

## CURRICULUM VITAE

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**TERTIARY EDUCATION:** **1986-1990**  
Honours Degree of Bachelor of Laws  
Monash University

**1986-1988**  
Bachelor of Economics  
Monash University

**2001-2002**  
Bachelor of Civil Law  
University of Oxford

**QUALIFICATIONS & ADMISSION DETAILS:** Barrister and Solicitor of the Supreme Court of Victoria (1992)  
Solicitor of the Supreme Court of England and Wales (1993)  
Signed the Roll of Counsel of the Victorian Bar (1994)

**WORK HISTORY:** **1991 - 1994**  
Articled Clerk/Solicitor  
Minter Ellison, Melbourne & London Offices

**1994 - present (except 2001-2002)**  
Barrister, Victorian Bar

**1997 – 2016 (except 2001-2003)**  
Part time Lecturer / Senior Fellow, Faculty of Law, Monash University

**RECENT CASES:** **Court of Appeal of Victoria**  
*Gardiner v Hughes (No 2)* S APCI 2018 0100 (Awaiting hearing)  
*Ross v Simmons* S APCI 2018 0082 (Judgment reserved)  
*Gardiner v. Hughes* [2017] VSCA 167 (Standing of next of kin to revoke grant of probate).  
*Re application by Olrey Pty Ltd (as trustee of FRG Investments Trust)* [2016] VSCA 8 (Appeal against orders providing judicial advice to trustee).

**Supreme Court of Victoria**  
*Hall v Hall* [2018] VSC 692 (Approval of trustees' scheme of family arrangement)  
*Re Gardiner (No 3)* [2018] VSC 414 (Prima facie case for revocation of grant).  
*Simmons v Ross* [2018] VSC 306 (Limitations of actions)  
*Re Gardiner (No 2)* [2017] VSC 699 (Disqualification for apprehended bias)

*Traparco Pty Ltd (as trustee of the KW Mackenzie 'I' Trust) v. Pescott* [2017] VSC 649 (Trustee's claim to recover scheme costs of deed of family arrangement).

*Re applications by Olrey Pty Ltd (as trustee of FRG Investments Trust)* [2016] VSC 18 and [2015] VSC 643; (Judicial advice applications respecting litigation in *Ying Mui v Hoh* (2017) 119 ACSR 577; [2017] VSC 29).

*Hughes v. Gardiner* [2016] VSC 541 (Claim to determine a separate question concerning standing to revoke grant of probate).

**ARTICLES:**

'Property by any other Name: The Trouble with Shareholder Claims in Australia' (2007) 81 ALJ 75-93.

'Translating the public law "may" into the common law "ought": The case for a unique common law cause of action for statutory negligence' (2009) 83 ALJ 331-345.

'Resuscitating the *Wilkinson v Downton* tort in Australia' (2011) 85 ALJ 37-50.

'The Animal as a Chattel? Conferring Equitable Rights on Non-Humans' (2019) ALJ (forthcoming mid-2019).