



Stephen Puttick

ADMISSIONS

2021	Barrister at the New South Wales Bar
2020	Register of Practitioners of the High Court of Australia
2019	Lawyer of the Supreme Court of New South Wales

PROFESSIONAL

February 2021 – April 2021	Lawyer – Clayton Utz
January 2020 – January 2021	Equity Division Researcher to Justice J K Ward, Chief Judge in Equity and Judge of Appeal (now President of the New South Wales Court of Appeal) – Supreme Court of New South Wales
November 2018 – January 2020	Lawyer (formerly Graduate at Law and Summer Clerk) – Clayton Utz

ACADEMIC

November 2018 – May 2024	Adjunct Research Fellow – UWA Law School, The University of Western Australia
July 2020 – July 2022	Sessional Academic – Sydney Law School, University of Sydney
January 2019 – March 2019	Sessional Lecturer – UWA Law School, The University of Western Australia
May 2017 – February 2019	Research Assistant – UWA Law School, The University of Western Australia
April 2018 – November 2018	Academic Tutor – School of Indigenous Studies, The University of Western Australia
July 2017 – November 2018	Sessional Tutor – UWA Law School, The University of Western Australia

OTHER EXPERIENCE, APPOINTMENTS, AND INVOLVEMENT

July 2025 – current	Member – Bar News Committee, New South Wales Bar Association
February 2023 – current	Reporter – Commonwealth Law Reports
November 2019 – November 2022	Reporter – New South Wales Law Reports

EDUCATION

July 2020 – current	Doctor of Philosophy – University of Sydney Thesis title: 'A Model of Reliance-based Liability' Postgraduate Research Support Scheme; Research Training Program (RTP) Fees Offset Scholarship; Walter Reid Memorial Fund
2018	Juris Doctor – The University of Western Australia 2nd in graduating year; Dean's List (Academic Excellence and Research by Invitation) for class rank at graduation and Advanced Legal Research (by Invitation); UWA Law School Valedictorian for academic performance and contribution to the University Best performance in Advanced Legal Research (by Invitation) (King & Wood Mallesons Prize in Law); David Howe Memorial Prize for Procedure and Ethics; Second place in Evidence; Second place in Commercial Practice; Semi-Finalist, Philip C Jessup International Law Moot (Regional Rounds); Third place in Supervised Research; Richard McCormack Prize in Equity and Trusts; Student Editor, <i>University of Western Australia Law Review</i> ; National Finalist, Sir Anthony Mason Constitutional Law Essay Competition; Winner, Inter-Varsity AMPLA Mining Law Moot; Best Oralist, Inter-Varsity AMPLA Mining Law Moot; Prize in Legal Process
July 2015	Law Summer School – The London School of Economics and Political Science
2014	Bachelor of Arts – The University of Western Australia Economics and Political Science & International Relations Various awards and subject prizes for undergraduate studies

HIGH COURT OF AUSTRALIA

Cirrus Real Time Processing Systems Pty Ltd v Hawker Pacific Pty Ltd (S106/2025): certainty and completeness and intention in contractual formation (led by J C Giles SC)

Kramer v Stone [2024] HCA 48; (2024) 421 ALR 106; (2024) 99 ALJR 126: knowledge and unconscionability in proprietary estoppel (led by P D Herzfeld SC with H Bennett)

Elisha v Vision Australia Ltd [2024] HCA 50; (2024) 421 ALR 184; (2024) 99 ALJR 171: employer's duty of care with respect to disciplinary and termination procedures and whether *Addis v Gramophone Co Ltd* [1909] AC 488 precludes recovery in contract (led by P D Herzfeld SC with E Makowski)

Jet Aviation Pty Ltd v Cirrus Real Time Processing Systems Pty Ltd [2024] HCASL 99: variation to meaning of contract without varying express words (led by J C Giles SC)

183 Eastwood Pty Ltd v Dragon Property Development & Investment Pty Ltd [2023] HCATrans 146: misleading silence and ostensible authority (led by B Walker AO SC)

Acciona Infrastructure Australia Pty Ltd v Zurich Australian Insurance Ltd [2023] HCASL 123: use of 'purpose' in contractual construction (led by P D Herzfeld SC)

INTERMEDIATE APPELLATE

Allchin v Hunter Water Corporation (No 3) (NSWCA 2024/222409): power to dismiss summarily for non-appearance and r 29.7 of *Uniform Civil Procedure Rules 2005* (NSW) (unled)

Medibank Private Ltd v McClure (VID406/2025): concurrent hearing concerning privilege in various third-party expert reports (led by W A Harris KC and leading E Nadon)

Spall v Minister for Home Affairs (2025) 309 FCR 460: citizenship revocation and pluralising (i.e., 'rule as to number') (led by P D Herzfeld SC)

Jaworski v Chartered Accountants Australia and New Zealand [2025] NSWCA 177: competency of appeal (unled)

Cirrus Real Time Processing Systems Pty Ltd v Jet Aviation Australia Pty Ltd (formerly Hawker Pacific Pty Ltd) [2025] FCAFC 85: contractual, misleading conduct, and estoppel claims concerning defence materials sub-contracting (led by J C Giles SC)

Aqualand North Sydney Lavender Development Pty Ltd v The Owners – Strata Plan No. 102081 [2025] NSWCA 143: 'ordinary course of business' and 'unjustified' in freezing orders/*Mareva* injunctions (led by D T Miller SC)

Levitt v Luke (in his capacity as the co-executor of the estate of Luke (Deceased)) [2025] FCAFC 79: appeal concerning disallowance of costs *inter se* on settlement (led by P D Herzfeld SC)

Levitt v Luke (in his capacity as the co-executor of the estate of Luke (Deceased)) [2024] FCA 552: leave to appeal disallowance of costs *inter se* on settlement (led by P D Herzfeld SC)

Arjunan v Neighbourhood Association DP 285853 (NSWCA 2022/365344): vexatious litigant and proceedings orders (unled)

Cirrus Real Time Processing Systems Pty Ltd v Jet Aviation Pty Ltd (2023) 113 NSWLR 80: contractual construction (led by J C Giles SC)

183 Eastwood Pty Ltd v Dragon Property Development & Investment Pty Ltd [2023] NSWCA 146: stay pending disposition of application for special leave to appeal (unled against silk)

DSHE Holdings Ltd (Receivers and Managers) (in liq) v Potts (No 2) [2022] NSWCA 258: costs (led by R M Smith SC)

DSHE Holdings Ltd (Receivers and Managers) (in liq) v Potts [2022] NSWCA 165; (2022) 405 ALR 70; (2022) 163 ACSR 23: dividend payments and s 254T and claims arising from insolvency of Dick Smith (led by R M Smith SC)

Icon Co (NSW) Pty Ltd v Owners – Strata Plan No 97315 [2022] NSWCA 114: preliminary evidentiary rulings (led by D T Miller SC)

ARBITRATION AND EXPERT DETERMINATION

Acting for multinational technology company in arbitration concerning complex contractual dispute (led by A Horvath SC and leading B Hord)

Acting for multinational technology company in arbitration concerning benchmarking of long-term contract (led by T O Prince)

Acting for various parties in arbitration under *Commercial Arbitration Act 2012* (WA) (led by C H Withers SC with various others)

Acting for multinational transport infrastructure company in expert determination and arbitration concerning public infrastructure project (led by R M Smith SC with D Hughes)

WCX M4-M5 Link AT Pty Ltd v Acciona Infrastructure Projects Australia Pty Ltd (No 2) [2022] NSWSC 505: injunction restraining referral to arbitration and stay of proceedings (led by D T Miller SC with N Simpson)

WCX M4-M5 Link AT Pty Ltd v Acciona Infrastructure Projects Australia Pty Ltd [2022] NSWSC 375: implied waiver of privilege (led by D T Miller SC)

Acting for multinational transport infrastructure company in expert determination concerning public infrastructure project (led by D A Hughes)

COMMERCIAL, COMPETITION, AND CORPORATIONS

Starbelle Energy Pty Ltd as trustee for Cronulla Coal Unit Trust v New Emerald Energy Pty Ltd (NSD197/2024): derivative action and deed of company arrangement (unled)

Ligon 158 Pty Ltd (In liq) v Binetter (SAD205/2024): setting aside service in ongoing proceedings concerning validity of settlement deeds from Binetter tax frauds (unled against silk)

Elecnor Australia Pty Ltd v Neoen Australia Pty Ltd (NSWSC 2024/109748): misleading and deceptive conduct concerning major construction project (led by J C Giles SC with P Gaffney and leading M Thompson)

D.X. Property Investment Pty Ltd v Jones trading as Phoenix Homes (NSWSC 2022/00088634): building defects and failure to mitigate (unled)

Shield Holdings Australia Pty Ltd (In Liquidation) v Binetter [2025] FCA 451: substituted service in ongoing proceedings concerning validity of settlement deeds from Binetter tax frauds (unled)

Clearsafe Environmental Solutions Pty Ltd v Fernandez (NSWSC 2024/353877): confidential information and injunctions (unled against silk)

Gerald Jaworski v Chartered Accountants Australia and New Zealand (No 5) [2025] NSWSC 590: costs (led by J C Giles SC)

Skyline Landscape Services Pty Limited v G.M.R. Schembri trading as Parklea Sand & Soil [2025] NSWSC 492: stay of proceeding pending concurrent criminal proceedings (led by D T Miller SC)

Gerald Jaworski v Chartered Accountants Australia and New Zealand (No 4) [2025] NSWSC 457: 'Wallersteiner order' to bring common law derivative claims (led by J C Giles SC)

In the matter of Spring Street Property Group Pty Ltd [2025] NSWSC 422: competing claims to receivership funds and contractual claims thereto (led by S A Fitzpatrick SC)

Ligon 158 Pty Ltd (In liq) v Shield Holdings Australia Pty Ltd (In liq) [2025] FCA 3: appointment of special purpose liquidator and validity of settlement deeds concerning Binetter tax frauds (unled against silk)

Cirrus Real Time Processing Systems Pty Ltd v Hawker Pacific Pty Ltd [2024] FCA 763: contract and estoppel claims concerning teaming agreement and sub-contracting (led by J C Giles SC)

In the matter of A S P Aluminium Holdings Pty Ltd [2024] NSWSC 183: derivative action (led by C H Withers SC and leading K Dyon)

Cirrus Real Time Processing Systems Pty Ltd v Jet Aviation Australia Pty Ltd [2023] NSWSC 464: contractual construction (led by J C Giles SC)

PWQ Pty Ltd v Hville FCP Pty Ltd (NSWSC 2023/108978): now settled proceeding concerning rescission and debt claims (led by P S Braham SC)

Stamford Bridge SW6 Pty Ltd v Blaise Building Services Pty Ltd [2023] NSWSC 50: security for costs (unled)

EQUITY AND TRUSTS

Winterton v Cooper (NSWSC 2024/250634): common intention constructive trust and estoppel claims (unled)

Wright Prospecting Pty Ltd v Hancock Prospecting Pty Ltd (CIV 3041/2010) and *DFD Rhodes Pty Ltd v Hancock Prospecting Pty Ltd* (CIV2737/2013): partnership claims over mining assets (led by C H Withers SC with various others)

Hitchcock v Pratt Group Holdings Pty Ltd as trustee for the Pratt Family Holdings Trust [2024] NSWSC 1292: significant pleading dispute in ongoing proceeding concerning administration of trust (led by C H Withers SC with K Lindeman and leading B Smith)

Advising a non-profit declared collecting society in relation to certain of its duties under *Copyright Act 1968* (Cth), in trusts law, and cognate obligations (unled)

PP New Pty Ltd [2021] NSWSC 1426: judicial advice in winding up of employee entitlement trust (unled)

INSURANCE

Scottish Pacific Business Finance Pty Ltd v Chubb Insurance Australia Limited (NSWSC 2025/44941): declinature claim concerning policy construction, disclosures, and other issues on policy response (led by S A Fitzpatrick SC)

AAI Ltd v Chubb Insurance Australia Ltd (NSWSC 2023/322650): complex double insurance claim (led by P D Herzfeld SC)

Norske Skog (Australasia) Pty Ltd v Tokio Marine & Nichido Fire Insurance Co Ltd (NSD348/2022): now settled indemnity proceeding (led by P D Herzfeld SC)

Various advices across various aspects of insurance

PUBLIC LAW AND JUDICIAL REVIEW

Lyon v Professional Standards Council (NSWSC 2025/269769): validity of Professional Standards Scheme under *Professional Standards Act 1994* (NSW) (led by J C Giles SC)

Chukwuma v Minister for Immigration and Multicultural Affairs (SAD15/2025): personal decision to cancel visa and 'NZYQ cohort' (led by P D Herzfeld SC)

Cumaiyi v Northern Territory of Australia [2025] FCA 244: discontinuances of two proceedings on behalf of Indigenous residents of Wadeye concerning alleged contraventions of the *Racial Discrimination Act 1975* (Cth) (unled against silk)

Spall v Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs [2024] FCA 849: citizenship revocation and correctness of *Pearson v Minister for Home Affairs* [2022] FCAFC 203 (led by P D Herzfeld SC)

Medibank Private Ltd v Australian Information Commissioner (2024) 301 FCR 517: interveners in proceeding for stay of OAIC complaints (led by K Loxley and leading E Nadon)

NSW Electoral Commissioner v Kempsey Shire Council (No 3) [2022] NSWSC 409: declarations and other relief and costs as to validity of certain local government election results (led by J S Emmett SC with C Roberts)

NSW Electoral Commission v Kempsey Shire Council (No 2) [2022] NSWSC 282: judicial review concerning validity of certain local government election results (led by J S Emmett SC with C Roberts)

REPRESENTATIVE PROCEEDINGS

Green v Johnson and Johnson Pacific Pty Ltd [2025] FCA 583: strike out application in ongoing proceeding concerning inefficacy of phenylephrine in Codral and Sudafed products (led by W A D Edwards KC)

Buck v BGC Residential Pty Ltd (CIV1878/2024): ongoing proceeding against BGC Australia entities concerning home building delays and price increases (led by J C Giles SC and R Young SC)

McClure v Medibank Private Ltd [2025] FCA 343: costs (led by W A Harris KC and leading E Nadon)

McClure v Medibank Private Ltd [2025] FCA 167: privilege in various third-party expert reports concerning data breach (led by W A Harris KC and leading E Nadon)

Luke v Aveo Group Ltd (No 3) [2023] FCA 1665: appearing on settlement approval with Court-appointed contradictor (unled against silk)

Haswell v Commonwealth (NSD431/2020) and *Wreck Bay Aboriginal Community Council v Commonwealth* (NSD70/2021): now settled proceedings concerning use of PFAS firefighting foams at RAAF bases (led by W A D Edwards KC with R J May, P Gaffney, and K Morris)

INQUIRIES AND OTHER SELETED MATTERS

Appearing in Greyhound Welfare & Integrity Commission inquiry under pt 8 of the *Greyhound Racing Act 2017* (NSW) (unled)

Advising the New South Wales Bar Association in respect of provisions of the Association's constitution and the Legal Profession Uniform Law (led by P D Herzfeld SC)

Various pro bono matters for advice and appearances

BOOKS

Current Issues in Competition Law: Practice and Perspectives (The Federation Press, 2021) (edited with Michael Gvozdenovic)

Current Issues in Competition Law: Context and Interpretation (The Federation Press, 2021) (edited with Michael Gvozdenovic)

BOOK CHAPTERS

'Repairing the Compensatory Principle in Negligence: "Loss of Amenity" and the Justifiable Scope of Damages Liability' in Dr John Eldridge and Timothy Pilkington (eds), *Australian Tort Law in the 21st Century* (The Federation Press, 2024) 225 (with Dr David Winterton)

'Competition Law at the Limit of Common Law and Statute' in Michael Gvozdenovic and Stephen Puttick (eds), *Current Issues in Competition Law: Context and Interpretation* (The Federation Press, 2021) 103

SELECTED JOURNAL ARTICLES

Hill v Zuda Pty Ltd [2022] HCA 21' (2023) 98(1) *Australian Law Journal* 31

'Recent Cases: *Hill v Zuda Pty Ltd* [2022] HCA 21' (2023) 98(1) *Australian Law Journal* 31

'Recent Cases: *ACCC v Quantum Housing Group Pty Ltd* (2021) 285 FCR 133' (2022) 96(6) *Australian Law Journal* 396

'Willpower Has No Voltage: Problems with Causation in Equitable Estoppel' (2022) 49(1) *University of Western Australia Law Review* 230 (with Hon Justice J K Ward FAAL)

Book Review: *Statutory Interpretation in Private Law* (The Federation Press, 2019)' (2021) 95(3) *Australian Law Journal* 227

'Dimensions of Loss in Negligence: *Lee v Strelricks*' (2020) 26(3) *Torts Law Journal* 244

'Book Review: *The Law of Proprietary Estoppel* (Oxford University Press, 2nd ed, 2020)' (2021) 137 (January) *Law Quarterly Review* 178

'Undertakings in Merger Proceedings Following *ACCC v Pacific National Pty Ltd* [2020] FCAFC: Has the Train Left the Station?' (2020) 28(4) *Australian Journal of Competition and Consumer Law* 286 (with Michael Gvozdenovic)

'Full Steam Ahead or Gone off the Rails? Merger Analysis After *ACCC v Pacific National Pty Ltd* [2020] FCAFC' (2020) 28(3) *Australian Journal of Competition and Consumer Law* 219 (with Michael Gvozdenovic)

'Book Review: *The Coherence of Statutory Interpretation* (The Federation Press, 2019)' (2020) 94(8) *Australian Law Journal* 643

'Review Essay: On Property in Equity' (2020) 42(2) *Sydney Law Review* 241

'Book Review: *Form and Substance in the Law of Obligations* edited by Andrew Robertson and James Goudkamp (Hart Bloomsbury, 2019)' (2020) 136 (July) *Law Quarterly Review* 508

'Reconsidering Independent Advice: A Framework for Analysing Two-Party and Three-Party Cases' (2020) 43(1) *University of New South Wales Law Journal* 218 (with Dr Felicity Maher)

'Book Review: *Sir Owen Dixon's Legacy* edited (The Federation Press, 2019)' (2019) 45(3) *Monash University Law Review* 186

'Mergers, Competitors, and Perceptions: Some Trains of Thought on *ACCC v Pacific National Pty Ltd (No 2)* [2019] FCA 669' (2019) 27(4) *Australian Journal of Competition and Consumer Law* 294 (with Michael Gvozdenovic)

'Fish Oil Producer Caught Outside the Safe Harbour' (2019) 27(2) *Australian Journal of Competition and Consumer Law* 134

SELECTED CONFERENCE PAPERS

'Causation in Equitable Estoppel' (Paper presented at Herbert Smith Freehills, Australian Academy of Law, and UWA Law School Causation Conference, 9 September 2022, Perth) (with Hon Justice J K Ward FAAL)

'The Thread of Promissory Estoppel' (Paper presented at Melbourne Law School Obligations Group Annual Conference, 5 December 2019, Melbourne)

RESEARCH GRANTS AND PROJECTS

Ross Parsons Centre of Commercial, Corporate and Taxation Law Grant, 'Current Issues in Competition Law' (2021) (with Michael Gvozdenovic)

Law Society of Western Australia Public Purposes Trust Annual Grant, 'Understanding, Promoting, and Supporting Diversity in Legal Education and the Profession' (2019 – 2020) (with Professor Natalie Skead FAAL, Associate Professor Stella Tarrant, Dr Shane L Rogers, Melville Thomas, and Aidan Ricciardo)

OTHER AWARDS AND RECOGNITION

Nomination for 'Award for Teaching Excellence – Individual', The University of Western Australia (2019)

September 2025