

## SELECT CASES

1. ***Hanave Pty Ltd v Nomad Sydney Pty Ltd (formerly Wine Nomad Pty Ltd) [2023] NSWSC 265.*** Led by J E Lazarus SC and M Sheldon for the Plaintiff. Instructed by Gilbert Mane Solicitors.

Successful appeal from Appeal Panel of NCAT regarding validity of rental valuation under s 31 of the *Retail Leases Act 1994* (NSW).

2. ***Hanave Pty Ltd v Nomad Sydney Pty Ltd (formerly Wine Nomad Pty Ltd) (No 2) [2023] NSWSC 533.*** Led by J E Lazarus SC and M Sheldon for the Plaintiff. Instructed by Gilbert Mane Solicitors.

Costs application by unsuccessful defendant in circumstances where Calderbank offer made.

3. ***Samantha-Jane Jacobs v Moonta Health Aged Care Services t/a Parkview Aged Care [2023] FWC 330.*** Unled for the Respondent. Instructed by Mills Oakley.

Successful defence of unfair dismissal claim by aged care worker.

4. ***Anand Kantilal Gokani v Visvalingam Pty Ltd [2023] NSWCA 80.*** Led by D A Lloyd SC for the Appellant. Instructed by Gilchrist Connell.

Successful appeal from the District Court of NSW regarding personal costs order made against solicitor.

5. ***College of TKL Medical Technology Pty Ltd & Anor v War Hing & Co Ltd*** (NSWSC Proceedings No. 2020/00073027) (Proceedings discontinued at hearing by the Plaintiff). Led by D W Rayment SC for the Defendant. Instructed by Frank Low Yeung & Co.

Claim for alleged misrepresentation and unlawful detention of goods. Cross-claim for unpaid rent and other costs arising out of commercial lease.

6. ***Rebecca Huggett v FinXL Professional Services Pty Ltd & The Commonwealth of Australia (represented by IP Australia) [2023] FWC 3008.*** Unled for the Second Respondent (IP Australia). Instructed by Mills Oakley.

Successful dismissal of Applicant's application in the Fair Work Commission for want of jurisdiction.

7. ***Hanave Pty Ltd v Nomad Sydney Pty Ltd (formerly Wine Nomad Pty Ltd) [2024] NSWSC 624.*** Led by J E Lazarus SC for the Plaintiff. Instructed by Gilbert Mane Solicitors.

Competing application for costs by both parties in circumstances where matter did not proceed to final hearing.

8. ***In the matter of MacDonald Contracting Australia Pty Ltd (in liquidation) [2024] NSWSC 729.*** Led by S Cominos for the Plaintiff. Instructed by CT Law.

Proceedings concerning whether a security interest had been continuously perfected for the purposes of s 56 of the *Personal Property Securities Act 2009* (Cth).

9. ***Hanave Pty Ltd v Nomad Sydney Pty Ltd (No 2)*** [2024] NSWSC 805. Led by J E Lazarus SC for the Plaintiff. Instructed by Gilbert Mane Solicitors.

Application by the Defendant for costs of the parties' costs application.

10. ***Hanave Pty Ltd and Cadele Pty Ltd v Waverley Council and Waverley Planning Panel*** [2025] NSWLEC 19. Led by J E Lazarus SC for the Applicants. Instructed by Gilbert Mane Solicitors.

Successful challenge to the validity of affordable housing contribution condition imposed on development consent.

11. ***Chris Christoforou v Trident Design and Construction Pty Limited*** [2025] NSWCATCD. Unled for the Applicant. Instructed by Contracts Specialist.

Application by homeowner for defective works and costs to complete incomplete works. Defence to builder's claim for payment.

12. ***Shana Quayle v Aboriginal Health and Medical Research Council of New South Wales*** [2025] FWC 393. Unled for the Respondent. Instructed by Mills Oakley.

Successful jurisdictional challenge on the basis that the Applicant had not been dismissed by the Respondent.