



**NAOMI D OREB**

*Barrister*

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**ADMISSION TO BAR**

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

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**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)

1<sup>st</sup> place in Civil Procedure (Clifford Chance Prize); 1<sup>st</sup> 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**

3<sup>rd</sup> in graduating class (Nancy Gordon Smith Prize); 1<sup>st</sup> place in final year exams (John George Dalley Prize 1A); 1<sup>st</sup> 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 Book Prize

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**PROFESSIONAL RECOGNITION**

**2020** – Doyle's Guide, Commercial Litigation & Dispute Resolution (Australia)

**2020 - 2022** – Doyle's Guide, Commercial Litigation & Dispute Resolution (NSW)

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**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

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**SELECTED APPEARANCES**

**Insurance.** *CIMIC Group Ltd v AIG Ltd* (2022, NSWSC reserved) (Led by S Donaldson SC)

**GENERAL COMMERCIAL MATTERS**

**Fair Work Act.** *Qantas v TWU* [2022] FCAFC 71 (Led by B Walker SC)

**Contract.** Private expert determination (2022) (Led by M Hodge QC)

**International Arbitration Act, proof of foreign law.** *Instagram, Inc v Dialogue Consulting Pty Ltd* [2022] FCAFC 7; first instance [2020] FCA 1846; injunctive relief [2021] FCA 1322 (Led by A Bannon SC)

**Contract.** *Chevron (TAPL) Pty Ltd v Pilbara Iron Company (Services) Pty Ltd* [2021] WASCA 193 (Led by N Hutley SC)

**Urgent injunction, Corporations Act.** *Veolia Environnement SA v Suez Australia Holding Pty Ltd* [2021] FCA 334 (Led by P Brereton SC)

**Summary dismissal.** *Kitoko v University of Technology Sydney* [2021] FCA 360 (unled)

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**Insurance – Opal Tower.** *QBE Underwriting Ltd v Icon (Co) NSW Pty Ltd* (2021) 154 ACSR 126 and at first instance: [2020] FCA 1493 (Led by S Donaldson SC)

**Subpoena; privilege.** *Duma v Fairfax Media Publications Pty Ltd* [2021] FCA 119 and [2020] FCA 1792 (Led by N Owens SC)

**Rugby AU Tribunal hearing** v Israel Folau (2019) (Led by J Gleeson SC)

**Security for costs.** *Anderson v Patersons Securities Ltd* [2019] NSWSC 852 (unled)

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

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

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

**Constitutional law.** *AIC v Elstone Pty Ltd* (2018) FCR 470 (Led by R Higgins SC)

**Contract, dedication of road.** *Pier 26 Pty Ltd v GL Invest. Co* (2018, 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)

**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)

**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)

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COMPETITION AND CONSUMER LAW

**Resale price maintenance.** *ACCC v B&K Holdings* [2021] FCA 260 (Led by S Free SC)

**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)

**ACL.** *Sydney Medical Service Co-operative Ltd v Lakemba Medical Services Pty Ltd* [2016] FCA 763 (unled). Subsequent contempt proceeding: [2016] FCA 1188 (unled)

**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)

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OTHER REGULATORY MATTERS (AUSTRAC, ASIC)

**Penalty – AML/CTF Act.** *AUSTRAC v Westpac Banking Corporation* (2020) 148 ACSR 247 (Led by J Sheahan QC and R Higgins SC, and with E Bathurst)

**ASIC Examinations.** Appeared for examinees from the banking sector (2020, **unled**)

**ASIC Examinations.** Appeared for former CEO of a bank (2019) (Led by R Dick SC)

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COMMON LAW

**Leave to appeal.** *Singh v Hicks* [2021] NSWCA 80 (**unled**)

**Leave to appeal; privilege.** *H v Commissioner of Police* [2020] NSWCA 184 (**unled**)

**Contract.** *Moisson Lawyers Pty Ltd v Thomas* (2020, NSWSC, unrep, Wilson J) (**unled**)

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

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**Medical negligence.** *Moore v Hillier*, May 2021, NSWSC, settled during hearing (Led by Chen SC)

**Medical negligence.** *Netherwood v Hillier*, Aug 2021, NSWSC, settled at hearing (Led by Chen SC)

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

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

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

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

**Tort.** *State of New South Wales v Thomlinson* (2018) NSWLR 315 (Led by J Marshall SC)

**Tort.** *Sandrin v State of New South Wales* (unreported, 2017, 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 Spartalis, for the State)

**Strike out.** *Acquah v State of New South Wales* (2018, District Court, unrep) (**unled**)

**Various applications to set aside notices to produce and subpoenas.** Eg before Neilson DCJ (2020), Jeffreys DCJ (2019), Curtis DCJ (2019), Levy DCJ (2018) (all **unled**)

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

## HIGH COURT

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

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

**Civil Liability Act.** *Fede v Gray* [2019] HCASL 180 (Led by M Windsor SC)

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

## 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

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)

June 2022