



**TIM ROGAN**

*Barrister*

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**PRACTICE**

Tim was called to the bar in 2019 and admitted to practice in 2008.

He accepts briefs in all areas of law, but principally practises in competition and regulation, commercial law, equity and public law.

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**PROFESSIONAL  
EXPERIENCE**

Since 2019 - Barrister, NSW Bar

2013 – 2018 - Lecturer in History, St. Catharine's College, University of Cambridge

2007 – 2008 - Articled Clerk, Minter Ellison

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**QUALIFICATIONS**

PhD, MPhil University of Cambridge, 2013

BA/LLB (First Class Honours) University of Melbourne, 2006

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**SELECTED MATTERS**

**Competition & Regulation**

*ACCC v NSW Ports* (Federal Court of Australia)

Alleged contravention of s 45 CCA in connection with port privatisation. Led by N C Hutley SC, R C A Higgins SC and B K Lim for NSW Ports (Gilbert + Tobin)

*Perth Airport Pty Ltd v Qantas Airways Ltd* (Supreme Court of Western Australia)

Airport pricing dispute. Led by J Sheahan QC, B Kremer and E Heenan for Qantas (Minter Ellison)

*Truck Tech Group Pty Ltd v United Safety & Survivability Corporation Pty Ltd* (Federal Court of Australia)

Alleged contravention of s 46 CCA. Led by D Roche for the Respondent (Moray Agnew)

*Lottoland Australia Pty Ltd v Australian Communications and Media Authority* (2019) 100 NSWLR 328; [2019] NSWSC 2041

Statutory construction and gaming regulations. Led by N C Hutley SC and S H Hartford Davis (Addisons)

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*ASIC v GetSwift & Ors* (Federal Court of Australia)

Misleading or deceptive conduct; continuous disclosure obligations. Led by R C A Higgins SC and N Bender (Quinn Emanuel)

*Confidential Client*

Advice on operation of s 92 of the Constitution in relation to state gaming legislation. Led by N C Hutley SC

*Alexiou v ANZ* (Federal Court of Australia)

Claim for compensation under Part 9.4AAA of the Corporations Act, equitable relief and damages. Led by B Walker SC and J Williams for the Applicant (Levitt Robinson)

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**Class Actions**

*Doyle's Farm Produce Pty Ltd v Murray Darling Basin Authority* (Supreme Court of NSW)

Class action on behalf of NSW irrigators. Led by N C Hutley SC, D R Sulan and S H Hartford Davis (Banton Group)

*ACN 117 641 004 Pty Ltd v S & P Global, Inc* (Federal Court of Australia)

Tort and statutory contraventions in the issue of credit ratings. Led by C Withers SC and A Lyons (Banton Group)

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**Equity**

*Q v E Co* [2020] NSWCA 220

Proprietary estoppel. Led by N C Hutley SC and B Lloyd (Armstrong Law Partners)

*Atomic Search Pty Ltd v Jason Dooris* (Supreme Court of NSW)

Breach of confidence, breach of contract. Led by A T S Dawson SC (Hilliard & Berry Solicitors)

*The iQ Group Global Ltd v ADS Capital Pty Ltd* (Supreme Court of NSW)

Breach of confidence. Led by J S Emmett SC (Minter Ellison)

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**Insolvency**

*Tayeh v Commonwealth of Australia, in the matter of First Fleet Pty Ltd* [2020] FCA 1323

Validity of appointment and business of committee of inspection. Led by R C A Higgins SC for the Commissioner of Taxation (Craddock Murray Neumann)

*In the matter of Western Port Holdings Pty Ltd* (Supreme Court of NSW)

Voidable transactions during DOCA period. Led by F Assaf SC (Nelson McKinnon)

*Lidcombe Plastering Services v Golman* (Supreme Court of NSW)

Voidable transactions; knowing receipt. Led by V Whittaker SC (Bridges Lawyers)

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**Takeovers**

*Keybridge Capital Ltd v WAM Active Ltd* [2020] NSWSC 1917  
Disputed compliance with Corporations Act chapter 6 in conditional off-market takeover bid. Led by D Barnett (Mont Lawyers)

*In the matter of Sandon Capital Investments Limited* [2019] NSWSC 1512  
Irregularities in conditional off-market takeover bid. Led by C Tam (Watson Mangioni)

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**General Commercial**

*WMD Group Pty Ltd v Walker* (Supreme Court of NSW)  
Breach of contract; enforcement of security; priorities. Led by A D'Arville (Minter Ellison)

*Wet Fix Holdings Pty Ltd v Gillion Pty Ltd* (Federal Court of Australia)  
Breach of contract. Led by E A Hyde (BT Lawyers)

*Energylink Holdings Pty Ltd (in liq) v ATPi Pty Ltd* (Supreme Court of NSW)  
Contractual dispute concerning failed capital raising. Led by D R Sulan (Alex Mandry Legal Group)

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**Interlocutory**

*Commissioner of Taxation v Pricewaterhouse Coopers* (Federal Court of Australia)  
Legal professional privilege. Led by R McHugh SC (Ashurst)

*Young v Racing NSW* [2019] NSWDC 662  
Summary dismissal of defamation and negligence proceedings. Led by A T S Dawson SC (YPOL)

*Landpower Australia Pty Ltd v Penske Power Systems Pty Ltd* (2019) 99 NSWLR 780; [2019] NSWCA 161  
Contract; appeal from summary dismissal of cross-claim. Led by P A Horvath (Wotton Kearney)

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**Selected unled appearances**

*Re WAM Capital Ltd* (Supreme Court of NSW)  
Application for s 1322 relief of failure to lodge listing notices (Mont Lawyers)

*IWC Industries Pty Ltd v AXL Financial Pty Ltd* (Supreme Court of NSW)  
Breach of trust, knowing receipt, priorities.

*South Asia Group Pty Ltd v Invigor Group Limited* (Supreme Court of NSW)  
Contractual dispute, misleading and deceptive conduct (Armstrong Law Partners)

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*Fuji Xerox Australia Pty Ltd v Apps Pacific Pty Ltd* (District Court of NSW)  
Penalties and enforceability of guarantee

*Lowy v Benjamin* (District Court of NSW)  
Contract, promissory estoppel, Contracts Review Act (John de Mestre & Co)

*Melbourne Used Vehicles Pty Ltd v Cars & Co Pty Ltd* [2019] NSWDC 698  
Application to set aside default judgment (Citilawyers)

*Lusso L Pty Ltd v ARD 1 Pty Ltd* (NCAT)  
Exercise of retail lease option (MJO Legal)

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**SELECTED PUBLICATIONS**

*The Moral Economists: R. H. Tawney, Karl Polanyi, E. P. Thompson and the Critique of Capitalism* (Princeton University Press, 2017)

‘Karl Polanyi at the Margins of English Socialism, 1934-1947’, *Modern Intellectual History* 10 (2013), 317-346.

Review of Naomi Beck, *Hayek and the Evolution of Capitalism* (University of Chicago Press, 2019), *American Historical Review* 125(5) (December 2020), p. 1815-1816

Review of E A Posner and G Weyl, *Radical Markets: Uprooting Capitalism and Democracy for a Just Society* (Princeton University Press, 2018), *Sydney Law Review* [forthcoming]

Review of M. Del Mar and M. Lobban, eds., *Law in Theory and History: New Essays on a Neglected Dialogue* (Hart Publishing, 2016), *Cambridge Law Journal* 77(1) (2018), 220-23.

‘Commonwealth of Australia’, in G. Robbers, ed., *Encyclopedia of World Constitutions* (Facts on File, 2006) (with Carolyn Evans)