



Josh Sukkar

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Admissions

- 2023 **Called to NSW Bar**
- 2018 **Solicitor of High Court of Australia**
- 2017 **Solicitor of NSW Supreme Court**

Education

- 2016 **Bachelor of Laws (Hons 1)**, University of Technology Sydney
- **Awards:** First Class Honours; first overall in the 14 core law subjects; first in Insurance Law; first in Deceptive Trade Practices; rank 3/101 in graduating cohort
 - **Activities:** Various mooting awards and prizes (incl. ALSA, Gibbs, Oxford International Intellectual Property Moot); Advocacy Mentoring Program; law tutor
- 2012 **Bachelor of Music (Classical Performance)**, Conservatorium of Music Sydney

Professional experience

- 2023 **Barrister, Ninth Floor Selborne Chambers**
- 2020-2023 **Associate / Senior Associate, Barry Nilsson Lawyers**
Litigator experienced with disputes relating to insurance coverage, public and products liability, construction and property damage, commercial transactions, and professional indemnity
- 2020-2023 **Casual Academic, University of Technology Sydney**
Subject tutor and marker for Corporate Law, and Personal Injury
- 2019 **Associate to Judge Weber SC, District Court of NSW**
Civil & Criminal jurisdictions
- 2017-2019 **Solicitor, Ashurst**
Lawyer in the Competition & Consumer team
- 2015-2016 **Summer clerk, Ashurst**

Practice areas

I accept briefs in all areas of the law, with a focus on the following practice areas:

- Insurance & Reinsurance (incl. coverage and dual insurance disputes)

- Professional Negligence
- Common Law (incl. Personal Injury, Intentional Torts, and Products Liability)
- Consumer Protection & Trade Practices
- Building & Construction
- Regulatory Prosecutions
- Contracts & Commercial Transactions
- Real Property
- Corporations Law

Recent experience

Led appearances

- *Scaff v Scaff* (NSWSC; judgment pending) – led by DD Knoll AM (5-day trial) – claim for constructive trust and other equitable relief in respect to residential property
- *Thynne v Sheringham* [2023] NSWCA 181 – led by SV Shepherd - memorandum of wishes – caveatable interest – nature of trust arising at testator’s death

Unled appearances

- *Cavar v Campbelltown Catholic Club Ltd* (NSWSC) –negligence and defamation - motion for summary dismissal and strike out
- *Oktavian v Crocker* (NSWSC) – urgent claim for injunctive relief – nuisance and breach of easement
- *BG Drilling v GeoAust* (LCNSW) - contested motion: jurisdictional challenge and stay of proceedings - contested motion: vacation of hearing date – breach of contract and negligence claim (2-day trial)
- *Net Surplus v Nhacity* (LCNSW) – contract claim – repudiation, damages and construction of contract (2-day trial)
- *Ali v Baghdadi* (NCAT) – consumer claim – sale of defective car engine
- *V&V v Triguboff-Travers* (NCAT) – home building claim – claim in debt and cross-application for defective works
- *[Catholic Institution] v EC* - Urgent interlocutory application – expedition of permanent stay application – dispute as to costs

Recent experience as a solicitor

Daily conduct of ~50 files. Recent experience includes:

Insurance coverage disputes

- Acting for an insurer in relation to claims arising from an allegedly defective agricultural paint product
- Acting for an insurer in a dispute with an occupier arising from a catastrophic injury
- Defending a dual insurance claim arising from widespread building defects at a residential apartment complex
- Acting for a first-party insurer in relation to widespread damage to x2 wind turbine generators
- Acting for an insurer in relation to an allegedly defective industrial coating product

- Acting for insurers in an indemnity dispute following the death of a worker at a large construction site

Professional indemnity / building and construction

- Acting for a mechanical engineer in relation to professional negligence claims in connection with a hospital
- Acting for various builders in relation to defective work and property damage claims
- Acting for a property valuer in relation to contract and misrepresentation claims brought by a non-bank lender
- Acting for a building certifier in relation to claims arising from allegedly defective cladding at a residential complex

Personal injury and intentional tort

- Acting in relation to civil claims arising from historical sexual abuse in Catholic institutions, State care, and surf and sporting clubs
- Acting in relation to claims involving catastrophic injuries
- Acting in relation to general public liability claims
- Acting in statutory recovery proceedings under s 151Z *Workers Compensation Act 1987* (NSW)

Product liability

- Acting for a frozen food supplier in relation to a salmonella outbreak resulting in widespread consumer claims
- Acting for various electronic goods distributors in relation to fires caused by allegedly defective goods

Regulatory

- Defending SafeWork NSW criminal proceedings arising from a structural collapse at a residential site
- Defending SafeWork NSW criminal proceedings arising from a serious workplace injury