Peter Fary

Selected Cases

- 1. *Yeo v Burhala* [2024] FedCFamC2G 1137 (4 November 2024) (bankruptcy, letter of request to a foreign jurisdiction, declarations)
- 2. Cussen, in the matter of Monarch Tower Pty Ltd (in liq) v Sinoace Holdings [2024] FCA 716 (4 July 2024) (winding up, Part 5.7B claim, shelf order, extension of time for service, summary dismissal)
- 3. Genesalio & Genesalio (No 5) [2024] FedCFamC1F 450 (2 July 2024) (family law, amendment of statement of claim, partnership of trusts, summary dismissal)
- 4. Re Grocon Pty Ltd (admins apptd) (27 June 2024) (unreported, SCV, Gardiner AsJ) (voluntary administration, directions to approve settlement, leave under s 532)
- 5. Re McKeown Marrs Pty Ltd [2024] VSC 102 (7 March 2024) (statutory demand, genuine dispute, offsetting claim)
- 6. Ford, in the matter of Melbourne Rebels Rugby Union Pty Ltd (Administrators Appointed) [2024] FCA 133 (22 February 2024) (corporations, voluntary administration, extension of convening period)
- 7. Health Services Union v Leroy [2024] FCA (3 February 2024) (bankruptcy, freezing order, replacement of trustee, no departure order)
- 8. Trustee of the Bankrupt Estate of Nagarno & Talbert [2024] FedCFamC1F 19 (31 January 2024) (family law, bankruptcy, s 79A of the FLA, 'vested bankruptcy property')
- 9. Scott (Trustee), in the matter of Cannon (Bankrupt) v Cannon [2024] FedCFamC2G 7 (12 January 2024) (bankruptcy, setting aside judgment, stay, review trustee decision)
- 10. Sterling & Freeman Advisory Pty Ltd v Callisi Pty Ltd [2023] VSC 709 (30 November 2023) (statutory demand, offsetting claim, some other reason)
- 11. Re Cohiba Minerals Ltd [2023] VSC 450 (20 November 2023) (statutory demand, costs)
- 12. Yeo v Triantafyllos [2023] FedCFamC2F (20 October 2023) (bankruptcy, ex parte injunction, controlled entity)

- 13. In the matter of Training and International Certification Pty Ltd (in liq) [2023] VSC 550 (13 September 2023) (winding up, Black v Freedman trust, Barnes v Addy, tracing, moneys had and received)
- 14. Burhala v Yeo [2023] FCA 962 (14 August 2023) (security for costs, leave to appeal, stultification)
- 15. Artinos & Artinos (No 6) [2023] FedCFamC1F 652 (8 August 2023) (family law, leave to permit adversarial expert)
- 16. Artinos & Artinos (No 5) [2023] FedCFamC1F 651 (26 July 2023) (family law, asset preservation injunction)
- 17. Cohiba Minterals Ltd v Titeline Drilling Pty Ltd [2023] VSC 450 (2 August 2023) (statutory demand, genuine dispute or offsetting claim)
- 18. Gaynor v Nearest Nominees Pty Ltd & Ors [2023] VSC (1 August 2023) (trusts, application for approval of compromise, O 54)
- 19. Vincent Cold Storage Pty Ltd v Centuria Property Funds No 2 Limited [2023] VSC 314 (8 June 2023) (deed administration, application to restrain landlord under s 444F)
- 20. Emerald & Emerald [2023] FedCFamC1F 183 (27 March 2023) (family law, resulting trust, laches, extension of time for maintenance order)
- 21. *Hycenko v Badge* [2023] VSC 19 (23 February 2023) (procedural fairness, effect of order setting aside a sequestration order)
- 22. Hastie Group Limited (in liq) v Multiplex Constructions Pty Ltd (Formerly Brookfield Multiplex Constructions Pty Ltd) (No 4) (2022) 165 ACSR 287; [2022] FCA 1575 (22 December 2022) (costs, indemnity costs)
- 23. Hrycenko v Hrycenko (by his legal representative Hycenko) (No 2) [2022] FCAFC 192 (15 December 2022) (costs of appeal, costs certificate, executor's right of indemnity).
- 24. Citius v Lagos [2022] VSC 656 (21 November 2022) (contract, uncertainty, leave to reopen)
- 25. Hastie Group Limited (in liq) v Multiplex Constructions Pty Ltd (Formerly Brookfield Multiplex Constructions Pty Ltd) (No 3) (2022) 410 ALR 531; (2022) 165 ACSR 129; [2022] FCA 1280 (2 November 2022) (liquidation, bank guarantees, proceeds of bank guarantees)

- 26. *IMO Colmont School Limited (admors appointed)* (20 October 2022) (unreported, Supreme Court of Victoria, Efthim AsJ) (administrator's remuneration and lien).
- 27. O'Neill v Filip [2022] VCC 1697 (19 October 2022) (mortgage and loan, interest, Limitation of Actions, Hungerford damages)
- 28. *Hrycenko v Hrycenko (by his legal* representative Hycenko) (2022) 294 FCR 233; (2022) 164 ACSR 243; [2022] FCAFC 152 (9 September 2022) (appeal, bankruptcy, jurisdiction, slip rule)
- 29. *IMO Pentridge Village Pty Ltd (in liq)* (unreported, Supreme Court of Victoria, Gardiner AsJ) (16 August 2022) (winding up, litigation funding approval).
- 30. Jess v McNiven, in the matter of Cameron Robert McNiven and Heather Anne McNiven (No 2) [2022] FCA 446 (29 April 2022) (bankruptcy, estoppel against a trustee, unjust enrichment)
- 31. Hrycenko (by His Legal Representative Hycenko) v Hrycenko [2022] FedCFamC2G 2 (14 January 2022) (bankruptcy, slip rule, extension of life of creditors petition)
- 32. Hastie Group Limited (in liq) v Multiplex Constructions Pty Ltd (Formerly Brookfield Multiplex Constructions Pty Ltd) (No 2) (2021) 155 ACSR 217; [2021] FCA 1344 (3 October 2021) (deed of company arrangement, bank guarantee, leave to proceed)
- 33. Aboughattas v Oak Capital Mortgage Fund Pty Ltd [2021] VSC 577 (23 September 2021) (receivership)
- 34. Tred Nominees Pty Ltd (recs & mgrs apptd) v Albarran [2021] VSC 494 (16 Aug 2021) (receivership, security, joinder of director)
- 35. KIS Realty v Yeo & Anor [2021] WASC 139 (4 May 2021) (winding up, review of liquidator's conduct, summary dismissal)
- 36. *EAD Concepts Pty Ltd (admin apptd)* [2021] VSC 227 (28 April 2021) (winding up, s 440A, adjournment pending meeting of creditors)
- 37. Glencurr Consulting Pty Ltd v Bluechain Pty Ltd [2021] VSC 187 (17 April 2021) (provisional liquidators, leave to appoint provisional liquidators as administrators)
- 38. Re Grocon Pty Ltd (admins apptd) (No 4) [2021] VSC 129 (19 March 2021) (voluntary administration, directions)

- 39. Re Grocon Pty Ltd (admins apptd) (No 3) (2021) 151 ACSR 1; [2021] VSC 36 (8 February 2021) (voluntary administration, direction regarding single committee of inspection)
- 40. *Jess v McNiven, in the matter of McNiven* (2021) 387 ALR 260; [2021] FCA 53 (3 February 2021) (bankruptcy, evidence, exception to without prejudice privilege)
- 41. Re Grocon Pty Ltd (admins apptd) (No 2) [2020] VSC 859 (20 December 2020) (voluntary administration, extension of convening period)
- 42. Re Grocon Pty Ltd (admins apptd) (No 1) [2020] VSC 833 (17 December 2020) (voluntary administration, direction regarding use of single account)
- 43. Canaan Holdings Pty Ltd & Anor v Merricks Capital Investments Pty Ltd [2020] VSC (19 November 2020) (injunction, Inglis principle, restraint on power of sale)
- 44. *Vortex Communications Australia v UC132 LLC Ltd* [2020] VSC 796 (6 November 2020) (application to set aside statutory demand).
- 45. Decola & Decola [2020] FamCA 884 (22 October 2020) (family law and bankruptcy, injunction to restrain solicitor from acting)
- 46. 133 Walsh Street Pty Ltd v BMF Pty Ltd [2020] VSC 650 (5 October 2020) (application to set aside statutory demand, security of payments)
- 47. Re IPO Wealth Holdings No 2 Pty Ltd [2020] VSC 549 (9 September 2020) (winding up, appointment of provisional liquidator)
- 48. Turco v Mortgage Ezy Australia Pty Ltd [2020] FCA 1811 (17 August 2020) (bankruptcy, appeal against sequestration order, forbearance by fraud)
- 49. Yeo & Rambaldi as the Trustees in the Bankrupt Estate of Ellen Francis (No 2) [2020] FCCA 3646 (6 August 2020) (bankruptcy, trustee's release)
- 50. Yeo, in the matter of Ready Kit Cabinets Pty Ltd (in liq) v Deputy Commissioner of Taxation Yeo, in the matter of Ready Kit Cabinets Pty Ltd (in liq) v Deputy Commissioner of Taxation (No 2) [2020] FCA 920 (2 July 2020)(costs)
- 51. Panwar & Panwar and Anor (2020) 63 Fam LR 44; [2020] FamCA 480 (18 June 2020) (bankruptcy and family law, leave to bring application for property adjustment out of time)

- 52. Yeo, in the matter of Ready Kit Cabinets Pty Ltd (in liq) v Deputy Commissioner of Taxation [2020] FCA 632 (15 May 2020) (winding up, voidable transaction, s 588FE(2B)(d)(i)) (upheld on appeal in Commissioner of Taxation v Yeo as Liquidator of Ready Kit Cabinets Pty Ltd (in liq) [2020] FCAFC 199)
- 53. Winn v Yeo as former trustee of the estate of Goodwin (a bankrupt) (29 April 2020) [2020] FCA 552 (bankruptcy, appeal, dismissal for want of prosecution)
- 54. Yeo & Rambaldi As Trustees of the Bankrupt Estate of Sandles v Sandles [2020] FCCA 988 (29 April 2020) (bankruptcy, directions, annulment)
- 55. North HQ Pty Ltd (in liq) & Anor v Hu (4 March 2020) (4 March 2020) (unreported, Gardiner AsJ, insolvent trading)
- 56. Giles v Jeffrey & Ors [2019] VSC 562 (17 September 2019) (summary judgment, abuse of process, malicious prosecution, negligence)
- 57. Zeninvest Pty Ltd v Altus Development Pty Ltd (No 2) [2019] VSC 450 (9 July 2019) (winding up, abuse of process, solvency)
- 58. *IMO Imexag Pty Ltd; Imexag Pty Ltd v Sun Asia Export Corporation Pty Ltd* [2019] VSC 449 (8 July 2019) (statutory demand, genuine dispute, Graywinter principle)
- 59. G.C.E. Global Consulting Engineers Pty Ltd v Moshav Custodian Pty Ltd [2019] VSC 402 (24 June 2019) (securities, injunction to restrain receiver)
- 60. In the matter of Deakin Financial Services Pty Ltd [2019] VSC 405 (12 June 2019) (voluntary administration, replacement of administrator)
- 61. Zeninvest Pty Ltd v Altus Development Pty Ltd [2019] VSC 363 (31 May 2019) (winding up, application for leave under s 459S)
- 62. Bunting v Juratowitch [2019] VSC 343 (29 May 2019) (administration and probate, interpretation of will, failure of gift)
- 63. Re Nissand Pty Ltd (in liq) [2019] VSC 280 (10 May 2019) (winding up, liquidator's remuneration)
- 64. In the matter of Specialty Mens Apparel Pty Ltd (Administrators Appointed) [2019]

 VSC 40 (1 February 2019) (voluntary administration, application to extend convening period)

- 65. De Nuntiis v B P Australia Pty Ltd [2018] FCCA 3163 (22 December 2018) (bankruptcy, bankruptcy notices, Carruthers clause)
- 66. *Venn v SJD Marketing Pty Ltd* [2018] VCC 2129 (18 December 2018) (warrant, bankruptcy, discharge from bankruptcy, fraud)
- 67. Szepesvary v Weston (Trustee), in the matter of Szepesvary (Bankrupt) (2018) 363 ALR 379; [2018] FCAFC 224 (16 February 2018) (appeal, bankruptcy, annulment, assignment of debt)
- 68. Trustees of the Property of Batavia (Bankrupt) & Batavia and Ors [2018] FamCA 860 (26 October 2018) (bankruptcy, family law, setting aside binding financial agreement, constructive trust)
- 69. *B Pty Ltd and Anor & Batavia and Anor* [2018] FamCA 858 (26 October 2018) (bankruptcy, family law, winding up, breach of directors' duties)
- 70. Yeo v Francis [2018] FCCA 3112 (1 October 2018) (bankruptcy, directions)
- 71. SJD Marketing Pty Ltd v Sutherland (Trustee), in the matter of Venn (Bankrupt) [2018] FCA 1406 (6 September 2018) (bankruptcy, leave to proceed)
- 72. A G Coombs Pty Ltd v M & V Consultants Pty Ltd (in liq) (22 August 2018) (2018) 55 VR 513; (2018) 129 ACSR 41; [2018] VSC 468 (winding up, application to restrain winding up application, abuse of process)
- 73. *Jeffrey & Anor v Giles* [2018] FCCA 2073 (3 August 2018) (bankruptcy, review, looking behind judgment)
- 74. *Megalos & Katsaros and Ors* [2018] FamCA 388 (18 May 2018) (family law)
- 75. Re Mossgreen Pty Ltd (in liquidation) [2018] VSC 230 (9 May 2018) (court appointed receiver, uncollected goods)
- 76. *Joresko & Kimpton and Anor* [2018] FamCA 320 (2 May 2018) (family law, application to stay proceedings)
- 77. In the matter of a liquidator (8 March 2018) [unpublished, Report of Liquidator's Disciplinary Committee convened pursuant to s 40-40(1) Insolvency Practice Schedule (Corporations) (Schedule 2))] (decision that liquidator should continue to be registered)

- 78. Szepesvary v Weston (Trustee), in the matter of Szepesvary (Bankrupt) (No 2) [2018] FCA 8 (16 February 2018) (bankruptcy, annulment, assignment of debt)
- 79. Re Convector Grain Pty Ltd (In Liquidation) (No 2) [2018] VSC 33 (8 February 2018) (appeal, winding up, preference action, discretion to extend time for service)
- 80. Re Rambaldi (Trustee) v Commissioner of Taxation, Alex (Bankrupt) (2017) 107 ATR 1; [2017] FCAFC 217 [2017] FCAFC 217 (18 December 2017) (appeal, unfair preference)
- 81. Winn v Yeo & Rambaldi as former trustees of the estate of Goodwin (a bankrupt)

 [2017] FCCA 2528 (19 October 2017) (bankruptcy, damages claim against trustees)
- 82. Al Azhari v 27 Scott Street Pty Ltd & Ors [2017] VSC 600 (5 October 2017) (contract law, Masters v Cameron category 3)
- 83. Megalos & Katsaros and Ors [2017] FamCA 734 (22 September 2017) (family law, costs)
- 84. Re Convector Grain Pty Ltd (in liquidation) (2017) 323 FLR 147; [2017] VSC 473 (16 August 2017) (winding up, unfair preference) (appeal allowed in Re Convector Grain Pty Ltd (In Liquidation) (No 2) [2018] VSC 33)
- 85. Comino v Juratowitch (in His Capacity As Trustee of the Bankrupt Estate of Comino)
 [2017] FCCA 1563 (11 July 2017)
- 86. Re Demolition Tech Pty Ltd (in liquidation) (unreported, SCV, Efthim AsJ) (10 July 2017) (winding up, summary judgment, self executing orders, uncommercial transaction)
- 87. Shaw v Yarranova Pty Ltd (No 2) (2017) 252 FCR 267; [2017] FCAFC 88 (30 May 2017) (bankruptcy, appeal, annulment, solvency)
- 88. Rambaldi (Trustee) v Commissioner of Taxation, in the matter of Alex (Bankrupt) [2017] FCA 567 (25 May 2017) (bankruptcy, preference, quist close trust)
- 89. Kaizen Global Investments Limited, in the matter of Australia New Agribusiness & Chemical Group Limited (in liq) v Australia New Agribusiness & Chemical Group Limited (in liq) (2017) 120 ACSR 220; [2017] FCA 431; BC201703032 (28 April 2017) (corporations, extension of time for registration of share mortgage on PPSR)

- 90. Juratowitch as Trustee of the Bankrupt Estate of Mcdougall & Anor [2017] FCCA 446 (9 March 2017) (bankruptcy, summary judgment, contract for sale of land)
- 91. Australian Independent Rural Retailers Pty Ltd v Kennedy (No 2) [2017] FCCA 159 (2 February 2017) (bankruptcy, review of sequestration order)
- 92. Re Wealth Within Holdings Pty Ltd [2016] VSC 792 (19 December 2016) (corporations, extend convening period)
- 93. Robinson v Dynamic Window Systems Pty Ltd [2016] SCV (16 December 2016) (corporations, setting aside DOCA)
- 94. D Pty Ltd (in liq) v Calas (Trustee), in the matter of D Pty Ltd (in liq) [2016] FCA 1409 (corporations, bankruptcy, family law, application to set aside transaction effected by orders of the Family Court, Part 5.7B)
- 95. BSD House Management Pty Ltd v Asia Pac Holdings Pty Ltd [2016] VSC (statutory demand, guarantee)
- 96. Webster Investments Pty Ltd v Anderson and Webster Investments Pty Ltd v North Star Developments Pty Ltd (2016) 52 VR 610; [2016] VSC 620 [2016] VSC 620 (9 November 2016) (guarantee, parties not ad idem, sacrifice of security)
- 97. Vasudevan v Tomker [2016] VSC 656 [2016] VSC 655 (2 November 2016) (winding up, insolvent trading, tax debt more than 4 years old)
- 98. Rambaldi v Mullins (No 3) [2016] FCA 1145 (19 September 2016) (bankruptcy, stay of judgment, leave to file cross claim)
- 99. Rambaldi v Mullins (No 2) [2016] FCA 977 (22 August 2016) (bankruptcy, vested property)
- 100. *Turner v Wallace* [2016] FCA 963 (31 May 2016) (bankruptcy, voidable transfer of property)
- 101. Australian Securities and Investments Commission v Bilkurra Investments Pty Ltd

 [2016] FCA 371 (15 April 2016) (winding up)
- 102. McKinnon, in the matter of Specialised Concrete Pumping Victoria Pty Ltd (Administrators Appointed) [2016] FCA 325 (23 March 2016) (voluntary administration, directions, s 447A order).

- 103. TPC (VIC) Pty Ltd v NWC Finance Pty Ltd [2016] VSC 117 [2016] VSC 117 (23 March 2016) (mortgage, subrogation, interpretation of contract)
- 104. *Shaw v Yarranova Pty Ltd* [2016] FCA 88 (15 February 2016) (bankruptcy, annulment, solvency)
- 105. Roads Corporation v Love [2016] FCA 38 (3 February 2016) (bankruptcy, creditor's petition)
- 106. *Megalos & Katsaros and Ors* [2015] FamCA 1094 (9 December 2015) (family law, jurisdiction, equitable charge, leave to proceed against company in liquidation)
- 107. *Hong v Tsambikos* [2015] VCC 1401 (14 October 2015) (real estate agent, misleading and deceptive conduct, negligence causing purely economic loss)
- 108. Di Cioccio v Official Trustee in Bankruptcy [2015] HCATrans 230 (11 September 2015) [2015] HCATrans 230 (bankruptcy, special leave application, income contributions, vesting provisions)
- 109. *Yeo v Weeden* [2015] VSC 156 (1 June 2105) (bankruptcy, summary judgment, income contributions, abuse of process)
- 110. *Vats v McGibbon* [2015] FCA 549 (25 May 2015) (bankruptcy, appeal against trustee's decision, overseas travel)
- 111. Native Bond Pty Ltd v Cant & Ors [2015] VSC 203 (13 May 2015) (receivers, validity of appointment, assignment of debt) (upheld on appeal in Native Bond Pty Ltd (Controller Appointed) & Anor v Cant & Ors [2016] VSC 206)
- 112. Bathini & Anor v Kumar & Anor [2015] FCCA 1190 (17 April 2015) (bankruptcy, review, set-off)
- 113. Banaszak & Executors of the Estate of Mr S Mandia and Anor (No 2) [2015] FamCA 235 (9 April 2015) (de facto property settlement, summary judgment)
- 114. *Unal v Cetinkaya* [2015] FCA 270 (27 March 2015) (bankruptcy, appeal, review of trustee's decision, application for directions, assignment of chose in action)
- 115. Di Cioccio v Official Trustee in Bankruptcy [2015] FCAFC 30 (11 March 2015) (appeal, bankruptcy, vesting of after acquired property, income)
- 116. Gianarelli & Ors v Ross & Anor [2015] VSC (24 February 2015) (injunction, restraining receivers, equity of redemption)

- 117. *Tran v Pu* (2015) 228 FCR 562; [2015] FCA 97 (20 February 2015) (appeal, hearing de novo review)
- 118. *Krpina v Arrow Sun Australia Pty Ltd* [2015] FCA 63 (13 February 2015) (appeal, bankruptcy, solvency)
- 119. Admiralty Resources NL v Australis Mining Ltd [2015] VSC 33 (6 February 2015) (practice and procedure, security for costs against cross claimant)
- 120. F Firm & Ruane and Ors [2014] FamCAFC 240 (16 December 2014) (family law, appeal, costs)
- 121. *Shaw v Yarranov Pty Ltd* [2014] FCAFC 171 (12 December 2014) (appeal, bankruptcy, fraud, bias, leave to adduce fresh evidence, abuse of process)
- 122. Filsee & Ors [2014] FCCA 2269 (27 October 2014) (bankruptcy, application for priority to funding creditor)
- 123. *Kapila, in the matter of Edelsten* (2014) 320 ALR 506; [2014] FCA 1112 (10 October 2014) (cross border insolvency law, foreign main or non main proceeding)
- 124. BC39 Pty Ltd v Rambaldi, in the matter of Wharington (Bankrupt) [2014] FCA 1076 (7 October 2014) (bankruptcy, injunction, trustees and conflict of interest)
- 125. F Firm & Ruane and Ors (2014) 292 FLR 348; (2014) 52 Fam LR 230; [2014] FamCAFC 189 (2 October 2014) (family law, appeal, accrued or associated jurisdiction of Family Court, professional negligence)
- 126. *Ji v Nelson & Anor* (unreported, Ferguson JA, 29 September 2014) (29 September 2014) (caveat removal, constructive or resulting trust)
- 127. Prodotti Crudo Pty Ltd v Alston Consulting Pty Ltd & Anor (unreported, Efthim As J, 16 September 2014) (16 September 2014) (statutory demand, setting aside)
- 128. Kumar & Anor v Bathini & Anor [2014] FCCA 1592 [2014] FCCA 1592 (25 July 2014) (bankruptcy, review, setting aside bankruptcy notice, set off etc.)
- 129. Cetinkaya & Anor v Official Trustee in Bankruptcy & Anor and Unal v Official Trustee in Bankruptcy & Ors and Official Trustee in Bankruptcy v Cetinkaya and Ors [2014]

 FCCA 1389 (1 July 2014) (bankruptcy, review of trustee's decision, application for directions, assignment of chose in action)

- 130. Sovereign MF Ltd (in liq) v Vartelis [2014] VSC 681 (17 June 2014) (voluntary administration, appeal against chairman's decision on resolution, removal of administrator)
- 131. Yarranova Pty Ltd v Shaw (No 2) [2014] FCA 616 (11 June 2014) (bankruptcy, sequestration order, going behind judgment, bias, abuse of process)
- 132. *Shaw v Yarranova* [2014] FCA 557 (27 May 2014) (bankruptcy, appeal, procedural fairness)
- 133. Krpina v Arrow Sun Australia Pty Ltd & Ors [2014] FCCA 1007 (20 May 2014) (bankruptcy, review, solvency, sequestration order)
- 134. Telecommunications Industry Ombudsman v Best Internet & Telecom Pty Ltd & Anor [2014] VCC 619 (19 May 2014) (contract, breach of contract, agency)
- 135. Rosen v Georges (2014) 100 ACSR 258; [2014] VSC 193 (6 May 2014) (corporations, reinstatement, registration of shareholding, forgery, incomplete gift)
- 136. Yarranova Pty Ltd v Shaw [2014] FCA 403 (24 April 2014) (bankruptcy, notice to produce)
- 137. *Rambaldi v Mullins* [2014] FCA 361 (28 March 2014) (bankruptcy, vesting of property, injunction)
- 138. Francis v Eggleston Mitchell Lawyers Pty Ltd [2014] FCAFC 18 (7 March 2014) (bankruptcy, appeal, annulment)
- 139. Entwisle v Minken Pty Ltd (Receivers and Manager appointed) (In Liquidation) (No 2) [2014] VSC 14 (5 February 2014) (corporations, just and equitable winding up, costs)
- 140. Talacko & Ors v Talacko & Ors [2013] VSC 712 (17 December 2013)
- 141. Yeo & Anor v Sharma & Anor [2013] FCCA 1946 (6 November 2013) (bankruptcy, public examination, variation to orders restricting use of transcript)
- 142. *Doherty v Inspector-General in Bankruptcy* (2013) 61 AAR 389; [2013] FCA 1122 (4 November 2013) (administrative law, Wednesbury unreasonableness)
- 143. *In the matter of XY* [2013] NSWSC 1747 (28 October 2013) (corporations, ASIC investigation, asset preservation orders and disclosure orders and travel restriction orders, suppression order)

- 144. *Shaw v Yarranova Pty Ltd & Anor* [2013] FCCA 1627 (25 October 2013) (bankruptcy notice, joint creditors)
- 145. Re Mowbray College (in liq) (rec & mgr apptd) [2013] VSC 565 (23 October 2013) (winding up, liquidator's directions, creation of trust)
- 146. Forge v ASIC [2013] FCCA 1170 (23 August 2013) (bankruptcy notice, set off etc.)
- 147. D Endresz v ASIC [2013] FCCA 1169 (23 August 2013) (bankruptcy notice, set off etc.)
- 148. A Endresz v ASIC [2013] FCCA 1167 (23 August 2013) (bankruptcy notice, set off etc.)
- 149. J Endresz v ASIC [2013] FCCA 1168 (23 August 2013) (bankruptcy notice, set off etc.)
- 150. Francis v Eggleston Mitchell Lawyers Pty Ltd [2013] FCA 564 (7 June 2013) (bankruptcy, annulment)
- 151. Horne (Trustee), in the matter of Tebb (Bankrupt) v Tebb [2013] FCA 585 (5 June 2013) (bankruptcy, transfer to Family Court)
- 152. Roberts and Ors & Pedrana and Ors (No. 2) [2013] FamCA 370 (24 May 2013) (family law and bankruptcy, costs)
- 153. Roberts and Ors & Pedrana and Ors [2013] FamCA 224 (9 April 2013) (family law and bankruptcy, disposition to defeat orders under FLA)
- 154. Nazdall Pty Ltd, in the matter of Yowdall Pty Ltd (as trustee for the Yowdall Unit Trust) v Herrmann (2013) 210 FCR 264; [2013] FCA 94 (15 February 2013) (practice and procedure, strike out of pleading, allegation of fraud)
- 155. Rambaldi (Trustee), in the matter of Atkinson (Bankrupt) v Woodward (No 1) [2012] FCA 1087 (13 December 2012)
- 156. Asafuji (in his capacity as the Foreign Representative of the Sanko Steamship Co., Ltd) v The Sanko Steamship Co., Ltd (No 2) [2012] FCA 1314 (23 November 2013) (cross border *insolvency*, recognition of foreign main proceeding)
- 157. Sevior v Morgan [2012] VSC 480 (22 October 2012) (winding up, termination)
- 158. Lederberger & Anor v Mediterranean Olives Financial Pty Ltd & Ors (2012) 38 VR 509 [2012] VSCA 262 (17 October 2012)

- 159. Asafuji (in his capacity as the Foreign Representative of the Sanko Steamship Co., Ltd) v The Sanko Steamship Co., Ltd [2012] FCA 1154 (15 October 2012) (cross border insolvency, recognition of foreign main proceeding)
- 160. *Nazdall Pty Ltd v Herrmann* [2012] FCA 994 (31 August 2012)
- 161. Doherty and Inspector-General in Bankruptcy [2012] AATA 635 (21 September 2012); [2012] 13 ALD 140 (bankruptcy, registration of RDAA, merits review)
- 162. Re Traditional Values Management Ltd [2012] VSC 308 (19 July 2012)
- 163. Traditional Values Management Limited (in liq) v Taylor & Ors [2012] VSC 299 (10 July 2012) (practice and procedure, consolidation of proceeding)
- 164. Bank of Western Australia Ltd v Floreani & Ors [2012] VSC 261 (21 June 2012) (banking, guarantee, misleading and deceptive conduct)
- 165. RDN Developments Pty Ltd v Shtrambrandt & RDN Developments Pty Ltd v Shtrambrandt and Ors [2012] FMCA 437 (25 May 2012) (bankruptcy, setting aside PIA)
- 166. Ruane v Bachmann-Ruane (Accrued Jurisdiction) (2012) 48 Fam LR 131; [2012] FamCA 369; BC201250422 [2012] FamCA 369 (family law, accrued jurisdiction of Family Court)
- 167. AGBC Pty Ltd & Anor v Dessa & Ors [2012] VSC 118 (30 March 2012) (winding up, claim under s 588FF, injunction)
- 168. Georges (in his capacity as joint and several liquidator of Sonray Capital Markets Pty Ltd (ACN 104 482 993) (in liq)) and Others v Seaborn International (as trustee for the Seaborn Family Trust) and Others (2012) 288 ALR 240; (2012) 87 ACSR 441; [2012] FCA 75 (10 February 2012) (winding up, liquidator's directions, tracing)
- 169. National Australia Bank Ltd v Norman [2012] VSC 14 (summary judgment, appeal)
- 170. Lawrence v McKean Park (A Firm) [2012] FCA 324 (31 January 2012) (bankruptcy, application to extend time to appeal)
- 171. Armadale Retail Investments Pty Ltd & Ors v Owenlaw Mortgage Managers Ltd [2012]

 VSC 9 (25 January 2012) (appeal, statutory demand, service)
- 172. ANZ v Berman [2011] FMCA 987 (15 December 2011) (bankruptcy, act of bankruptcy)

- 173. Bank of Western Australia Ltd (ACN 050 494 454) v Scotia Downs Pty Ltd (2011) 87 ACSR 42; [2011] FCA 1302 (16 November 2011) (winding up, solvency)
- 174. McKean Park (A Firm), In the matter of Lawrence v Lawrence (2011) 199 FCR 514; [2011] FCA 1291 (11 November 2011) (bankruptcy notice, validity)
- 175. *Napiat Pty Ltd v Salfinger; Re Salfinger (No 7) (*2011) 202 FCR 264; (2011) 284 ALR 581; [2011] FCA 1322 (18 November 2011) (bankruptcy, service of bankruptcy notice)
- 176. Napiat Pty Ltd v Salfinger; In the Matter of Salfinger (No 6) [2011] FCA 1298 (8 November 2011)
- 177. Napiat Pty Ltd v Salfinger; In the Matter of Salfinger (No 5) [2011] FCA 1297 (8 November 2011)
- 178. Napiat Pty Ltd v Salfinger; In the Matter of Salfinger (No 4) [2011] FCA 1296 (8 November 2011)
- 179. Napiat Pty Ltd v Salfinger; In the Matter of Salfinger (No 3) [2011] FCA 1279 (8 November 2011)
- 180. *Talacko v_Talacko (No 3)* [2011] FCA 1343 (7 November 2011) (bankruptcy, continuation of injunction)
- 181. Re FDM (Vic) Pty Ltd (Admins app'td) [2011] VSC 522 (19 October 2011) (voluntary administration, extension of convening period)
- 182. *Duke v Rain Bow Pty Ltd (in liq) No 2* (unreported, Supreme Court of Victoria, Efthim As J) (costs, leave to proceed) (13 September 2011)
- 183. *Gippsreal Ltd v Gilbertson* [2011] VSC 446 (25 August 2011)
- 184. Duke & Ors v Rain Bow Pty Ltd & Anderson [2011] VSC 599 (16 August 2011) (winding up, leave to proceed)
- 185. Autron Pty Ltd v Benk (2011) 280 ALR 417; [2011] FCAFC 93 (28 July 2011) (bankruptcy, statutory minimum debt)
- 186. Pattison (Trustee), in the matter of Abdulrahman (Bankrupt) [2011] FCA 826 (30 June 2011) (bankruptcy, resignation of trustee)
- 187. Mediterranean Olives Financial Pty Ltd & Ors v Lederberger & Ors [2011] VSC 301 (1 July 2011)

- 188. Mediterranean Olives Financial Pty Ltd & Ors v Lederberger & Ors (No 2) [2011]

 VSC 333 (1 July 2011)
- 189. *Mircevski v Pattison* [2011] FCA 740 (25 May 2011)
- 190. Deputy Commissioner of Taxation v Scuttle Clothing Pty Ltd (includes Corrigendum dated 20 May 2011) [2011] FCA 496 (9 May 2011)
- 191. Kermani v Gaylard & Ors (No 2) [2011] VSC 143
- 192. Mission Development Pty Ltd v Clover Dale Pty Ltd [2011] VSC 148 (14 April 2011) (winding up, solvency)
- 193. Talacko v Talacko [2011] FCA 385 (12 April 2011) (bankruptcy, no departure order)
- 194. *Mottaghi v Subway Shoe Diffusion Pty Ltd* [2011] FMCA 246 (18 March 2011) (bankruptcy, review sequestration order)
- 195. Talacko v Talacko [2011] FCA 326 (11 March 2011) (bankruptcy, no departure order)
- 196. Re Blackburne Pty Ltd (in liq) [2011] VSC 92 (9 March 2011) (winding up, directions)
- 197. Mediterranean Olives Financial Pty Ltd and Others v Loaders Traders Pty Ltd (ACN 069 549 042) (subject to deed of company arrangement) and Others (No 2) (2011) 82 ACSR 300; [2011] FCA 178 (4 March 2011)
- 198. *Kermani v Gaylard & Ors* [2011] VSC 46 (25 February 2011) [2010] VSC 531 (24 November 2010)
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- 201. Rambaldi; in the matter of Philip Charles Weeden, a bankrupt v Weeden [2008] FCA 1597 [2008] FCA 1597 (27 October 2010) (bankruptcy, undervalued transaction)
- 202. Hell Colour Australia Pty Ltd v Everbest Printing Company Limited [2010] VSC 643 (1 October 2010) (statutory demand, genuine dispute)
- 203. Re D'Souza and Inspector-General in Bankruptcy (2010) 118 ALD 397; [2010] AATA 708; (administrative appeal, objection to discharge from bankruptcy)
- 204. Menzies v Paccar Financial Pty Ltd [2010] FCA 692 (2 July 2010)

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 ALR 266 (27 May 2010) (bankruptcy, power of Federal Court to make no depart order)
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- 207. Phoenix Motor Borkers Pty Ltd (in liq) & Anor v Fares (unreported, Magistrates Court of Victoria, 11 February 2010) (winding up, unfair preference)
- 208. *Juratowitch v Iannotti (No.2)* [2009] FMCA 1274 (24 December 2009) (bankruptcy, trusts, directions)
- 209. *Gordon v Express Gas & Anor* (unreported, Supreme Court of Victoria, Efthim AsJ) (18 December 2009) (winding up, oppression, just and equitable ground, rectification of share register)
- 210. Black v Rafa Pastoral Pty Ltd & Ors [2009] VSCA 295 (4 December 2009) (appeal, summary dismissal)
- 211. Carson, In the matter of Trollope Property Holdings Pty Ltd (in liq) (ACN 005 649 212) [2009] FCA 118 (winding up, liquidator's directions, GST)
- 212. Robertson v Bank of Western Australia [2009] FMCA 424 (4 May 2009) (bankruptcy notice, extension of time)
- 213. *Ingress Consulting Pty Ltd v Pitcher Partners* (unreported, Supreme Court of Victoria, Gardiner AsJ) (19 March 2009) (statutory demand, genuine dispute)
- 214. Emmanouilides & Anor v Calabro & Ors [2009] FMCA 854 (4 March 2009) (bankruptcy, Part X)
- 215. *Impress NZ Limited v Lovitt's Pty Ltd* (unreported, Federal Court, Gordon J, 21 April 2009) (winding up, adjournment)
- 216. Spiteri v Lamb & Ors (Civil Claims) [2008] VCAT 2266 (29 October 2008) (claim under Fair Trading Act)
- 217. BNY Trust Company of Australia Ltd v Morrell [2008] FMCA 1406 (22 October 2008) (bankruptcy, review of sequestration order)
- 218. Boglari & Anor v Coadys (A Firm) [2008] FMCA 1277 (1 September 2008) (bankruptcy notice)

- 219. Westpac Banking Corp v Hughes [2008] FMCA 424 (bankruptcy, review of sequestration order, solvency)
- 220. *Malta v Malta* [2008] FamCA 279 (23 April 2008) (bankruptcy and family law, extension of life of creditor's petition under slip rule)
- 221. Re Locktronic Systems Pty Ltd (in liq) (rec'vrs app'td) [2008] VSC 626 (11 March 2008)
- 222. Gardiner v Goss [2007] FMCA 1966 (12 December 2007) (bankruptcy, review of sequestration order)
- 223. Sarandal Pty Ltd v Nameplan Pty Ltd & Ors [2007] VSC 568 (7 December 2007) (real property, removal of caveat)
- 224. *ACCC v Rana & Anor* [2007] FMCA 2045 (3 December 2007) (bankruptcy, review of sequestration order)
- 225. Ansett Australia Limited (subject to a deed of company arrangement) v Travel Software Solutions Pty Ltd (No 2) [2007] VSC 401 (16 October 2007)
- 226. *Irani v Hollyburton UK Limited* [2007] FCA 1447 (14 September 2007) (bankruptcy, validity of bankruptcy notice)
- 227. Ansett Australia Ltd (ACN 004 209 410) v Travel Software Solutions Pty Ltd (ACN 005 407 465) (2007) 65 ACSR 47; [2007] VSC 326 (19 September 2007)
- 228. Moran v Lydiard Financial Services Pty Ltd [2007] FCA 872 (bankruptcy, appeal, sequestration order)
- 229. Gajic & Anor v Poyser [2007] VSCA 175 (30 August 2007) (appeal, summary judgment)
- 230. Ox Operations Pty Ltd v Land Mark Property Developments (Vic) Pty Ltd (in liq)
 [2007] FCA 1221
- 231. Re York Street Mezzanine Pty Ltd (in liq) and Others; McEvoy and Others v Rozna and Another (2007) 162 FCR 358; (2007) 240 ALR 567; (2007) 64 ACSR 1; [2007] FCA 922 (28 June 2007) (winding up, liquidator's directions)
- 232. Rambaldi v Reeves [2007] FMCA 408 (19 April 2007) (bankruptcy, whether property held on trust)

- 233. CMS Group Management Pty Ltd (in liq) & Anor v Schafer (unreported, Supreme Court of Victoria, Efthim AsJ, 15 February 2007) (winding up, unfair preference)
- 234. MCB Holdings Pty Ltd v Krasnici [2007] FMCA 37 (29 January 2007)
- 235. Meinhardt (Hong Kong) Ltd v Meinhardt (Deceased) (No 3) [2006] FCA 1390 (bankruptcy, Part XI, costs)
- 236. Meinhardt (Hong Kong) Ltd v William Lindsay Meinhardt (Deceased) and Ors (No 2) [2006] FCA 1323 (10 October 2006) (bankruptcy, administration under Part XI)
- 237. Circuit Finance Pty Ltd v Goodwood Road Pty Ltd [2006] VSC 399 (25 October 2006) (property, breach of lease, delivery up of racehorses)
- 238. In the matter of Motor ACN 005 188 054 Pty Ltd (in liq); The Elastomers Pty Ltd v MotorACN 005 188 054 Pty Ltd (in liq) [2006] FCA 1497 (26 September 2006) (winding up, leave to proceed)
- 239. *Meinhardt v Meinhardt & Ors (No.2)* [2006] FMCA 1028 (19 July 2006) (bankruptcy, deceased estate, administration under Part XI)
- 240. Meinhardt (Hong Kong) Ltd v William Edward Meinhardt (Deceased) and Ors [2006] FCA 1106 (22 August 2006) (bankruptcy, Part XI)
- 241. Lamb v Ariss & Anor (No 2) [2006] FMCA 765 (25 May 2006) (practice and procedure, transfer to Federal Court)
- 242. *Thorncrest Pty Ltd & Anor v Barros* [2006] FMCA 702 (12 May 2006) (bankruptcy, review of sequestration order)
- 243. *Moran v Lydiard Financial Services Pty Ltd* [2006] FCA 631 (bankruptcy, bankruptcy notice, appeal)
- 244. DCT v Trigo-Contillo [2005] FMCA 1856 (16 December 2005) (debt agreement, setting aside)
- 245. Moran v Lydiard Financial Services Pty Ltd [2005] FMCA 1821 (31 October 2005) (appeal from sequestration order)
- 246. Commonwealth v Leahy Petroleum Retail Pty Ltd (subject to deed of company arrangement) and Others (2005) 55 ACSR 353; [2005] FCA 1422 (7 October 2005)

- 247. Commonwealth of Australia v Rocklea Spinning Mills Pty Ltd (Receivers and Managers Appointed) (Subject To A Deed of Company Arrangement) (2005) 145 FCR 220; (2005)
 23 ACLC 1328; [2005] FCA 902; BC200504584 (voluntary administration, setting aside deed of company arrangement)
- 248. *Diners Club v Vitler* [2005] FMCA 1374; BC200507217 (12 September 2005) (setting aside sequestration order)
- 249. *La Donna Pty Ltd v Wolford AG* [2005] VSC 359 (31 August 2005)
- 250. Bates & Anor v Sage & Anor [2005] FMCA 1133 (12 August 2005)
- 251. Re Internet Finance Pty Ltd (ABN 95 087 364 805) (in liq) (admins apptd); Marchesi v Internet Finance Pty Ltd (ABN 95 087 364 805) (in liq) (admins apptd) (2005) 53 ACSR 713 (31 May 2005)
- 252. BMW Australia Finance Ltd v Collett [2005] FMCA 801; BC200504391 (17 June 2005) (bankruptcy notice, validity)
- 253. *Morton v Trkulja* [2005] FMCA 704 (26 May 2005) (bankruptcy, constructive or resulting trust)
- 254. Liberty Funding Pty Ltd v De Zoysa & Anor [2005] FMCA 778 (18 May 2005) (bankruptcy, review of sequestration order)
- 255. La Donna Pty Ltd v Wolford Aktiengesellschaft [2005] VSC 174 (13 May 2005)
- 256. MSKE Pty Ltd v Krasulak [2005] FMCA 300 (15 March 2005) (bankruptcy, validity of bankruptcy notice)
- 257. Cervantes Pty Ltd v Moutidis (No.2) [2005] FMCA 214 (17 February 2005) (bankruptcy, adjournment of creditor's petition pending Part X meeting)
- 258. BMW Australia Finance Ltd v Geraerts [2004] FMCA 1028 (13 December 2004) (bankruptcy, setting aside debt agreement)
- 259. Media World Communications Ltd (Administrator Appointed) v Clark [2004] FCA 1609 (3 December 2004) (winding up, asset preservation order)
- 260. *ETL v Settle* (2004) 212 ALR 623; [2004] FMCA 718 (5 November 2004) (bankruptcy notice, secured creditor)

- 261. Florgale Uniforms Pty Ltd (Receiver and Manager Appointed) (In liq) and Others v Orders and Another (2004) 11 VR 54; (2004) 51 ACSR 699; [2004] VSC 65 (27 October 2004) (receiver, breach of duties)
- 262. Duncan v McVeigh & Anor (No.2) [2004] FMCA 838 (18 October 2004) (bankruptcy, setting aside Part X, costs)
- 263. Duncan v McVeigh & Anor [2004] FMCA 759; BC200407997 (18 October 2004) (bankruptcy, setting aside Part X)
- 264. White v Dortenzio [2004] VSC 381 (4 October 2004)
- 265. Elliott v Water Wheel Holdings Ltd (subject to deed of company arrangement) (2004) 209 ALR 682; (2004) 50 ACSR 368; [2004] FCAFC 253 (10 September 2004) (appeal, bankruptcy notice, extension of time)
- 266. Webb v Insurance Manufacturers of Australia Pty Ltd [2004] FMCA 613; BC200408027 (6 September 2004) (bankruptcy, annulment)
- 267. Elliott v Water Wheel Holdings Ltd (2004) 178 FLR 459; [2004] FMCA 37 (bankruptcy notice, extension of time)
- 268. Saint-Gobain RF Pty Ltd v Maax Spa Corporation Pty Ltd_[2004] VSC_335 (6 September 2004) (practice and procedure, security for costs)
- 269. Dominion Lifestyle Tower Apartment Pty Ltd v Global Capital Corporation Pty Ltd [2004] VSC 307 (5 August 2004)
- 270. Kyriackou v Shield Mercantile Pty Ltd and Another (2004) 207 ALR 393; [2004] FCA 490 (26 April 2004)
- 271. Luna v Pattison (2004) 206 ALR 587; [2004] FMCA 237 (19 April 2004)
- 272. Brien (a bankrupt) (formerly trustee of the estate of Grapsas) v Grapsas and Others (2004) 207 ALR 275; (2004) 181 FLR 314; [2004] FMCA 212 (8 April 2004) (bankruptcy, trustee's directions)
- 273. Deputy Commissioner of Taxation v Chairmakers Pty Ltd (No 2) [2004] VSC 112 (7 April 2004)
- 274. Deputy Commissioner of Taxation v Chairmakers Pty Ltd [2004] VSC 109 (7 April 2004) (voluntary administration, validity of deed of company arrangement)

- 275. McKinnon v Commonwealth Bank of Australia [2004] FCA 325 (bankruptcy, review of registrar's orders)
- 276. Promnitz v Australian Securities and Investments Commission [2004] FCA 22 (29 January 2004) (winding up, reinstatement of company)
- 277. Sutcliffe v Commonwealth Securities (No.2) [2003] FMCA 565 (23 December 2003) (bankruptcy, review of sequestration order)
- 278. Dumitrasky v Official Trustee in_Bankruptcy_[2003] FMCA 477 (30 October 2003) (bankruptcy, abridgment of time to file statement of affairs)
- 279. *Jatkar v Rambaldi* [2003] FMCA 355 (22 August 2003) (bankruptcy, permission to travel overseas)
- 280. Sutcliffe v Commonwealth Securities (No 1) [2003] FMCA 567 (21 August 2003) (bankruptcy, review of sequestration order)
- 281. Deputy Commissioner of Taxation v Colling [2002] FMCA 224 (3 October 2002) (bankruptcy, adjournment of creditor's petition)
- 282. *Sellers; In the matter of Beckley Forge Pty Ltd (Administrators Appointed)* [2003] FCA 523 (voluntary administration, share allotment)
- 283. World Pacific Timbers Pty Ltd v Konstandellos [2003] FMCA 84; BC200301023 (bankruptcy, substitution of petitioning creditor)
- 284. Peake, in the matter of Australian Housewares Pty Ltd (in liq) [2003] FCA 170 (7 March 2003) (winding up, priority to funding creditor)
- 285. Fidgeon v William Abbott & Associates (a firm) [2003] VSCA 5 (18 February 2003) (appeal, error of law)
- 286. *Jones v Southall and Burke Pty Ltd* [2003] FMCA 27 (13 February 2003) (bankruptcy, voidable transfers of property)
- 287. Swersky & Velos v Alexopoulos & Anor_[2002] FMCA 328 (25 November 2002) (bankruptcy, review of sequestration order)
- 288. Biritz v National Australia Bank [2002] FMCA 214 (26 August 2002) (bankruptcy, review of sequestration order)
- 289. *Re Avonwood Homes Pty Ltd (in lig)* [2002] VSC 147 (17 May 2002)

- 290. Van Halen & Anor v Dawildon Properties Pty Ltd [2002] FMCA 32 (8 May 2002)
- 291. *Israel & Anor v Vince* [2001] FMCA 54 (8 October 2001)
- 292. Ugly Tribe Co Pty Ltd v Sikola [2001] VSC 189 (14 June 2001) (indemnity costs)
- 293. In the matter of Moustafa El Moustafa; Cobbs Hill (Tas) Meat Supplies Pty Ltd & Ors v Moustafa El Moustafa & Ors [1998] FCA 838 (29 May 1998) (Part X, settling aside)
- 294. V R Dye & Co (a firm) v Peninsula Hotels Pty Ltd (in liq) and Another (1998) 28 ACSR 167; BC9801096 (23 March 1998) (winding up, unfair preference, running account)
- 295. Cheesman and Others v Waters and Another (1997) 77 FCR 221; (1997) 148 ALR 21; [1997] FCA 752 (8 August 1997) (bankruptcy, appeal, delegation of power to Registrars, constitutional law)
- 296. McDougall, Re; Ex parte Policy Nominees Pty Ltd & Thomas BC9701060 (27 March 1997) (bankruptcy, setting aside Part X)
- 297. Pattison v Dupla BC900462 (12 March 1996) (appeal, common intention trust)
- 298. *Kralfly Pty Ltd v McVeigh* BC9502899 (8 September 1995) (real property, caveatable interest)