

Samuel Murray

Professional Details

Admitted to Bar:	May 2021
Chambers:	Eleven Wentworth Chambers Level 11, 174–180 Phillip Street Sydney NSW 2000
Email:	murray@elevenwentworth.com
Telephone:	(02) 8066 0895

Selected Led Cases

<i>Yang Bai v Watson Elite Pty Ltd</i> [2022] NSWSC 318	Property: Final hearing regarding indefeasibility of title and the effect of the equity of redemption	Led by A Macauley (for defendant)
<i>Aust-One Investment Pty Ltd v New World Investments Pty Ltd</i> [2022] NSWSC 137	Property: Final hearing regarding the enforceability of a Property; positive covenants	Led by A Macauley (for plaintiff)
<i>Georgina Rinehart v John Hancock</i> (Supreme Court of Western Australia, ARB 1 of 2022, 10 February 2022, unreported)	Procedure: Application to issue subpoenas	Led by T O'Brien (for applicant)
<i>Walker v Members Equity Bank Ltd</i> [2021] FCA 1554	Crime: Determination of separate question on statutory construction of ASIC Act regarding operation of limitation periods	Led by T Game SC and S Keating (for defendant)
<i>Secretary, Department of Education v Early Childhood Education Australia Pty Ltd</i> [2021] NSWCATAP 397	Administrative review: Appeal regarding family day care licensing scheme, involving questions of statutory construction	Led by N Condylis (for respondent)
<i>Grand Metal Pty Ltd v Nashco Pty Ltd</i> [2021] NSWSC 1005	Contract: Final hearing regarding assignability and scope of guarantee	Led by A Macauley (for cross-defendants)
<i>International Management Group of America Pty Ltd v Media Niugini Ltd t/as EMTV (No 2)</i> [2021] NSWSC 919	Procedure: Application to set aside notice to produce	Led by T O'Brien (for plaintiff)
<i>Dialogue Consulting Pty Ltd v Instagram Inc</i> (Federal Court, VID 369 of 2019, ongoing)	Private Law: Claims of breach of contract, estoppel, breaches of Australian Consumer Law against Meta Inc, involving questions of interpretation and application of US law	Led by T Bannon SC, C Bannan, and N Oreb (for defendants)
<i>Apple Inc & Anor v Epic Games, Inc & Anor</i> (S113/2021, High Court Special Leave Application, 2 December 2021)	Private International Law: Special leave application regarding effect of exclusive forum clause	Led by S Free SC, C Bannan and Z Hillman (for applicants)
<i>Grocon Group Holdings Pty Ltd & Ors v Infrastructure NSW</i> (No.2020/37937, Supreme Court, ongoing)	Contract: Proceedings against INSW regarding the development of Central Barangaroo including allegations of breach of contract	Led by D Barnett (for defendant)

	and misleading or deceptive conduct	
<i>Private Commercial Arbitration previously subject of Federal Court Proceedings</i> (ongoing)	Equity: Ongoing commercial arbitration regarding allegations of breach of trust and breach of contract trusts concerning ownership of mining tenements and shares in privately held company	Led by P Brereton SC, C Bova SC, T O'Brien <i>et al</i> (for defendants)
<i>Stellar Vision Operations Pty Ltd v Hills Health Solutions Pty Ltd</i> (NSW Supreme Court, 2016/00284725, ongoing)	Contract/Equity: Appeal in respect of claim by plaintiff for breach of contract and fiduciary duties	Led by C Bova SC (for appellant)
<i>Catlin Australia Pty Ltd v Diamond World Jewellers Pty Ltd</i> (NSW Court of Appeal 2021/358543, ongoing)	Insurance: Appeal in respect of claim for breach of insurer's obligation of utmost good faith	Led by J Kelly SC (for respondent)
<i>Woolworths Group Ltd v Patties Foods Pty Ltd</i> (NSW Supreme Court, 2020/160992, ongoing)	Contract: Claim for breach of warranties	Led by P Herzfeld SC (for defendant)

Selected Unled Cases

<i>O'Connor & Ors v Griffis</i> [2022] NSWSC 197	Property: Application to extend caveat in respect of a property concerning a trust created under a will	Unled (for plaintiffs)
<i>Sinclair v Camnet Finance Pty Ltd</i> [2022] NSWCATAP 32	Contract: Appeal arising out attempt to set aside personal guarantee, including on basis of application of National Credit Code	Unled (for defendant)
<i>Owners – Strata Plan No 92306 & Anor v Dyldam Developments Pty Ltd & Anor</i> (NCAT, HB 21/44243, 21 March 2022, unreported)	Construction: Transfer application to Supreme Court	Unled (for plaintiff)
<i>AusDiagnostics Pty Ltd v Louise Chow</i> (No. 2021/00055693, Supreme Court, Registrar Jones, unreported, 16 September 2021)	Breach of confidential information: Application to set aside subpoena	Unled (for applicant)
<i>Camnet Finance Pty Ltd v Kheir Lawyers Pty Ltd</i> (No. 2021/00146827, Local Court, Magistrate Keir, unreported, 27 October 2021)	Contract: Claim for debt	Unled (for plaintiff)
<i>Roe v Kovacic</i> (No. 2022/98899, Supreme Court) (ongoing)	Property: Claim arising out of uncompleted contract of sale of land	Unled (for plaintiff)
<i>Super Sub's Pty Lts v Westside Petroleum Holdings Pty Ltd</i> (NSW Supreme Court, 2021/227801) (ongoing)	Contract: Claim in contract arising out of repudiation of a lease and collateral contracts, as well as estoppel and misleading or deceptive conduct	Unled (for plaintiff)
<i>Gok v Quattro Automotive Pty Ltd & Anor</i> (Magistrates Court of Western Australia No. MAJ/GCLM/16/2021, ongoing)	Australian Consumer Law: Claim for breach of statutory guarantees	Unled (for defendant)

Education

University of Oxford 2018 - 2019

Bachelor of Civil Law (BCL) (Dist)

Law Faculty Prize for Best Performance in 'Commercial Remedies'

Clifford Chance Prize for Best Performance in 'Principles of Civil Procedure' (shared)

Lincoln College Examination Award for Distinguished Performance

Banking and Financial Services Law Association of Australia and New Zealand Scholarship, Hannah Fullerton Scholarship and Supperstone in Law Scholarship

University of Sydney 2011 - 2015

Bachelor of Arts (BA) / Bachelor of Laws (LLB) (Hon I)

Best Performance in Final Year of Undergraduate Law (2015)

First Five First Class Honours Candidates for LLB (2015)

Finalist, Convocation Medal for Undergraduate Achievement (2017)

University of Sydney Academic Merit Prize (2011, 2012, 2013, 2015)

Professional Experience prior to the Bar

Corrs Chambers Westgarth 2017 - 2021

Senior Associate, Commercial Litigation

Cases included:

Stellar Vision Operations Pty Ltd v Hills Health Solutions Pty Ltd [2022] NSWSC 144

Grocon Group Holdings Pty Limited v Infrastructure NSW [2020] NSWSC 1194

Rinehart v Hancock Prospecting Pty Ltd (2019) 267 CLR 514

TX Australia Pty Ltd v Network Ten Pty Ltd [2018] NSWSC 559

In the matter of TEN Network Holdings Limited [2017] NSWSC 1247

Court of Appeal of New South Wales 2016

Tipstaff to Justice Ronald Sackville and Justice Arthur Emmett

Memberships and Associations

Supreme Court of NSW and High Court of Australia 2017

Admitted to Practice

Major Awards and Achievements

NSW Young Lawyers 2018

NSW Young Lawyer of the Year

Philip C Jessup International Law Moot Court Competition 2015

World Champion & National Champion

Publications

Samuel Murray, *Legislation and Regulation in Australia: Children and young people with disability in primary and secondary education settings* (Research Report, Disability Royal Commission, July 2021)

Samuel Murray, 'Experts' in Adrian Zuckerman et al, *Zuckerman on Civil Procedure: Principles of Practice* (Sweet and Maxwell, 4th ed, 2021)

Nicholas Condylis, Samuel Murray, and Peter Gerangelos, 'Inherent Executive Power in Ireland – Lessons for Australia' (2019) 6 *Journal of International and Comparative Law* 1-27

Samuel Murray, 'Brexit means Brexit, but what does it mean for International Trade Law?' (Paper presented at 'Lincoln Leads', Lincoln College, Oxford, January 2019)

Samuel Murray, 'The Public Interest, Representative Government and the "Legitimate Ends" of Restricting Political Speech' (2017) 43 *Monash University Law Review* 1-34

James Whittaker, Colin Lockhart, Timothy Bunker, and Samuel Murray 'Australia' in J Carter (ed), *The International Arbitration Review* (Law Business Research, 8th ed, 2017)

Samuel Murray, 'Liquidator's application for determination of questions regarding rights of contribution' (2017) 235 *Corporate Law Bulletin* 6.7

Mark Wilks, David Anthony, and Samuel Murray, 'When is a bailment a PPS Lease under the PPSA?' (2017) 33.10 *Australian Banking & Finance Law Bulletin*

Samuel Murray, *Oxford Reports on International Law in Domestic Courts* (Oxford University Press): 'The Queen v Alqudsi' (2017); 'Casey v Alcock' (2014); 'Thor Shipping A/S v The Ship 'Al Duhail' (2013); 'The Queen v Disun' (2013)