



AREAS OF LAW

Tamasin has been practising law for over 20 years, specialising in all areas of commercial law, with a particular focus on Competition and Consumer Law, Contract Law, Equity and Trusts, Corporations Law and Regulatory matters.

Tamasin regularly appears unled in the Supreme Court of NSW and the Federal Court of Australia and has appeared led in the High Court of Australia and the appellate jurisdictions of the Federal Court of Australia and the Supreme Court of NSW.

Before being called to the Bar in 2017, Tamasin was a senior associate at Norton Rose Fulbright and, before that, was a senior associate at Henry Davis York. In 2015 she worked in the House of Commons (United Kingdom), drafting briefing papers for the Prime Minister on the implications of Brexit and managing an investigation into the UK's involvement in the extraordinary rendition regime run by the CIA during the war on terror.

SELECT MATTERS

Competition and Consumer Law (including Franchising disputes)

AHG WA (2015) Pty Ltd v Mercedes-Benz Australia/Pacific Pty Ltd; Federal Court of Australia Proceedings VID 604/2021 - acting for Mercedes-Benz in a franchising dispute under the Franchising Code of Conduct (**Code**) concerning the adoption by Mercedes-Benz of a new business model; allegations of breach of good faith and unconscionable conduct under the Australian Consumer Law (**ACL**) (Led by R Craig QC, instructed by Maddocks)

Lian Fa International Dining Business Corporation v Mu [2021] FCA 1527 - ongoing dispute between Taiwanese franchisor and its Australian master franchisee concerning the termination of the master franchise agreement; allegations of misleading and deceptive conduct under the ACL, trademark infringement, passing off and breach of confidential information (Unled, instructed by Maddocks)

Lecos Corporate Pty Ltd t/as Movenpick Sydney CBD v Nestle Australia Ltd trading as Movenpick Ice Cream & Ors; Federal Court of Australia Proceedings 43/2017 -franchising dispute under the Code concerning the termination by Nestle of a franchise agreement; allegations of misleading and deceptive conduct and unconscionable conduct under the ACL (Led by T Alexis SC, instructed by Axclereit)

Riteh Pty Ltd v Kentucky Fried Chicken Pty Ltd; District Court of NSW Proceedings 2019/382278 - acting for Kentucky Fried Chicken in a franchising dispute concerning the validity of the termination by KFC of a franchise agreement under the Code; including allegations of unconscionable conduct under the ACL (Unled, instructed by Maddocks)

Bridge v Keogh; Supreme Court of NSW Proceedings 2018/392208 -alleged misleading and deceptive conduct under the ACL and alleged breach of fiduciary duties (Led by A McGrath SC, instructed by McCullough Robertson)

Acting for the ACCC in various matters as a solicitor including *ACCC v Snowdale Holdings Pty Ltd (No 2)* [2017] FCA 834; *ACCC v Snowdale Holdings Pty Ltd* [2016] FCA 541; *ACCC v Derodi Pty Ltd* [2016] FCA 365; *ACCC v Dulux Group (Australia) Pty Ltd (No 2)* [2016] FCA 1286

Equity and Trusts

EG FuelCo (Australia) Ltd v Ampol Australia Petroleum Pty Ltd [2021] NSWSC 989 -mandatory interlocutory injunction application seeing to compel rebranding (Led by A McGrath SC, instructed by Herbert Smith Freehills)

Gooley v Gooley [2021] NSWSC 56 - contested probate proceedings concerning an estate of significant value (With J Knackstredt, instructed by Macpherson Kelley)

Gooley & Anor v Gooley & Ors; Supreme Court of NSW Proceedings 2021/193448 and 2021/248827 - interim injunctive relief; proper construction of various trust deeds, breach of fiduciary duties of trustee, unconscionable conduct and undue influence (With J Knackstredt, instructed by Macpherson Kelley)



Contract Law

Cromarty Resources Pty Ltd v Thalanga Copper Mines Pty Ltd [2021] NSWCA 284; *Thalanga Copper Mines Pty Ltd v Cromarty Resources Pty Ltd and Red River Resources Limited* [2021] NSWSC 640 - repudiation (renunciation) of a long-term royalty contract (Led by A McGrath SC, instructed by McCullough Robertson)

Flowbird Australia Pty Ltd v Downer EDI Engineering Power Pty Ltd; Supreme Court of NSW Proceedings 2020/344524 - proper construction of a long-term information technology contract (Unled, instructed by Macpherson Kelley)

Oriental Merchant Pty Ltd v Nongshim Co Ltd & Anor; Supreme Court of Victoria Proceedings 2018/877 - alleged breach of implied distribution agreement and alleged misleading and deceptive conduct under the ACL (Led by R Craig QC, instructed by Maddocks)

Belgravia Nominees Pty Ltd v Lowe Pty Ltd [No 6] [2019] WASC 5 - breach of long-term informal contract and breach of fiduciary duties (Led by C Zelestis QC, B Dharmananda SC, with M Sims, instructed by Jackson McDonald)

Corporations Law and Insolvency

In the matter of CBCH Group Pty Ltd (No 3) [2020] FCA 555; *(No 2)* [2020] FCA 472 - these were the first cases nationally dealing with commercial rent during the COVID-19 pandemic (Led by V Whittaker SC, instructed by Hamilton Locke)

In the matter of Synergy Medical Imaging Pty Ltd; Supreme Court of NSW Proceedings 2020/195497 - winding up proceedings concerning a conglomerate of radiology practices run by interrelated trusts (Unled, instructed by Baker Love)

NEE v Sirmans; Federal Court of Australia Proceedings 214/2018 - oppression proceedings concerning various interrelated companies and trusts (Led by M Howard SC, instructed by Grammercy Legal)

In the matter of Quintis Limited; Supreme Court of Western Australia Proceedings 77/2018 - liquidators' examinations (Led by M Solomon SC (as his Honour then was), instructed by Allens Linklaters)

Regulatory and Administrative Law

Australian Securities and Investments Commission v Bendigo and Adelaide Bank Limited [2020] FCA 716 and *Australian Securities and Investments Commission v Bank of Queensland Limited* [2021] FCA 957 - these were the first cases brought by the Australian Securities and Investments Commission under the unfair contracts regime in the *Australian Securities and Investments Commission Act 2000 (Cth)* in the wake of the Royal Commission into Misconduct in the Banking, Superannuation and Financial Services Industry (Led by R Scruby SC, instructed by ASIC)

Bosanac v the Commissioner of Taxation; High Court of Australia Proceedings P8/2020; Bosanac v Commissioner of Taxation [2019] HCA 41; *Bosanac v Commissioner of Taxation* [2019] FCAFC 116; *Bosanac v Commissioner of Taxation* [2018] FCA 946 - income tax matter that proceeded to an application in the original jurisdiction of the High Court and, separately, an application for special leave to the High Court (Led by Stephen Sharpley QC (High Court) and Alain Musikanth (Federal Court), instructed by the Australian Government Solicitor)

QUALIFICATIONS, ROLES AND PRIZES

Bachelor of Commerce - The University of Sydney (1998)

Bachelor of Laws (Hons) - The University of Sydney (2000)

Henry Davis York (1999 - 2012)

House of Commons, United Kingdom (2015)

Norton Rose Fulbright (2015-2016)

Best Performed Reader (Trial Advocacy) Bar Readers Course (2017)

Advocacy coach with the Australian Advocacy Institute and the Australian Bar Association in Australia and Singapore