



Jesse Kennedy, Eleven Wentworth

LLM (Vanderbilt Scholar, International Business Regulation, Litigation and Arbitration Award, NYU, 2014)

LLB (First Class Honours, University Medal) / BA (ANU, 2008)

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**Admitted to practise
Admitted to the Bar**

2009 (NSW), 2010 (High Court of Australia)
2015 (New York), 2017 (NSW, entitled to practise throughout Australia)

Principal areas of practice

Administrative & public law	Equity
Appellate	Insurance law
Arbitration	International law
Commercial law	Real property
Constitutional law	Trade & transport law

Previous experience

2014-2017: Associate, Skadden Arps Slate Meagher & Flom (New York)
2010-2013: Associate, Norton Rose Fulbright (Sydney)
2009-2010: Associate to the Hon Justice W M C Gummow AC, High Court of Australia (Canberra)
2009: Graduate, Blake Dawson (Ashurst) (Sydney)

Professional recognitions

Chambers 2024: Australia – Shipping: The Bar (Band 1)
Australia – Dispute Resolution – The Bar
Legal 500 (2024): Australia Bar (Commercial Disputes)
Doyle’s Guide: Leading Arbitration Barristers 2023
Leading Transport Barristers 2023

Professional memberships

New South Wales Bar Association (International Committee)
Australian Centre for International Commercial Arbitration
Maritime Lawyers Association of Australia and New Zealand
Asia-Pacific Forum for International Arbitration

Professional profile

<http://www.linkedin.com/in/jesse-kennedy-a05a6758/>

Selected cases

Appellate

- *Carmichael Rail Network Pty Ltd v BBC Chartering Carriers GmbH & Co KG* [2024] HCA 4 (international arbitration, treaty interpretation, cargo disputes)
- *Karpik v Carnival plc* [2023] HCA 39 (class actions, extraterritoriality, private international law)
- *Ixom Operations Pty Ltd v Blue One Shipping SA* [2023] FCAFC 25 (estoppel, shipping law)
- *Mineralogy Pty Ltd v Sino Iron Pty Ltd* [2022] WASCA 162 (contract law, mining)
- *DFD Rhodes Pty Ltd v Hancock Prospecting Pty Ltd* [2022] WASCA 97 (arbitration)
- *Belconnen Lakeview Pty Ltd v Lloyd* (2021) 156 ACSR 273 (consumer law, restitution)
- *Deigan v Fussell* [2019] NSWCA 299 (property, wills and estates, equity)
- *BGP Geosplorer Pte Ltd v Mineralogy Pty Ltd* [2018] QCA 230 (unled, discharge of undertakings)
- *Mineralogy Pty Ltd v BGP Geosplorer Pte Ltd* [2018] QCA 174 (contract, equity, guarantees)
- *ARJ17 v Minister for Immigration and Border Protection* (2018) 360 ALR 64 (administrative law, constitutional law, migration)

Arbitration

- *Zheng v Australian International Aviation College Pty Ltd* [2023] NSWSC 1165 (unled, referral to arbitration, indemnity costs)
- *Wright Prospecting Pty Ltd v Hancock Prospecting Pty Ltd* [2023] WASC 285 (arbitration, suppression orders)
- *Orient Overseas Container Line Ltd v APL Co Pte Ltd (No 2)* [2021] FCA 606 (unled, referral to arbitration)
- *Wright Prospecting Pty Ltd v Hancock Prospecting Pty Ltd (No 13)* [2021] WASC 214 (referral to arbitration, standing, UNCITRAL Model Law)
- *EBJ21 v EBO21* (2021) 395 ALR 310 (enforcement, confidentiality, suppression orders)
- *Australian individuals v Australian companies* (CAA, Perth seat, corporations, equity, trusts)
- *Australian company v Korean company* (ACICA, Sydney seat, competition and consumer law, contract, sale of goods, tort)
- *United States company v Australian individuals* (unled, ACICA, Sydney seat, contract law, restraint of trade)
- *London charterers v New Zealand shipper* (unled, LMAA, London seat, shipping law)
- *French company v Italian company* (unled, LMAA, London seat, contract law, limitations)
- *Sydney company v Perth company* (unled, ACICA, Sydney seat, contract law)
- *Chinese company v Dutch company* (ICC, Singapore seat, contract law)
- *NTT Docomo v Tata Sons* (LCIA, London seat, Indian law, contract, corporations, foreign exchange)
- *Devas v India* (UNCITRAL, investment treaty claim)

Commercial/General Litigation

- *McLean-Phillips v Carnival plc* [2023] FCA 328 (class actions, consumer law, strike-out)
- *Bank of New Zealand (Security Trustee) v The vessel MY "Island Escape" (No 2)* [2023] FCA 101 (admiralty law, judicial sale)
- *Bank of New Zealand (Security Trustee) v The vessel MY "Island Escape"* [2022] FCA 1230 (unled, admiralty law, method of judicial sale, undertaking to Admiralty Marshal)
- *DBCT Management Pty Ltd v McConnell Dowell Constructors* [2021] FCA 512 (privilege)
- *Mineralogy Pty Ltd v Sino Iron Pty Ltd* [2021] WASC 45 (contract, mining and resources)
- *Motor Yacht Sales Australia Pty Ltd v Megisti Yacht Charters Ltd* [2019] FCA 1454 (unled, shipping registration, caveats, contracts, trusts)
- *Rinehart v Rinehart* [2019] NSWSC 759 (corporations, shareholder rights, trusts)
- *Campbell v Van Der Velde* [2019] FCA 1871 (bankruptcy, equity, property law, trusts)
- *Large v D'Jamirze* [2019] NSWSC 716 (contract, consumer law, fiduciary duties, financial services, trusts)
- *Lendlease (Millers Point) Pty Ltd v Barangaroo Delivery Authority* [2018] NSWSC 1931 (contract)
- *TCL Air Conditioner (Zhongshan) Co Ltd v Castel Electronics Pty Ltd* (2013) 251 CLR 533 (as a solicitor, constitutional law, international arbitration)

Publications

- "Advocacy in International Arbitration" (2022) *Australian Bar Review* 38
- "Autocatalysis in Investment Treaty Law" (2016) 47(3) *Georgetown Journal of International Law* 1085
- "Tickets, Money, Passport – and an Arbitration Agreement?" (2014) 30(4) *Arbitration International* 687
- "Protecting Regulatory Measures in Investment Treaty Law" (2013) *Czech Yearbook of Int'l Law* 1
- "Arbitrate This! Enforcing Foreign Arbitral Awards and Chapter III of the Constitution" (2010) 34 *Melbourne University Law Review* 558