

ADRIAN MAROYA

Ninth Floor Selborne Chambers
174 Phillip Street Sydney NSW 2000
Telephone: 9233 5188 Facsimile: 9233 1137 DX 376 Sydney
Email: amaroya@selbornechambers.com.au

Date of Admission to New South Wales Bar:

March, 2004

Qualifications:

BA (Hons) (University of Sydney)
LLB (Hons) (University of Sydney)
Grad Dip Leg Prac (University of Technology, Sydney)

Principal Areas of Practice:

- Administrative Law
- Appellate
- Commercial
- Commissions and Enquiries
- Contracts of Employment
- Equity
- Family (including trusts and complex trusts structures)
- Industrial
- Intellectual Property
- Insolvency
- Professional and Medical Negligence
- Revenue
- Land tax
- Trusts
- Wills and Probate

— *Appearances in all jurisdictions generally, and the Supreme Court of New South Wales, in particular*
— *Extensive advisory practice in contentious and non-contentious matters*

Previous Professional Experience:

- Research Assistant and Tipstaff to the Hon Mr. Justice Meagher, NSW Court of Appeal (2003–2004)
- Office of the Chief Executive, Commonwealth Bank of Australia (1999–2002): all aspects of company law and compliance; assistant company secretary.

Reported Cases Include:

- *The Owners Strata Plan No 2245 v Veney* [2020] NSWSC 134; (2020) 19 BPR 39,971
- *Nobarani v Mariconte (No 2)* [2018] HCA 49; 92 ALJR 1031
- *Nobarani v Mariconte* [2018] HCA 35; (2018) 265 CLR 236
- *Tonab Investments Pty Ltd v Optima Developments Pty Ltd* [2015] NSWCA 287; 90 NSWLR 268
- *Ferella v Chief Commissioner of Revenue* (2014) ATC 20-472; (2014) 96 ATR 875; [2014] NSWCA 378
- *Tomasetti v Brailey* 2012 [NSWCA] 399; (2012) 274 FLR 248; (2012) 91 ATR 531 (professional negligence; *Trade Practices Act* claims)
- *Celermajer Holdings Pty Limited v Kopas* (2011) 16 BPR 30,735; [2011] NSWSC 40

Liability limited by a scheme approved under the Professional Standards Legislation

- *Downe v State of New South Wales and Ors (No 2)* (2009) 71 NSWLR 633; (2008) 218 FLR 268; (2008) 174 IR 386
- *Downe v State of New South Wales and Ors* (2006) 161 IR 250
- *McManus RE Pty Ltd v Ward* [2009] NSWSC 440; (2009) 74 NSWLR 662; [2009] NSW ConvR 56-241
- *Russell v Trustees of the Roman Catholic Church for the Archdiocese of Sydney* (2008) 72 NSWLR 559; 176 IR 82
- *Warne v GDK Financial Solutions Pty Ltd* (2006) 24 ACLC 1000
- *Zinc Corporation v Paminco* (2004) 49 ACSR 129

Other Cases Include:

- *Estate of the late Genevieve Bryan* [2022] NSWSC 965
- *Jaken Properties Australia Pty Ltd v Naaman* [2022] NSWSC 517
- *Tetbury Pty Limited v John Francis Mahony trading as Mahony Law* [2021] NSWDC 691
- *Murphy v Lewkovitz; Lewkovitz v Murphy* [2021] NSWDC 361
- *The Estate of Genevieve Bryan* [2021] NSWSC 567 (No 1)
- *Hamilton v State of New South Wales* [2020] NSWSC 700
- *IAG Limited trading as NRMA Insurance v Lucic* [2019] NSWSC 620
- *Turner v MyBudget Pty Limited* [2018] FCA 1407
- *Zupicic v La Camera Paino* [2018] NSWSC 692
- *Maharaja's Palace Pty Limited v Raj & Jai Construction Pty Limited* [2018] NSWSC 1269
- *Hamilton v State of New South Wales* [2017] NSWCA 112
- *Tleis v Insurance Australia Limited* [2017] FCA 280
- *Re Sirrah Pty Limited* [2017] NSWSC 1683
- *Tetbury Pty Limited v Mahony* [2017] NSWSC 37
- *Souleles v Todd* [2016] NSWCA 91
- *Stillman v Rusbourne & Ors* [2015] NSWCA 410
- *Tonab Investments Pty Ltd v Optima Developments Pty Ltd* [2015] NSWCA 287
- ICAC, Operation Spicer
- *Ferella v Chief Commissioner of State Revenue* [2014] NSWCA 378 (*Land Tax Management Act* exemptions)
- *Stillman v Rushbourne* [sic] [2014] NSWSC 730 (professional negligence; advocate's immunity)
- *Dunwoodie v Teachers Mutual Bank Ltd* [2014] NSWCA 24 (avoidance of contract for duress and fraud)
- *Tomasetti v Brailey* [2013] NSWSC 1282 (professional negligence; Trade Practices claims)
- *Masters v Sydney West Area Health Service* [2013] NSWSC 228 (expert evidence; contested admissibility of photographic evidence)
- *Merck Sharp & Dohme Corp. v Cmr of Patents* [2013] AATA 71 (With Howard SC; patent applications and extensions)
- *Branson v Tucker* [2012] NSWCA 310 (*Legal Profession Act* and costs assessment regime vs. contractual basis of costs recovery)
- *Product Development Solutions Australia Pty Ltd v Parametric Technology Corporation* [2012] NSWCA 211 (equitable set-off)
- *Tre Cavalli Pty Ltd v Berry Rural Co-operative Society Ltd* [2012] NSWCA 187 (winding-up; pending appeals; inability of court to stay certain orders)
- *Tomasetti v Brailey* [2012] NSWCA 6 (availability of freezing orders pending appeal proceedings)
- *Masters (by her tutor Masters) v Sydney West Area Health Service* [2012] NSWSC 228 (expert evidence; use and admissibility of photographic evidence in medical negligence proceedings)

Publications and Speeches:

- "Crypto-Fiduciary Duties" (Co-written with Mr. Justice R. P. Meagher) (2003) 26(2) *University of New South Wales Law Journal* 348
- Guest Speaker (Recent Trends in Contractual Interpretation) at 2013 State Legal Conference, New South Wales
- Guest speaker at Australian Lawyers' Alliance National Conference (October 2009)
- Numerous papers delivered at professional organizations and symposia, concerning most aspects of practice and procedure, particularly in equitable jurisdictions