

ALINEA CHAMBERS

Level 33, 52 Martin Place
Sydney, NSW 2000

ljudd@alineachambers.com.au

HEMMANT'S LIST

Level 6, 32 Turbot Street
Brisbane, Queensland 4000

LLEWELLYN WARD JUDD**QUALIFICATIONS****Master of Banking and Finance Law** (University of Melbourne)

Equity in Commerce, Advanced Consumer Law, Advanced Corporations Law, International Financial Institutions, Hedge Funds & Private Equity Law and Securities & Financial Services Law

Master of Laws (University of Queensland)

Insolvency, Multi Modal Transport Contracts, Advanced Administrative Law, Carriage of Goods Contracts and Private Maritime Law and others

Graduate Diploma of Applied Laws (College of Law)

Wills and Estates, Contested Probate and other Applications and Family Provision

Diploma of Law (Legal Practitioners Admission Board and University of Sydney)**Bachelor of Arts** (University of Sydney)

History and French

CLASS ACTIONS*Tippett v Premoso Pty Ltd, General Motors Australia and New Zealand & Anor*

product liability proceedings commenced in the Federal Court of Australia in relation to defective motor vehicles manufactured by General Motors; instructed by Johnson Winter Slattery Solicitors for the lead applicant, appearing with co-counsel, led by Steven Finch SC – these proceedings are ongoing

Torley v Hyundai Motor Company Australia Pty Limited

product liability proceedings commenced in the Federal Court of Australia in relation to defective motor vehicles; instructed by Johnson Winter Slattery Solicitors for the lead applicant, appearing with co-counsel, led by Garry Rich SC – these proceedings are ongoing

Schleehauf & Anor v Kia Australia Pty Ltd & Anor

product liability proceedings commenced in the Federal Court of Australia in relation to defective motor vehicles; instructed by Johnson Winter Slattery Solicitors for the lead applicant, appearing with co-counsel, led by Garry Rich SC – these proceedings are ongoing

Harrold v Exactech Australia Pty Ltd & Anor

product liability proceedings commenced in the Federal Court of Australia in relation to defective joint replacement devices; instructed by Gerard Malouf Solicitors for the lead applicant, appearing with co-counsel, led by Duncan Graham SC – settlement approved by Jackman J.

Mallonland Pty Ltd & Ors v. Advanta Seeds Pty Ltd

product liability proceedings commenced in the Supreme Court of Queensland in relation to contaminated seed product; instructed by Clifford Gouldson Solicitors, who were partnered with Herbert Smith Freehills Solicitors, for the defendant, appearing with co-counsel, led by Peter Dunning KC – judgment for the defendant

Generally

Llewellyn has prepared opinions on prospects for contemplated class actions which have not been commenced or have not been commenced yet.

APPEALS

Yowie Group Limited & Anor v. Keybridge Capital Limited (reserved)

appeal first instance decision of the NSWSC; whether, pursuant to section 659B of the *Corporations Act* 2001, the first instance ‘court proceeding’ was ‘in relation to’ a takeover bid thereby excluding the court’s jurisdiction; instructed by Bridges Lawyers, unled

Turnbull v Strange [2018] NSWCA 157

appeal decision refusing to set aside subpoena addressed to Department of Corrective Services (NSW); with respect to ss 18, 23(6) of the *Privacy and Personal Information Protection Act* 1998 (NSW), whether recorded conversations came within the scope of ‘information about an individual’; the construction of the term ‘personal information’; instructed by Slater & Gordon Lawyers, unled

Stuart v Queensland Building and Construction Commission [2017] QCA 115

appeal costs decision of the appeal tribunal; whether ss 149 and 150 of the *Queensland Civil and Administrative Tribunal Act* 2009 allowed appeals against ‘final decision’ of the Tribunal; whether an order as to costs was a ‘final decision’; instructed by Murdoch Lawyers, appearing with co-counsel

SIGNIFICANT CASES AND JUDGMENTS

Torley v Hyundai Motor Company Australia Pty Limited (No.4) [2024] FCA 983

in representative proceedings, applications by the lead applicants for non-standard discovery orders; instructed by Johnson Winter Slattery Solicitors for the lead applicants, appearing with co-counsel

Torley v Hyundai Motor Company Australia Pty Limited [2023] FCA 591

in representative proceedings, applications by the respondents seeking orders for inspections of the representative applicant's vehicle under r. 14.01 of the *Federal Court Rules* 2011, whether inspections should occur before or after close of pleadings; instructed by Johnson Winter Slattery Solicitors, appearing with co-counsel, led by Stephen Free SC

CDO Pty Ltd ATF the McDonald Family Trust v Michel, in the matter of Laava ID Pty Ltd (No.4) [2023] FCA 25

opposing application for relief against oppression; judgment regarding the appropriate remedy, proceedings dismissed; instructed by Peterson Haines Lawyers, appearing for a cross defendant; unled

CDO Pty Ltd ATF the McDonald Family Trust v Michel, in the matter of Laava ID Pty Ltd (No.3) [2022] FCA 1302

opposing application for relief against oppression; reasons for judgment following main hearing; instructed by Peterson Haines Lawyers, appearing for a cross defendant, unled

CDO Pty Ltd ATF the McDonald Family Trust v Michel, in the matter of Laava ID Pty Ltd [2022] FCA 148

opposing an application for an order under r. 30.01 of the FCR 2011 that certain questions be determined separately; application for security for costs; whether an undertaking to give security was reasonable having regard to recent asset sales and the movement of cash into managed trust structure; instructed by Peterson Haines Lawyers, unled

CDO Pty Ltd ATF the McDonald Family Trust v Michel, in the matter of Laava ID Pty Ltd (No.2) [2022] FCA 249

application to amend points of defence and withdraw admission; whether the proposed amendment was in the effect a withdrawal of an admission; instructed by Peterson Haines Lawyers, unled

CDO Pty Ltd ATF the McDonald Family Trust v Michel, in the matter of Laava ID Pty Ltd

opposing application for relief against oppression; whether there was oppression and assuming oppression, the appropriate remedy, judgment reserved; instructed by Peterson Haines Lawyers, unled

Chiropractors Board of Australia v Dr Dillon

professional disciplinary proceedings in QCAT; whether the practitioner's conduct amounted to professional misconduct or unprofessional conduct; instructed Allaw Queensland Solicitors; opposed Queens Counsel, unled

Strange v Turnbull; McKenzie v Turnbull [2021] NSWSC 27

application for continuance of preservation orders; instructed by Aptum Legal, unled

Robert John Strange v Robeena June Turnbull; Alison Gai McKenzie v Robeena June Turnbull, 1erace SCJ, unreported 5 February 2021

application to stay execution; instructed by Aptum Legal, unled

Porter v Gardiner and Ors

QSC medical negligence proceedings; whether doctor failed to palpate lump in breast; settled at mediation; instructed by Dwyer Law, led by Timothy Matthews KC

El Bishry & Ors v. Gold Coast Hospital and Health Service

QSC medical negligence proceedings; whether failure to promptly diagnose and treat blocked bowel; instructed by Dwyer Law; settled at mediation

Mallonland Pty Ltd & Ors v Advanta Seeds Pty Ltd [2021] QSC 74

in representative proceedings; first initial hearing in Queensland Supreme Court before Jackson J, whether, in terms of pure economic loss, the plaintiffs were able to protect themselves against exposure to the risk of economic loss; instructed by Clifford Gouldson Lawyers and Freehills, appearing with co-counsel, led by Peter Dunning KC and Greg Beauchamp KC;

Stott v Advanta Seeds Pty Ltd [2020] NSWSC 846

application to extend time for service of evidence; whether witnesses ought to be permitted to give evidence by audio visual link due to COVID 19; instructed by Clifford Gouldson Lawyers, led by Greg Sirtes SC

Strange v Turnbull; McKenzie v Turnbull 2020 NSWSC 1923

application for interim preservation orders; whether judgment debtor dissipating funds from the sale of properties; instructed by Aptum Legal, unled

Strange v Turnbull; McKenzie v Turnbull (No.2) 2020 NSWSC 1924

application for interim preservation orders; application to be released from implied 'Harman' undertakings; instructed by Aptum Legal, unled

Warden v. Singh & Ors

QSC medical negligence proceedings; whether failure to promptly diagnose and treat osteosarcoma; settled at mediation; instructed by Dwyer Law, unled

McKenzie v Turnbull [2019] NSWSC 364

application for approval of a proposed settlement of proceedings for damages on behalf of persons under a legal incapacity ought to be granted; instructed by Slater & Gordon Solicitors, led by Eugene Romaniuk SC

Re: Real Estate Employers Federation [2019] FWC 188

application for consent to alter eligibility rules; whether application was valid; whether objection was valid; construction of the phrase 'more conveniently belong'; construction of the phrase 'more effectively represent'; instructed by the REEF, led by K Watson

Carlin and Anor v Baxter and Anor Lyons A SCJ, 29 November 2019

application to revoke grant of probate and appoint administrator; instructed by Donovan Knapp Lawyers, unled

Strange v Turnbull [2018] NSWSC 898

application to set aside a subpoena addressed to the Department of Corrective Services (NSW); whether under the *Privacy and Personal Information Act* 1998 (NSW) a public sector agency may disclose otherwise private information when subpoenaed; whether statutory exemption applied; instructed by Slater & Gordon Lawyers, unled

Scheffe v Jetgo Australia Holdings Pty Ltd, Russell DCJ, unreported 8 February 2018

whether there was an 'accident' within the meaning of s 28 of the *Civil Aviation (Carriers Liability) Act* 1959; whether there was an 'unexpected' or 'unusual' event or happening external to the passenger; instructed by Slater & Gordon, unled

Strange v Turnbull [2017] NSWSC 1363

application for summary judgment on claim for damages caused by intentional tort; whether prospect of psychiatric evidence relating to intention raised a triable issue; instructed by Slater & Gordon Lawyers, led by Eugene Romanuik SC

GENERALLY

Succession

Llewellyn has been briefed in many family provision claims for the applicants and the legal representatives for deceased estates.

Commercial Equity

Llewellyn has appeared on many urgent and non-urgent applications for injunctions and asset preservation orders for applicants and respondents which have been resolved informally or judicially determined (with reasons not published).

Other

Llewellyn has appeared in many commercial and common law cases which have been resolved at mediation.

ADMISSIONS

2014	Barrister of the Supreme Court of Queensland
2005	Barrister of the Supreme Court of New South Wales and the High Court of Australia
2002	Solicitor of the Supreme Court of New South Wales