



## JEROME ENTWISLE

*Barrister*

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### Professional

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**NSW Bar** (since 2018)

**Allens** (2013 – 2018). Commercial litigation and dispute resolution.

**Tipstaff to the Hon. Justice Ball, Supreme Court of NSW** (2012).

**Researcher, University of Sydney** (2013). Research assistant to Prof. Jennifer Hill – Corporations Law.

### Areas of practices

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Commercial law  
Equity  
Corporations law  
Insurance  
Insolvency

Class actions  
Consumer law  
Regulatory investigations  
Public law  
Climate change litigation

### Recent cases – *unled*

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<i>Australian Securities and Investments Commission v Web3 Ventures Pty Ltd</i>	[2024] FCA 64	Financial services regulation; civil penalty proceedings; cryptocurrency
<i>Spagnolo v Parramatta Leagues Club Ltd</i>	[2023] NSWSC 112	Construction of company constitution; expedition application
<i>The Owners – Strata Plan No 87231 v 3A Composites GmbH (No 6)</i>	[2023] FCA 188	Class action; access to documents concerning group members losses
<i>Goodwin v HBCA Pty Ltd</i>	[2022] FCAFC 166 [2022] FCA 52	Security for costs in unfunded class action (first instance and appeal)

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<i>In the matter of AGL Limited</i>	[2022] NSWSC 576	Scheme or arrangement; appearing for interested party concerned about climate impacts
<i>Business Finance Pty Ltd v Partner Invest Pty Ltd</i>	[2022] NSWSC 1	Equitable assignment; constructive trusts
<i>G&amp;S Engineering Services Pty Ltd v MACH Energy Australia Pty Ltd</i>	[2022] NSWSC 1170	Privilege
<i>Flynn v PPK Mining Equipment Pty Ltd</i>	[2022] NSWSC 501	Application to set aside subpoena
<i>ET-China.com International Holdings Ltd v Cheung</i>	[2021] NSWCA 24; 388 ALR 128; 150 ACSR 461 [2019] NSWSC 1874; 142 ACSR 121	Directors' fiduciary duties; <i>Barnes v Addy</i> liability (first instance and appeal)
<i>In the matter of QSmart Securities Pty Ltd</i>	[2021] NSWSC 1687	Contested winding up application

## Recent cases - led

<i>Australian Securities and Investments Commission v Diversa Trustees Limited</i>	[2023] FCA 1267	Financial services regulation; superannuation trustee; civil penalty proceedings – with <i>R McHugh SC</i>
<i>Fox v Westpac; O'Brien v ANZ; Nathan v Macquarie</i>	[2023] VSC 414	Class action; class closure – with <i>J Williams SC</i>
<i>The Owners Strata Plan No 91086 v Fairview Architectural Pty Ltd (No 3)</i>	[2023] FCA 814	Class action; joinder of insurer – with <i>P Braham SC</i>
<i>Augusta Pool 1 UK Ltd v Williamson</i>	[2023] NSWCA 93	Approval of funding commission in class action settlement – with <i>D Sulan SC</i>
<i>Second COVID-19 insurance test cases (Swiss Re International Se v LCA Marrickville Pty Ltd)</i>	[2022] FCAFC 17; 290 FCR 435 [2021] FCA 1206	Business interruption insurance – with <i>I Jackman SC and P Herzfeld SC</i>
<i>Nuix class actions</i>	[2022] VSC 479	Competing class actions – with <i>M Darke SC</i>

<i>Santangelo v Yates Holding Victoria Pty Ltd</i>	[2022] NSWSC 397	Specific performance; sale of land – <i>with D Sulan SC</i>
<i>Moussa v Camden Council (No. 3)</i>	[2022] NSWSC 913	Summary dismissal; piercing the corporate veil – <i>with I Roberts SC</i>
<i>Wigmans v AMP Limited</i>	[2021] HCA 7; 270 CLR 623	Shareholder class action; competing class actions – <i>with C Moore SC and G Donnellan</i>
<i>Keybridge Capital Ltd v WAM Active Ltd</i>	[2021] NSWCA 203; 105 NSWLR 278	Corporations; take-over offers – <i>with N Hutley SC</i>
<i>DSHE Holdings (Receivers &amp; Managers Appointed)(in liquidation) v Nicholas Abboud (No 3); National Australia Bank Limited v Nicholas Abboud (No 4)</i>	[2021] NSWSC 673; 155 ACSR 1; 359 FLR 331 [2022] NSWSC 91	Directors' duties – <i>with R Foreman SC and K Boyd</i>
<i>Bowers v The Law Society of NSW</i>	[2021] NSWCA 270 [2021] NSWSC 611 [2021] NSWSC 420	Solicitors practising certificate – <i>with T Wong SC and K Richards SC</i>
<i>Registered Clubs Association of New South Wales v Stolz</i>	[2021] FCA 1418; 157 ACSR 465 [2021] FCA 576	Injunction to protect administration of justice – <i>with C Withers SC</i>
<i>The Owners – Strata Plan No 91086 v Fairview Architectural Pty Ltd (No 2)</i>	[2021] FCA 779	Order for inspection of respondent's documents – <i>with I Roberts SC</i>
<i>Haselhurst v Toyota Motor Corporation Australia Ltd</i>	[2020] NSWCA 66; 101 NSWLR 890	Representative proceedings; class closure – <i>with R Higgins SC</i>
<i>The Owners – Strata Plan No 87231 v 3A Composites GmbH (No 3)</i>	[2020] FCA 748	Representative proceedings; class closure – <i>with J Gleeson SC and W Edwards SC</i>
<i>The Owners – Strata Plan No 87231 v 3A Composites GmbH (No 5)</i>	[2020] FCA 1576; 148 ACSR 445	Representative proceedings; Merck orders – <i>with W Edwards SC</i>
<i>Roderick v Washington H Soul Pattinson and Company Limited</i>	[2020] NSWSC 1224 [2020] NSWSC 1225	Employment contract; anti-suit injunction – <i>with D Sulan SC</i>

<i>Reilly v Australia and New Zealand Banking Group Ltd (No 2)</i>	[2020] FCA 1502	Limitation periods under ASIC Act- with J Williams SC
<i>CDK16 v Minister for Immigration and Border Protection</i>	[2020] FCA 1837	Judicial review of decision re protection visa – with T Wong SC
<i>Australian Prudential Regulation Authority v Kelaheer</i>	[2019] FCA 1521	Civil penalty proceedings; superannuation trustee duties under SIS Act – with R Dick SC and F Roughley

## Representative proceedings – recent

<i>Caddick investors class action (for respondent)</i>	Federal Court	Auditor negligence class action - unled
<i>ACT Junior Doctors Class Action (for respondent)</i>	Federal Court	Workplace class action - unled
<i>Hog's Breath class action (for respondent)</i>	Federal Court	Franchisee class action – unled
<i>Booraloo subsidence class action (for respondent)</i>	Federal Court	Negligence class action – led by J Lazarus SC
<i>AMP shareholder class action (for plaintiffs - settled)</i>	Supreme Court	Shareholder class action – with C Moore SC and G Donnellan
<i>Combustible cladding class actions (for applicants)</i>	Federal Court	Consumer law class action – with I Roberts SC and W Edwards SC
<i>Business interruption insurance class actions (for respondents)</i>	Federal Court	Insurance class actions – with L Collins SC (in IAG class action) and J Williams SC (in QBE class action)
<i>IAG business interruption shareholder class action (for respondent)</i>	Victorian Supreme Court	Shareholder class action – with W Harris KC and K Loxley
<i>Nuix class action (for respondent)</i>	Victorian Supreme Court	Shareholder class action – with M Darke SC
<i>Flex commissions class action (for respondent)</i>	Victorian Supreme Court	Consumer law class action – with J Williams SC

<i>S&amp;P ratings class action (for applicant)</i>	Federal Court	Deceit class action based on ratings – <i>with C Withers SC</i>
<i>Quintis class action (for respondent)</i>	Federal Court	Auditor negligence class action – <i>with J Williams SC</i>
<i>Gunns class action (for respondent - settled)</i>	Supreme Court	Auditor negligence class action – <i>with M Darke SC and J Arnott SC</i>
<i>Spring Farm class action (for defendant – proceedings against client dismissed)</i>	Supreme Court	Negligence class action – <i>with I Roberts SC</i>
<i>Takata airbag class actions (for defendant (Nissan) - settled)</i>	Supreme Court	Consumer law class action – <i>with R Higgins SC</i>

## Climate change litigation

<i>Re AGL Ltd</i>	Supreme Court	Intervening in scheme or arrangement on behalf of investor concerned about climate impacts – <i>unled</i>
<i>ACCR v Santos (for applicant)</i>	Federal Court	Misleading or deceptive conduct concerning clean energy and net zero claims – <i>with N Hutley SC and S Hartford-Davis</i>
<i>Australian Parents 4 Climate Justice v EnergyAustralia (for applicant)</i>	Federal Court	Misleading or deceptive conduct concerning carbon neutrality claims – <i>with R Dick SC</i>

## Education

### University of Sydney

Bachelor of Laws (LLB), Hons I, University of Sydney (2006 – 2011)  
 Bachelor of Arts (BA), Hons I, University of Sydney (2006 – 2009)

### Academic achievements

*Nancy Gordon Smith Prize* for Honours at Graduation (2011)  
*Academic Merit Prize* (2010)  
*Australian Securities and Investment Commission Prize in Corporations Law* (2010)

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*Walter Reid Memorial Prize (2007, 2009 and 2010)*  
*Power Institute Alumni Prize in Australian Art (2007)*  
*University of Sydney Academic Merit Prize (2007).*

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**Publications**

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'Reasonableness and climate change risk in corporate decision-making' (2022) *Australian Environment Review* 36 (5), 117-122 (with Sebastian Hartford-Davis).

'The Australian Shareholder Class Action Experience: Are we approaching a tipping point?' (2017) 36(2) *CJQ* 178 (with Jennifer Campbell).

"Bulk lodgement" and protection from later lodged caveats' (2013) 87 *ALJ* 210.

'Corporate liability for the bribery of foreign public officials: Reassessing Australia's legislative regime in light of the "banknote scandal" and UK Bribery Act 2010' (2012) 27 *Australian Journal of Corporate Law* 2015.