

## Joshua Raftery

Barrister

13 Wentworth Selborne Chambers

13/174-180 Phillip Street Sydney NSW 2000

DX 386 Sydney

P: (02) 8915 5138 • F: (02) 9232 4071 • M: 0488 222 933

E: jraftery@selbornechambers.com.au

### PRACTICE AREAS

---

Commercial Litigation	Building & Construction
Insurance & Reinsurance	Insolvency
Equity	Common Law
Medical Negligence	Professional Negligence
Employment & Industrial Relations	Property Damage

### EDUCATION & ADMISSION

---

2014	<b>Called to the Bar</b>
2008	<b>Admitted as a Solicitor to the Supreme Court of New South Wales</b>
2007	<b>Bachelor of Laws</b>

### PREVIOUS EXPERIENCE

---

2012 –2014	<b>Senior Associate at Kennedys</b> Acted for large commercial clients and a wide variety of insurers.
2008-2012	<b>Solicitor at Moray &amp; Agnew Lawyers</b> Acted for insurers in relation to personal injury matters.

### SELECTED JUDGMENTS

---

- *Pattinson v Bellwether Agriculture Pty Ltd (In Liq)* [2018] NSWSC 38 – misleading and deceptive conduct.
- *AAP Industries Pty Ltd v Han's Pipe Fittings Co Ltd* [2017] FCA 1619 (led by C D Wood) – copyright / anti-anti-suit injunction and application to serve originating process outside the jurisdiction.

- 
- *Mansour v Jiang & Anor* [2017] FCCA 2098 – misleading and deceptive conduct / application to amend statement of claim.
  - *Mint International Pty Ltd v Australian National University* [2017] ACTSC 161 (led by F J Purnell SC) – lease dispute / injunction.
  - *Advanced Concrete Sealing (NSW) Pty Ltd v Ennis* [2017] NSWSC 228 (led by E Collins SC) – defective product dispute.
  - *Ellis's Town House Pty Ltd v Botan Pty Ltd* [2017] NSWCA 20 (led by J Downing, unled in the District Court proceedings) – lease dispute.
  - *Kerr v R* [2016] NSWCCA 218 (led by M Thangaraj SC) – appeal against sentence for dangerous driving causing grievous bodily harm.
  - *S & G Homes Pty Ltd t/as Pavilion Homes v Owen* [2015] NSWCATAP 190 and [2016] NSWCATAP 218 – building dispute.
  - *Mega-top Cargo Pty Ltd v Moneytech Services Pty Ltd* [2015] NSWCA 402 (led by C D Wood) – contractual dispute.
  - *In the matter of Peter Maxwell & Associates (Services) Pty Ltd* [2015] NSWSC 976 - winding up of a company.
  - *Smythe v Burgman (No 2)* [2015] NSWSC 298 (led by M Windsor SC) - medical negligence dispute.
  - *Arora Markets Pty Ltd v Workers Compensation Nominal Insurer* [2015] NSWSC 107 (led by C D Wood) - application to set aside default judgment.

#### SELECTED CASES

---

- *CBRE Pty Ltd & Anor ats Hyperion Property Syndicates Ltd* (led by D McLure SC) – NSWSC – misleading and deceptive conduct / fraudulent misrepresentation.
- *Otis Elevator Company Pty Ltd & Ors ats Dowd* (led by M Windsor SC) – NSWSC – personal injury dispute.
- *Remagen Capital Pty Ltd ats Polmaze Pty Ltd* - NSWDC – professional negligence dispute.
- *In the matter of Brindabella Airlines (In Liq)* (led by M Oakes SC) - FCA - acting for Canberra Airport in respect of an unfair preference claim.
- *Six Mile Creek Pty Ltd ats Eckford* - FCA - misleading and deceptive conduct.

- 
- *Oale Pty Ltd ats Focus Hoteliers Pty Ltd* (led by M Windsor SC) – NSWSC – lease dispute.
  - *GBD Ventures Pty Ltd v Mobile Embrace Ltd* – NSWSC – contractual dispute / misleading and deceptive conduct.
  - *Australian National University ats The Australian National University Union Incorporated* (led by R J Weber SC) – ACTSC – equitable interest in property / lease dispute.