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### **Admissions and qualifications**

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Barrister: 2019

Solicitor: 2016

University of Sydney, Bachelor of Law (Hons 1) (2014)

University of Sydney, Bachelor of Economics (2011)

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### **Experience**

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2019, **Barrister, Banco Chambers**

2016 - 2019, **Herbert Smith Freehills**

Solicitor practising in Dispute Resolution; Competition, Regulation & Trade; Property

2014 – 2015, 2016 - 2018, **University of Sydney**

Adjunct Lecturer and Coach (Philip C Jessup International Law Moot Court Competition) – Australian National Champions and World Champions 2015; Law Tutor and Examiner in Contracts and Torts & Contracts II

2014 – 2016, **Supreme Court of New South Wales**

Tipstaff to the Hon Justice MF Adams (Nov 2014 – Jan 2015), the Hon Justice PLG Brereton AM RFD (Jan 2015 – Jan 2016) and the Hon Justice G Lindsay (Jan 2016)

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### **Awards**

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Ranked 1<sup>st</sup> at graduation in LLB

Nancy Gordon Smith Prize for Honours (awarded to top 5 LLB candidates at graduation)

Ian Joye Prize in Law

Playfair Prize in Migration Law

National Champion and International Run-Off Rounds Finalist, Philip C Jessup International Law Moot

NSW Justices' Association Prize in Administrative Law

Pitt Cobbett Prize for Administrative Law

Recipient of the Zoe Hall Scholarship

Walter Reid Memorial Prize for Proficiency in Law

University of Sydney Academic Merit Prize

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### **Publications**

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Patrick Gay and Robert Pietriche, 'Amendments to the Competition and Consumer Act 2010 (Cth)', *Herbert Smith Freehills Latest Thinking* (October 2017)

Patrick Gay and Robert Pietriche, 'ACCC v Medibank Private Limited: Court finds no misrepresentation in regards to out-of-pocket expenses', *Herbert Smith Freehills Latest Thinking* (September 2017)

Patrick Gay and Robert Pietriche, 'Misuse of Market Power Bill passed', *Herbert Smith Freehills Latest Thinking* (August 2017)

Robert Pietriche, 'The Ascendancy of the *Lex Loci Delicti*: The Problematic Role of Theory in Australian Choice of Tort Law Rules' (2015) 16(1) *Melbourne Journal of International Law* 86

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**Selected cases (as a solicitor)**

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**Competition and Regulatory**

*Application by Tabcorp Holdings* [2017] 1 ACompT 1; *Application by Tabcorp Holdings (No 2)* [2017] 1 ACompT 5 – competition law; merger authorisation

*ACCC v Australian Competition Tribunal* [2017] FCAFC 150; *CrownBet v Australian Competition Tribunal* [2017] FCAFC 157 – competition law; judicial review

*Lavecky & Anor v Visa Inc & Ors* (Federal Court Proceedings NSD 557/2016; settled) – competition law; damages for contraventions of Part IV of the *Competition and Consumer Act 2010* (Cth)

**Representative Proceedings / Class Actions**

*Lynch v Cash Converters Personal Finance Pty Ltd* (Federal Court Proceedings NSD 900/2015; judgment reserved) – class actions; consumer credit; unconscionable conduct

*McKenzie v Cash Converters International Ltd* (Federal Court Proceedings NSD 601/2016; settled) – class actions; consumer credit; unconscionable conduct

*McKenzie v Cash Converters International Ltd (No 4)* [2019] FCA 166 – settlement approval

**Corporations, Superannuation and Insolvency**

*In the matter of Keystone Group Holdings Pty Ltd (recs and mgrs apptd) (admins apptd) & Ors* [2016] NSWSC 1604 – corporations law; voluntary administration

*McBain v Bellamy's Australia Ltd; Bellamy's Australia Ltd v McBain* [2018] NSWSC 1152 – termination payments to executive officer and member approval under the *Corporations Act 2001* (Cth)

*Qantas Superannuation Ltd v McAulay* [2019] FCA 109 – appeal from Superannuation Complaints Tribunal; judicial review; construction of superannuation trusts

**Commercial and Property**

*Goodman Fielder Consumer Foods Pty Limited and Goodman Fielder New Zealand Limited v GrainCorp Foods Australia Pty Ltd and GrainCorp Foods NZ Limited* (Supreme Court of New South Wales Proceeding 2017/177732; ongoing) – breach of contract; contract damages; estoppel

*Mouhajer v ANZ Wealth Australia Ltd; ANZ Wealth Australia Ltd v Mouhajer* (NCAT File No. COM 19/0001531, COM 19/01532, COM 19/00019) – expiry of sublease under *Retail Leases Act 1994* (NSW)