



## Adrian Maroya

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## Date of Admission to NSW Bar

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March, 2004

## Qualifications

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BA (Hons) (University of Sydney)

LLB (Hons) (University of Sydney)

Grad Dip Leg Prac (University of Technology, Sydney)

## Principal Areas of Practice

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- Administrative Law
- Appellate
- Commercial
- Contracts of Employment
- Equity
- Industrial
- Intellectual Property
- Insolvency
- Professional and Medical Negligence
- 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

## Professional Experience

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- 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

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- *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 Pasminco* (2004) 49 ACSR 129

## Recent Cases Include

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- *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)
- *Tomasetti v Brailey* 2012 [NSWCA] 399 (professional negligence; Trade Practices claims)
- *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 (freezing orders pending appeal proceedings)

## Publications and Speeches

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- "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, Queensland
- 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