

# BRADLEY SMITH

## Tenth Floor Chambers

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## Areas of Practice

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Bradley has a wide-ranging practice and accepts briefs in all areas of law. He has particular experience in commercial law, corporations law, insolvency, real property, equity, insurance law and inquests.

## Selected Cases

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### Led

- *Sunbuild Pty Ltd v Certain Underwriters at Lloyd's under contract number B1262BW0020715* (District Court of NSW, Gibson DCJ, 12 August 2021) – appeared for insurers in successful defence to professional indemnity claim (led by David Lloyd SC)
- *Calibre Construction Corp Pty Ltd v Bayside Council* [2021] NSWSC 758 – successful claim for delivery up of bank guarantees based on limitation defence (led by Stefan Balafoutis SC)
- *In the matter of Mudgee Dolomite & Lime Pty Ltd (No. 4)* [2021] NSWSC 393 – appeared for liquidators on application for judicial directions (led by James Hutton)
- *In the matter of Mudgee Dolomite & Lime Pty Ltd* [2021] NSWSC 984 – appeared for liquidators on application for approval of remuneration and secured indemnity agreement (led by James Hutton)
- *Hana v Shad Legal Services Pty Ltd* [2021] NSWSC 601 – strike-out application in respect of professional negligence claim (led by James Lee)
- *DBCT Management Pty Ltd v McConnell Dowel Constructors (Aust) Pty Ltd and Geosea Australia Pty Ltd Joint Venture* [2021] FCA 512 – appeared for subpoenaed entity in successful privilege claim over report into maritime accident (led by Charles Colquhoun)
- *DBCT Management Pty Ltd v McConnell Dowel Constructors (Aust) Pty Ltd and Geosea Australia Pty Ltd Joint Venture (No 2)* [2021] FCA 810 – application for indemnity costs of subpoena compliance (led by Charles Colquhoun)

### Unled

- *Inquest into the disappearance and suspected death of Marion Barter* (Coroner's Court of NSW 2019/306081) – appeared for family member in two-week coronial inquest
- *Pioneer Credit Solutions Pty Ltd v Noor Ahmad Javid-Faiẓ* (Supreme Court of NSW 2020/92347) – appeared for defendant in successful opposition to summary judgment application
- *GC Realty Pty Ltd v Strathfield Partners Pty Ltd* (Local Court of NSW 2020/189851) – appeared for real estate agent in successful claim for commission
- *Warren v Chamberlain* (District Court of NSW 2021/98463) – appeared for plaintiff in successful application for freezing orders in support of intentional tort claim
- *Serendib Health Care Pty Ltd v JKN Hills Pty Ltd* (NCAT COM 20/17895) – appeared for respondent in claim under the *Retail Leases Act 1994* (NSW)
- *Fusion Empire Australia Pty Ltd v Rizon Pty Ltd* (NCAT HB 20/26788) – appeared for subcontractor in proceedings under the *Home Building Act 1989* (NSW)

## Professional Experience

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2020–	<b>Barrister, Tenth Floor Chambers</b>
2018-2020	<b>Solicitor, King &amp; Wood Mallesons</b> Restructuring & Insolvency; Commercial Litigation; Corporations Law
2017	<b>Tipstaff to the Hon. Justice Rowan Darke, Supreme Court of NSW</b> Real Property; Equity
2015-2016	<b>Summer Clerk and Paralegal, King &amp; Wood Mallesons</b> Commercial Litigation; Energy & Resources
2015	<b>Paralegal, Norton White</b> Maritime Law; Aviation Law
2012-2015	<b>Paralegal, Jordan Djundja Lawyers</b> Criminal Law; Wills & Estates; Commercial Litigation

## Education and Qualifications

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September 2020	Called to the New South Wales Bar
January 2019	Admitted as a lawyer of the High Court of Australia
October 2018	Admitted as a lawyer of the Supreme Court of New South Wales
May 2017	Bachelor of Laws, University of Sydney
May 2015	Bachelor of Arts, University of Sydney

## Prizes and Scholarships

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### University of Sydney

- Outstanding Achievement Academic Scholarship (2012-2016)
- Dean's List of Excellence in Academic Performance (2016)
- Exchange Outbound Scholarship to Trinity College, Dublin (2016)
- Academic Merit Prize (2012, 2016)
- Allens Prize in Corporations Law (2016)
- Monahan Prize for Evidence (2015)
- First in course – German Philosophy: Leibniz to Nietzsche (2014)

### Mooting

- Best Oralist, Australian Rounds – Jessup Moot (2016)
- Best Speaker, General Rounds – International Maritime Law Arbitration Moot (2015)
- Winner – Shine Lawyers National Torts Moot (2014)

## **Presentations and Publications**

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Bradley Smith, March 2021, 'Equitable Remedies in Commercial Proceedings' (Presentation to Brothers and Sisters in Law Annual CPD Conference)

Charles Colquhoun and Bradley Smith, November 2020, 'Equitable Remedies in Commercial Proceedings' (Presentation to Law Society of NSW Commercial Litigation Specialist Accreditation Week)

Bradley Smith, December 2017, 'Land Law Catchwords', Council of Law Reporting for New South Wales

Bradley Smith, 'The Effect of the *Ius Fetiale* and its Legacy on Roman War and Imperialism 264 – 32 B.C.' (2012) 36(1) *Classicum – The Journal of the Classical Association of NSW* 23

## **Community Involvement**

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**2012 – Present**          Referee, New South Wales Rugby Union