



## 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, also entitled to practise in all Australian jurisdictions)

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**Principal areas of practice**

Administrative & public law

Equity

Appellate

Insurance law

Arbitration

Public & private international law

Commercial law

Real property

Constitutional law

Trade & transport law

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**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)

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**Professional recognitions**

Chambers Global 2022: Australia – Shipping: The Bar (Band 1)

Doyle's Guide: Leading Transport Barristers 2022

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**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

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**Professional profile**

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

## Publications

- “Advocacy in International Arbitration” (2022) *Australian Bar Review* (forthcoming)
- “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

## Selected cases

### Appellate

- *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

- *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)
- *London charterers v New Zealand shipper* (LMAA, London seat, shipping law)
- *NTT Docomo v Tata Sons* (LCIA, London seat, Indian law, contract, corporations, foreign exchange)
- *Devas v India* (UNCITRAL, investment treaty claim)
- *Gambrinus v Venezuela* (ICSID, investment treaty claim)

### Commercial/General Litigation

- *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)