>	Federal Court	Insurance class actions – <i>with L Collins SC (in IAG class action) and J Williams SC (in QBE class action)</i>

<i>IAG business interruption shareholder class action (for respondent)</i>	Victorian Supreme Court	Shareholder class action – <i>with W Harris KC and K Loxley</i>
<i>Nuix class action (for respondent)</i>	Victorian Supreme Court	Shareholder class action – <i>with M Darke SC</i>
<i>Flex commissions class action (for respondent)</i>	Victorian Supreme Court	Consumer law class action – <i>with J Williams SC</i>
<i>S&P ratings class action (for applicant)</i>	Federal Court	Deceit class action based on ratings – <i>with C Withers SC</i>
<i>Quintis class action (for respondent)</i>	Federal Court	Auditor negligence class action – <i>with J Williams SC</i>
<i>Gunns class action (for respondent - settled)</i>	Supreme Court	Auditor negligence class action – <i>with M Darke SC and J Arnott SC</i>
<i>Spring Farm class action (for defendant – proceedings against client dismissed)</i>	Supreme Court	Negligence class action – <i>with I Roberts SC</i>
<i>Takata airbag class actions (for defendant (Nissan) - settled)</i>	Supreme Court	Consumer law class action – <i>with R Higgins SC</i>

Climate change litigation

<i>Re AGL Ltd</i>	Supreme Court	Intervening in scheme or arrangement on behalf of investor concerned about climate impacts – <i>unled</i>
<i>ACCR v Santos (for applicant)</i>	Federal Court	Misleading or deceptive conduct concerning clean energy and net zero claims – <i>with N Hutley SC and S Hartford-Davis</i>
<i>Australian Parents 4 Climate Justice v EnergyAustralia (for applicant)</i>	Federal Court	Misleading or deceptive conduct concerning carbon neutrality claims – <i>with R Dick SC</i>

Education

University of Sydney

Bachelor of Laws (LLB), Hons I, University of Sydney (2006 – 2011)
Bachelor of Arts (BA), Hons I, University of Sydney (2006 – 2009)

Academic achievements

Nancy Gordon Smith Prize for Honours at Graduation (2011)
Academic Merit Prize (2010)
Australian Securities and Investment Commission Prize in Corporations Law (2010)
Walter Reid Memorial Prize (2007, 2009 and 2010)
Power Institute Alumni Prize in Australian Art (2007)
University of Sydney Academic Merit Prize (2007).

Publications

‘Reasonableness and climate change risk in corporate decision-making’ (2022) *Australian Environment Review* 36 (5), 117-122 (with Sebastian Hartford-Davis).

‘The Australian Shareholder Class Action Experience: Are we approaching a tipping point?’ (2017) 36(2) *CJQ* 178 (with Jennifer Campbell).

“Bulk lodgement” and protection from later lodged caveats’ (2013) 87 *ALJ* 210.

‘Corporate liability for the bribery of foreign public officials: Reassessing Australia’s legislative regime in light of the “banknote scandal” and UK Bribery Act 2010’ (2012) 27 *Australian Journal of Corporate Law* 2015.