



NAOMI D OREB

Barrister

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ADMISSION TO BAR

2014 – Ludlows award for top of bar exams (aeq.)

EDUCATION

2012 – BCL (Distinction) and top of course, University of Oxford

Vinerian Scholarship for best overall performance in the BCL (equivalent of Masters in Law)

1st place in Civil Procedure (Clifford Chance Prize); 1st place in Criminal Justice and Human Rights (Faculty Prize); Faculty of Law Linklaters Scholarship; JB Watt Postgraduate Travelling Scholarship to Oxford

2009 – LLB (Hons I), University of Sydney

3rd in graduating class (Nancy Gordon Smith Prize); 1st place in final year exams (John George Dalley Prize 1A); 1st place in Evidence (Monahan Prize)

2007 – BA (Hons I), University of Sydney

University of Sydney Beauchamp Literary Prize; University of Sydney Honours Scholarship; Dean's List of Academic Excellence; AFUW (NSW) Jamieson Award; AFUW (NSW) Prize for Essays in English; Josiah Symon Scholarship No I in English; Walter Reid Book Prize

PROFESSIONAL RECOGNITION

2020 – Doyle's Guide, Commercial Litigation & Dispute Resolution (Australia)

2020, 2021 – Doyle's Guide, Commercial Litigation & Dispute Resolution (NSW)

PREVIOUS EMPLOYMENT

2011 – 2014 – Solicitor, King and Wood Mallesons (Sydney) – Dispute Resolution

2010 – Associate, the Hon. Justice Kiefel AC (as the Chief Justice then was), High Court of Australia

SELECTED APPEARANCES

GENERAL COMMERCIAL
MATTERS

Contract. *Chevron (TAPL) Pty Ltd v Pilbara Iron Company (Services) Pty Ltd* [2021] WASCA 193 (Led by N Hutley SC)

International Arbitration Act, proof of foreign law. *Instagram, Inc v Dialogue Consulting Pty Ltd* (appeal to FCAFC, reserved) and at first instance [2020] FCA 1846 (Led by A Bannon SC, C Bannan, Prof R Garnett)

Urgent injunction, Corporations Act. *Veolia Environnement SA v Suez Australia Holding Pty Ltd* [2021] FCA 334 (Led by P Brereton SC)

Injunctive relief. *Dialogue Consulting Pty Ltd v Instagram, Inc (No 2)* [2021] FCA 1322 (Led by A Bannon SC, C Bannan)

Summary dismissal. *Kitoko v University of Technology Sydney* [2021] FCA 360 (**unled**)

Subpoena; privilege. *Duma v Fairfax Media Publications Pty Ltd* [2021] FCA 119 and [2020] FCA 1792 (Led by N Owens SC)

Insurance – Opal Tower. *QBE Underwriting Ltd v Icon (Co) NSW Pty Ltd* [2021] FCAFC 126 and at first instance: [2020] FCA 1493 (Led by S Donaldson SC)

Israel Folau v Rugby Australia Ltd. Rugby AU Code of Conduct Tribunal (2019) (Led by J Gleeson SC, A Hochroth, for Rugby AU)

Security for costs. *Anderson v Patersons Securities Ltd* [2019] NSWSC 852 (**unled**)

Contract. *Haines Bros Earthmoving Pty Ltd v ACCC Excavations Pty Ltd* (2019, Local Court) (**unled**)

Urgent injunction (franchising dispute). *Just Better Care Australia Pty Ltd v Just Better Care Canberra Pty Ltd* [2018] FCA 114; joinder [2018] FCA 452 (Led by J Giles SC)

Corporations Act. *McBain v Bellamy’s Pty Ltd* [2018] NSWSC 1152 (Led by J Kirk SC)

Constitutional law. *AIC v Elstone Pty Ltd* (2018) FCR 470 (Led by R Higgins SC)

Contract, dedication of road. *Pier 26 Pty Ltd v GL Investment Co* (2018, Local Court)(**unled**)

PPSA. *Forge Group Power Pty Ltd (in liq) v GEII* (2016) 305 FLR 101 (Led by J Giles SC)

Procedural fairness. *Royal Guardian Mortgage Management v Nguyen* (2016) 332 ALR 128 (Led by T Blackburn SC)

Issue of subpoena to foreign entity. *Ceramic Fuel Cells Limited (in liq) v McGraw-Hill Financial, Inc* (2016) 112 ACSR 102 (Led by C Withers)

Foreign state immunity. *Firebird Global Master Fund II v Republic of Nauru* (2015) 326 ALR 396 (Led by R Dick SC and D Barnett). See also [2015] HCATrans 15; (2014) 89 NSWLR 477 (appeal); stay application ([2014] NSWCA 375); trial ([2014] NSWSC 1358)

Representative proceedings. *Gray v Cash Converters International Limited*; see e.g. [2015] FCA 1109 (Led by A Coleman SC and D Sulan)

Insolvency. *Re Keneally (as administrator of Australian Blue Mountain International Cultural & Tourism Group Pty Ltd (admin appt))* (2015) 107 ACSR 172 (Led by D Sulan)

Equity – estoppel. *Wantagong Farms Pty Ltd v Bulle* [2015] NSWSC 1603 (Led by P Brereton SC and T Breakspear)

COMPETITION AND CONSUMER LAW

Resale price maintenance. *ACCC v B&K Holdings (Qld) Pty Ltd* [2021] FCA 260 (Led by S Free SC)

ACL/negligence (ongoing). *Cohen v Sacks* e.g. [2021] NSWSC 88 (Led by M Windsor SC)

ACL/Representative proceedings/transfer. *West v Rane* [2019] FCA 2195 and *West v Rane (No 2)* [2020] FCA 16 (Led by N Chen SC)

ACL. *ACCC v Woolworths Group Limited* [2019] FCA 1039 (Led by C Moore SC)

Competition. *Australian Competition Tribunal v Port of Newcastle Operations Pty Ltd* [2018] HCATrans 55 (Led by R Higgins SC). Also (2017) 346 ALR 669 (Led by N Hutley SC)

ACL. *Sydney Medical Service Co-operative Ltd v Lakemba Medical Services Pty Ltd* [2016] FCA 763 (**unled**). Subsequent contempt proceeding: [2016] FCA 1188 (**unled**)

ACL; urgent injunction. *Champion Homes Sales Pty Ltd v ProductReview.com.au Pty Ltd* (2016, NSWSC, settled at hearing) (**unled**, for ProductReview)

ACL. *ACCC v Hillside (Australia New Media) Pty Ltd t/as bet365* [2015] FCA 1007 (liability) and [2016] FCA 698 (penalty) (Led by C Moore SC)

OTHER REGULATORY MATTERS (AUSTRAC, ASIC)

Penalty – AML/CTF Act. *AUSTRAC v Westpac Banking Corporation* (2020) 148 ACSR 247 (Led by J Sheahan QC and R Higgins SC, and with E Bathurst)

ASIC Examinations. Appeared for examinees from the banking sector (2020, **unled**)

ASIC Examinations. Appeared for former CEO of a bank (2019) (Led by R Dick SC)

COMMON LAW

Leave to appeal. *Singh v Hicks* [2021] NSWCA 80 (**unled**)

Leave to appeal; privilege. *H v Commissioner of Police* [2020] NSWCA 184 (**unled**)

Contract. *Moisson Lawyers Pty Ltd v Thomas* (2020, NSWSC, unrep, Wilson J) (**unled**)

Representative proceedings/transfer. *Tester v Trueman* [2020] NSWSC 756 (**unled**)

Medical negligence. *Moore v Hillier*, May 2021, NSWSC, settled during hearing (Led by Chen SC)

Medical negligence. *Netherwood v Hillier*, Aug 2021, NSWSC, settled at hearing (Led by Chen SC)

Civil Liability Act. *Fede v Gray* [2019] HCASL 180 (Led by M Windsor SC, for Gray)

Tort. *Hutchinson v State of New South Wales* [2019] HCASL 296. Also the appeal ([2019] NSWCA 91) and trial (District Court, unreported, 2018, Balla DCJ) (Led by M Hutchings)

Tort, Bail Act. *State of New South Wales v Dargin* [2019] NSWCA 47 (Led by D Bennett AC QC and M Hutchings)

Professional discipline. *Davison v LPAB* [2019] NSWSC 959 (Led by K Richardson SC)

Tort. *State of New South Wales v Thomlinson* (2018) NSWLR 315 (Led by J Marshall SC)

Tort. *Sandrin v State of New South Wales* (unreported, 2017, District Court, 3 days, **unled**)

Tort. *Chen v State of New South Wales (No 2)* [2016] NSWCA 292 (Led by M Windsor SC and M Spartalis, for the State)

Strike out. *Acquah v State of New South Wales* (2018, District Court, unrep) (**unled**)

Various applications to set aside notices to produce and subpoenas. Eg before Neilson DCJ (2020), Jeffreys DCJ (2019), Curtis DCJ (2019), Levy DCJ (2018) (all **unled**)

Negligence. *Cam & Bear Pty Ltd v McGoldrick* [2016] NSWSC 1894 (Led by P A Horvath)

SELECTED PUBLICATIONS

Oreb, "Interim Remedies" in *Zuckerman on Australian Civil Procedure* (2018). Topics covered: interim injunctions, security for costs, freezing orders, interim payments.

Oreb, 'Case comment: The Legality of Kettling after Austin' (2013) 76(4) *Modern Law Review* 735–742

Oreb, 'Betting Across Borders: Betfair Pty Limited v Western Australia' (2009) 31(4) *Sydney Law Review* 607–619

Reporter, *New South Wales Law Reports* (January 2013 – present)

UNIVERSITY DEBATING

World Universities Debating Championships: Best Speaker of 600 (in 2009)

Australasian Universities Debating Championships: Best Speaker, Best Speaker in Grand Final, Winner (in 2008)

November 2021