

NATASHA CASE

BARRISTER

Natasha Case specialises in commercial, regulatory, and public law, including inquiries and investigations.

Natasha was recognised as a Leading Junior of the Australian Bar in the Legal 500 Asia Pacific Guide 2023 in Commercial Disputes.

Prior to coming to the bar, Natasha was a solicitor for over 11 years, with a varied practice in commercial and public law, including as principal and as in-house counsel.

ADMISSIONS

Barrister (NSW)	17 May 2013
High Court and Federal Court	2002
Legal Practitioner (WA)	2002
Legal Practitioner (NSW)	5 October 2001

ACADEMIC

BA (HONS I), UNSW	2000
BA/LLB, University of Melbourne	1999

PROFESSIONAL EXPERIENCE

Barrister May 2013

In-house counsel 2011 – 2013

Office of the Information and Privacy Commission (NSW)

Led the conduct of reviews of agency decisions under the *Government Information (Public Access) Act 2013* (NSW) and appeared for the Information Commissioner as *amicus curiae* in hearings before the NSW Civil and Administrative Tribunal and Appeal Panel.

Principal Solicitor/Senior Solicitor 2008 – 2011

Public Interest Advocacy Centre (Sydney)

Conducted a wide range of strategic public interest litigation including defamation (imputation that the plaintiff was a terrorist), patents (is a human gene patentable) and human rights (sexuality, race and disability discrimination).

Alinea Chambers

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Solicitor 2003 – 2007

Cridlands Lawyers (Sydney)

Commercial litigation solicitor dealing with matters in the Supreme Court of NSW and Land and Environment Court for corporate and high net worth individuals.

Solicitor 2001 – 2003

Yamatji Marlpa Aboriginal Corporation (Karratha, WA)

Advised claimant clients of the native title representative body in relation to native title claims and future acts, including in relation to the Burrup Agreement and the commencement of the multi-party East Pilbara Agreement.

SELECT CASES

Commercial

Gomerai People Native Title Applicant v Santos NSW Pty Ltd and Energy/Australia Narrabri Gas Pty Ltd (QUD13/2023), appeal from Determination of the National Native Title Tribunal with W Hall, led by T McAvoy SC. Listed for hearing before a Full Court of the Federal Court 9 – 11 August.

Kean v Taylor *Kean v Taylor* NSWSC 2022/93989 unled, for the plaintiff successfully resisting an application to strike-out and dismiss a s66G application.

Santos NSW Pty Ltd and Energy/Australia Narrabri Gas Pty Ltd v Gomerai People Native Title Applicant [2022] NNTTA 74 (19 December 2022), led by T McAvoy SC for the native title party in expedited arbitration application involving considerations including breach of statutory duty of good faith and the public interest in the IPCC's 26th report on climate change before the National Native Title Tribunal.

NL Investment Group Pty Ltd v Parc Vue Project Botanic Pty Ltd (VID1356 of 2019), *NL Investment Group Pty Ltd v Parc Vue Project Botanic Pty Ltd* [2020] FCA 711, unled, for the fourth defendant in proceedings for alleged breach of collateral warranty, deceit, and misleading and deceptive conduct in connection with a large property development in Melbourne. Successful strike out of statement of claim. Ongoing.

Zyber Holdings Ltd v Bakos [2020] FCA 387, unled, for defendant to application to set aside statutory demand.

UCX Ltd v Australian Communications and Media Authority [2019] FCA 1345, unled, for applicant for urgent interlocutory and final relief relating to broadcasting licence.

Re Courtenay House Capital Trading Group Pty Ltd (in liq) [2018] NSWSC 1918; (2018) 133 ASCR 451, led by S Goodman SC, for the fifth and eighth defendants, responding to ASIC application for winding up and liquidator's applications.

Hamilton v Hamilton [2016] NSWSC (expedition list), unled, for the second defendant and cross-claimant. Farm succession dispute involving allegations of breach of contract, partnership dispute, proprietary estoppel and constructive trust. Settled at hearing.

McBride v Christie's Australia Pty Ltd [2014] NSWSC 1729, led by E Muston SC, for the first defendant, Christie's. Breach of contract, misleading and deceptive conduct.

Highhope Holdings Pty Ltd v Heuston (2014) 291 FLR 150, unled, for the applicant. Successful defence of an application to set aside s 81 examination summons on the ground that it was issued for an improper purpose.

Regulatory litigation and inquiries

Appearing for persons of interest in confidential ASIC inquiries into civil penalty contraventions and corporate criminal offences.

Appearing for persons the subject of confidential workplace investigations into misconduct.

In the matter of RM Capital Pty Ltd NSD906/2019, led by D Hogan-Doran SC, for the second defendant in civil penalty proceedings brought by ASIC in respect of alleged contraventions of s 963G of the *Corporations Act 2001* (Cth) in relation to acceptance of conflicted remuneration by an authorised representative. Heard on 12 July 2021, Judgment reserved.

Keogh v Commissioner for Fair Trading [2021] NSWCATOD 30.

Inquiry by the Honourable Patricia Bergin SC under section 143 of the Casino Control Act 1992(NSW) (2020) led by S Finch SC and J Stoljar SC, with Z Hillman, for Melco Resorts and Entertainment Ltd in relation to the suitability of Crown Resorts Ltd to hold a restricted gaming licence.

Commissioner for Fair Trading v Edward Lees Imports Pty Ltd (No 2) [2019] NSWCATAP 222.

Konstantinidis v Council of the Law Society of NSW [2018] NSWCA 59, led by T Lynch SC, for the appellant from a decision of the NSW Supreme Court.

Council of NSW Bar Association v Hanrahan [2018] NSWCATOD 44, unled, for the barrister respondent to application to vary information against him, achieving reduction in number of disciplinary findings and orders.

Colquhoun v Health Care Complaints Commission [2015] NSWSC 387, led by P Griffin SC, for the respondent to an appeal to the NSW Supreme Court from a disciplinary decision of the NSWCAT Occupational Division.

Operation Cavill (2014), led by P Griffin SC, for a person of interest in ICAC inquiry. Construction and application of *Election Funding, Expenditure and Disclosures Act 1981*(NSW).

Public law

Lu v Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs [2019] FCA 2062, unled, for the respondent to an appeal from the decision of the Federal Circuit Court to refuse to set aside decision to reject an application for a spouse visa.

University of Canberra v Australian Communications and Media Authority (AAT 1212 of 2019), unled, for applicant seeking orders in the nature of *mandamus* requiring the Authority to exercise its powers under the *Radiocommunications Act 1992* (Cth) to correct register. Application settled in the course of the hearing.

La Perouse Local Aboriginal Land Council v Minister Administering the Crown Lands Act (NSW Land and Environment Court 18/99180, 18/99189, 18/99193, 18/99195), unled, for the Minister instructed by the NSW Crown Solicitor in Class 3 appeal from the refusal of application under the *Aboriginal Land Rights Act 1983* (NSW). Application withdrawn prior to hearing.

Waterhouse v Independent Commission Against Corruption (No 3) [2015] NSWSC 261, led by N Beaumont SC, for respondent to application for judicial review of a decision of the ICAC.

Esposito v Commonwealth of Australia [2013] FCA 1039, led by E Muston SC for the Office of the Environment and Heritage (NSW), led by E Muston SC in defence of application for judicial review of the Minister's decision and alleged breach of s.51(xxxi) of the Constitution in the acquisition of land.

July 2023