

CURRICULUM VITAE CRAIG LAMBERT

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2018 onward Member 6th Floor Windeyer Chambers

2015 to 2017 8th Floor Windeyer Chambers

2007 to 2015 Member Blackstone Chambers

- Cases
- **Appeals, Jurisdiction and Procedure:** *Gorczynski v W & FT Osmo Pty Limited* [2019] NSWCA 80: Appeal from interlocutory decision of associate Judge - Effect of commencing appeal in Court of Appeal rather than in Common Law - Preliminary discovery denied application not confined to defined period and specific category of documents.
 - **Appeals, Jurisdiction and Industrial Law:** *Liu v Stephen Grubits and Associates* [2019] FCAFC 24 and *Liu v Stephen Grubits and Associates (No2)* [2019] FCAFC 42 – Successfully defended the contention that there was no power for the Federal Circuit Court to award costs against a party in proceedings relating to a matter arising under the *Fair Work Act*.
 - **Trust and Estates:** *LP v P & Ors* [2018] NSWSC 1168 - Application by mother of protected person to have financial manager of the estate removed.
 - **Employment:** *Liu v Stephen Grubits & Associates* [2018] FCCA 842 (No 2) - Industrial Law - whether costs available under the *Fair Work Act* where the applicant had acted unreasonably and was vexatious.
 - **Immigration Fraud:** *Van Tuan Nguyen & 2 others v Sage Consultant Group Pty Ltd & 4 others* [2018] NSWSC 65 (6 February 2018) - 1st & 2nd Defendants posed as Registered Immigration Agents and Solicitors defrauding the Plaintiffs and obtaining financial benefit by deceit.
 - **Urgent Relief:** *The Entourage Group Pty Ltd v Amilo Abouna & Rania Ishak trading as Smart Way Consulting* [2016] NSWSC 226197 (24 June 2016) - Freezing order obtained against fraudsters.
 - **Employment and Fraud:** *The Entourage Group Pty Ltd v Amilo Abouna & Rania Ishak trading as Smart Way Consulting* [2016] NSWDC 14827 - Fraud established against employee and by contractor wife.
 - **Building:** *Yong v Antworks Pty Ltd* [2016] NSWCATAP 14 (18 January 2016) - Successful appeal on interpretation of Home Building Act.
 - **Employment:** *Cole v Quest Software Pty Ltd* [2015] FCCA 1314 (27 May 2015) - Breach of contract and unconscionable conduct.
 - **Negligence and Personal Injury:** *Janina Vella v Woolworths Limited* [2013] NSWDC 90324 - Negligent subcontracted trolley collector, injury to shopper, Economic and Non-economic loss (Settled 2014 NFP)
 - **Negligence and Personal Injury:** *Jack Layard by his Tutor v Leisure Learning Pty Ltd* [2012] NSWDC 70218 – Duty of importer/distributor of a flying fox, Injury to child, future economic loss (Settled 2014 NFP)
 - **Appeal:** *Tjong & Anor -v- Tjong* [2012] NSWCA 201 (28 February 2012) - Junior - Credibility of appellants.

- **Urgent Relief:** *Cascio v Western Suburbs Soccer, Sports and Community Club Limited t/as Canada Bay Club* [2012] NSWSC 796 - Interim and final relief obtained preventing expulsion of a member.
- **Negligence in Employment:** *Darren Kelly v McDonald's Australia Ltd* [2012] FCA 839 - Negligence of employer, Injury to Employee, Economic and Non-Economic Loss (Settled 2012 NFP)
- **Vexatious Litigant:** *Viavattene v Morton* [2011] NSWSC 1173 - security for costs and guillotine order obtained against vexatious self-represented litigant.
- **Employment and Fraud:** *H. Polesy & Co Pty Limited -v- Peter Wayne Cherry* [2011] NSWSC 1334 (14 March 2011) - Fraud in employment - breach of fiduciary duty - restraint of confidential information.
- **Trusts and Fraud:** *Tjong & Anor -v- Tjong* [2010] NSW 578 (4 June 2010) - Junior - fraudulently established family trust - removed trustee and executor - reclaimed monies improperly procured from the family trust - defendant found to have fabricated evidence.

2005 - 2007: Browns Lawyers.

Position: Solicitor

Experience: • Assisting the principal in matters in all state jurisdictions but largely in the Local Court, Federal Magistrate's Court and Family Courts.

1990 - 2005: Australian Quality Control Services.

Position: Managing Director

Experience: • Developing, documenting, training, implementing, and auditing of Quality, Occupational Health and Safety, Environmental and Risk Management Systems to assist clients to achieve and maintain certification against relevant international standards by a JASANZ certifying body.

- Drafting employment contracts, confidentiality agreements, intellectual property agreements, independent contractor agreements, service and works agreements, and sales and purchasing agreements and developing, documenting and registering Australian Workplace Agreements and developing Compliance Programs and conducting Compliance Audits against Part V of the then Trade Practices Act.

Community/Professional Appointments

Current: • Approved NSW Bar Association ADR Arbitrator

Current: • Appointed to the Crown Prosecutor Panels of the NSW Office of Director of Public Prosecutions and the Office of the Commonwealth Director of Public Prosecutions

Current • Appointed to the Criminal and Mental Health Advocacy Panels of Legal Aid NSW

Current • Duty Barrister NSW Bar Association Pro Bono Legal Aid Program

Relevant Qualifications

2004 • Bachelor of Laws (Honours: 1st Class) - Macquarie

1993 • Bachelor of Business (Majors: Accounting and Economics) – UTS

Practice Areas

Building and Construction

Contract and Trade Practices

Equity, Trusts and Estates

Commercial Leases and Property

Employment and Fraud

Trade Practices Law