

11TH FLOOR / ST JAMES' HALL

Michael Pruscino

Barrister

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ADMISSIONS / EDUCATION

- 2021** Barrister
- 2013** Solicitor of the Supreme Court of New South Wales
University of New South Wales
- 2013** *Juris Doctor (Hons)*
- 2005** *Bachelor of Economics/ Bachelor of Social Science*

PROFESSIONAL EXPERIENCE

- 2017 – 2021** **Office of the Commonwealth Director of Public Prosecutions**
Senior Federal Prosecutor – Commercial, Financial and Corruption/Revenue & Benefits Fraud
- 2015 – 2017** **Federal Court of Australia**
Associate to the Hon. Justice Markovic
- 2012 – 2015** **Ashurst Australia**
Solicitor – Litigation & Dispute Resolution

OTHER EXPERIENCE

- 2015 – 2017** **Tristan Jepson Memorial Foundation Ltd (t/as Minds Count)**
Company Secretary

SELECTED MATTERS

Civil Matters

Bankruptcy

- *Saklani v Valder* [2023] FedCFamC1A 163 (led by D McGovern SC)

Class Actions

- *McLean-Phillips v Carnival plc t/as P&O Cruises Australia* [2023] FCA 328 (led by R Francois)
- *McLean-Phillips v Carnival plc t/as P&O Cruises Australia (No 2)* [2023] FCA 627 (led by R Francois)
- *McLean-Phillips v Carnival plc t/as P&O Cruises Australia (No 3)* [2023] FCA 985 (led by J Sheehan KC and R Francois)

Inquiries

- *Royal Commission into the Robodebt Scheme* (led by D Hogan Doran SC on behalf of the

Commonwealth)

Migration

- *HMYN and Minister for Immigration, Citizen ship and Multicultural Affairs (Migration)* [2023] AATA 4046 (Mandatory cancellation under s 501CA – unled)

Public Law

- *Fogarty v Jakovac (No 2)* [2023] FCA 234 (Interim control order – led by T Glover)
- *Fogarty v Jakovac* [2022] FCA 1454 (Interim control order – led by T Glover)
- *Rivas v Republic of Chile* [2021] FCAFC 214 (International extradition – led by T Glover)

Practice and Procedure

- *Waters v Secretary of the Attorney-General's Department (Cth)* [2021] NSWCCA 193 (led by T Glover)

Commercial

- *Livingstone v Mitchell & Anor (2022/125987)* (Application to strike out, anshun estoppel, abuse of process, dismissed, unled)
- *OXS Pty Ltd v Sydney Harbour Foreshore Authority* [2016] NSWCA 120 (Contract, equitable remedies, specific performance, misleading and deceptive conduct, instructing)
- *Independent Commission Against Corruption – Operation Cyrus*

Employment

- *Joel Harris v Securecorp NSW Pty Ltd* [2022] FCW 2781 (Unfair dismissal – unled)

Criminal Matters

- *R v Fleming (Costs)* [2023] NSWSC 1258 (led by P McDonald SC)
- *Budvalt Pty Ltd v Grant Barnes, Chief Regulatory Officer, Natural Resources Access Regulator* [2022] NSWCCA 9 (led by G Wright SC)
- *Application by Christopher Cranney pursuant to s 78 of the Crimes (Appeal and Review) Act 2001 (NSW)* [2022] NSWSC 1005 (led by T Glover)

Criminal cartel conduct

- *DPP (Cth) v Citigroup Global Markets Australia Pty Ltd* [2021] FCA 757 (Objection to indictment, instructing)
- *DPP (Cth) v Citigroup Global Markets Australia Pty Ltd* [2021] FCA 511 (Privilege, instructing)
- *DPP (Cth) v Wallenius Wilhelmsen Oceans AS* [2021] FCA 52 (Sentence, instructing)
- *DPP (Cth) v Kawasaki Kisen Kaisha Ltd* [2019] FCA 1170 (Sentence, instructing)

Corporations

- *ASIC v Corey Dean Ireland (2020/359459); ASIC v Prudence Jane Ireland (2020/3594458)* (Defended hearing, acquittal, unled)
- *ASIC v John Hunter Benn Goldsbrough (2019/178053)* (Sentence and disqualification, unled)

Fraud

- *R v Tham* [2020] NSWCCA 338 (Appeal against sentence, instructing)
- *R v Tham* [2019] NSWDC 766 (Passport and social security fraud, sentence, unled as solicitor advocate)
- *R v Athol Francis Knight (2017/249390)* (False identity, social security fraud, instructing)

- *Department of Human Services (Medicare) v Alexander Samad Wazin* (2018/270062)
(Superannuation fraud, sentence, unled)

Publications

Pruscino M, *Willy Wonka's golden ticket and the price of criminal immunity: developments in criminal immunity for criminal cartel conduct* (2021) 37(6) CCLN 58