



Robert Size

ADMISSIONS

2021	Called to the New South Wales Bar
2016	Admitted as a lawyer Supreme Court of New South Wales

EDUCATION

2026	University of Technology Sydney Doctor of Philosophy
2015	University of Technology Sydney Bachelor of Laws (First Class Honours)
2012	University of New South Wales Bachelor of Arts (Distinction)

SELECTED MATTERS

Commercial

- *B2B Insider Pte Ltd v Fantech Capital BV* (FedCFamC2, settled), sale of shares in sports media company, alleged misleading or deceptive conduct, for the defendants, instructed by Tom Howard Legal.
- *Berhero Pty Ltd v Senibina Sentral Sdn Bhd* (NSWSC, settled), alleged breach of loan agreement, validity of loan agreement, misleading or deceptive conduct, for the defendants, led by D Hughes SC, instructed by Swaab.
- *Bioxyne Ltd v Owles* (NSWSC, ongoing), alleged misleading or deceptive conduct re ability to develop cannabinoid product, breach of share sale agreement, for the defendant, instructed by Ljubenkov Lawyers.
- *Bizcap AU Pty Ltd v Weng* (NTSC, ongoing), alleged breach of personal guarantee, for the first defendant, instructed by Bryson Kelly.



- *Blue Papaya Pty Ltd v Mandarin Developments Pty Ltd* (NSWSC, ongoing), dispute between former co-owners of Mandarin Centre, alleged breach of good faith clause in co-ownership agreement, for the plaintiff, instructed by Equium Lawyers.
- *Commercial Freight and Logistics Pty Ltd v Zhao* (NSWSC, ongoing), dispute between freight forwarder and directors of former glazing contractor, alleged breach of personal guarantee, for the defendants, instructed by Equium Lawyers.
- *Complete Coffee Pty Ltd v InCafe Restaurant Pty Ltd* (NSWSC, settled), dispute between café owner and coffee supplier, alleged breach of contract, alleged innocent misrepresentation, for the defendant, instructed by Legal Vision.
- *Corry v Medicina Pty Ltd* (NSWSC, ongoing), alleged misleading and deceptive conduct, representation made during mediation, for the defendants, instructed by Hall & Wilcox, led by E Hyde SC.
- *General & Commercial Financial Services Pty Ltd v Outsource Financial Pty Ltd* (NSWSC, settled), dispute between joint venturers, alleged breach of contract, specific performance, for the defendant, led by D Cook SC, instructed by Hall & Wilcox.
- *Hardy v Coates Hire Operations Pty Ltd* [2022] NSWCA 122, enforcement of guarantee, Contracts Review Act, for the respondent, led by A d'Arville.
- *Kilrush Farming Co Pty Ltd v S&M AG Pty Ltd* (NSWDC, settled), dispute concerning supply of incorrect pesticide, alleged breach of contract, breach of s 18 of Sale of Goods Act, for the cross-defendant, instructed by Hall & Wilcox.
- *Lintib Pty Ltd v Pitcher Partners Private Wealth Pty Ltd* (NSWSC, ongoing), alleged breach of fiduciary duty, misappropriation of funds by financial advisor, for the plaintiff, instructed by Johnson Winter Slattery, led by D Reynolds and leading K Woodforde.
- *Mohamad v El-Cheikh* (NSWSC, ongoing), alleged breach of contract, misleading or deceptive conduct, conspiracy, for the first defendant, led by Miles Condon SC, instructed by Cornwalls.
- *Owners of Strata Plan No 93392 v Chubb Insurance Australia Limited* [2025] NSWDC 560, claim for breach of insurance policy by Owners Corporation, for the plaintiff, instructed by Mills Oakley.
- *RGRJ Law Pty Ltd v M Berenger Nominees Pty Ltd* (NSWDC, settled), alleged breach of indemnity under share sale agreement, for the defendant, instructed by Cornwalls.



- *Russell v Desi Nominees Pty Ltd* [2023] FCA 1249, application for injunction to restrain sale of shares by mortgagee, for the defendant, instructed by HWL Ebsworth
- *Tram v Innerwest Property Partners Pty Ltd* [2024] NSWDC 155, breach of deed, dishonoured cheque, illegality, for the plaintiff, instructed by D Leamey.
- *Uber.biz Pty Ltd v Knight Frank Australia Pty Ltd* (NSWDC, settled), action for debt, for the defendant, instructed by Hall & Wilcox.
- *Willis v Next Level Escape Pty Ltd* (NSWDC, settled), alleged breach of contract to construct mystical forest-themed escape room, for the plaintiff, instructed by Hall & Wilcox.
- *Zoobury Pty Ltd v Cariste Pty Ltd* [2022] NSWSC 18, contract, misleading and deceptive conduct, for the defendant/cross-claimant, led by DL Williams SC, instructed by Cornwalls.
- Appearing in various disputes before lower courts and tribunals throughout Australia, appearing in confidential expert determinations, and advising on a range of matters both litigious and non-litigious.

Corporations and insolvency

- *Motasea Pty Ltd v Gooley* (NSWSC, reserved), breach of directors' duties, application for relief under Corporations Act ss 1317S and 1318, equitable contribution, for the defendant, led by G Ng SC, instructed by Hall & Wilcox.
- *Re Davis Investment Group Holdings Pty Ltd (in Liq) (No 2)* [2022] FCA 1200, appeal against rejection of proof of debt by liquidator, breach of contract for sale, diminution in value of property, for the defendant, instructed by Pure Legal.
- *Re Bedrock Quarry Pty Ltd (in Liq)* (FCA, settled), de facto director, insolvent trading, application for relief under Corporations Act ss 1317S and 1318, for the defendant, led by B Le Plastrier, instructed by Hall & Wilcox.
- *Re Champion Homes Sales Pty Ltd* (NSWSC, settled), claim for repayment of alleged loans, alleged breach of contract, quantum meruit, alleged breach of directors' duties, shareholder oppression, for the defendant, instructed by Hall & Wilcox.



- *Re Habibi Waverton Pty Ltd* (2021) 154 ACSR 701; [2021] NSWSC 1443, objection to transfer of share by administrator under s 444GA of the Corporations Act, for the first intervening party, instructed by Pure Legal.
- *Re Mucho As Pty Ltd (in Liq)* (NSWSC, settled), shareholder oppression, claim for relief against non-shareholder, for the plaintiff, instructed by TheunissenTrollip.
- *Re Ocean Software Pty Ltd* (FCA, ongoing), shareholder oppression, for the plaintiffs, instructed by Tom Howard Legal.
- *Re P Saad Property Group Pty Ltd (in liq)* (NSWSC, settled), breach of directors duties, unreasonable director-related transactions, uncommercial transactions, for the first defendant, instructed by Equium Lawyers.
- *Re Parthia Property Group Pty Ltd* (NSWSC, settled), derivative action, breach of directors' duties, rectification of share register, just and equitable winding up, for the plaintiff, instructed by D Leamey.
- *Re Patent Development Pty Ltd* (NSWSC, settled), shareholder oppression, for the defendant, led by J Brown, instructed by Turnbull Hill.
- *Roberts v Ho* [2026] FCA 385, application for declaration as to voting entitlements of creditor in bankruptcy, for the respondents, instructed by Hall & Wilcox.

Building and construction

- *Di Lullo v JG King Pty Ltd* [2026] NSWDC 218, residential building contract, edge heave of concrete slab, reasonable method of rectification, for the defendant, instructed by Champions Lawyers.
- *Ellair Solutions Pty Ltd v Taylor Construction Group Pty Ltd* (NSWSC, settled), repudiation of construction contract, recoverability of expected profits, for the plaintiff, instructed by David Leamey.
- *Impero Pacific Group Pty Ltd v ITF Cabinetmaking & Joinery Pty Ltd* (NSWSC, settled), breach of contract, misleading or deceptive conduct, for the plaintiff, led by W Marshall, instructed by Gilbert + Tobin.
- *Owners of Strata Plan No 92450 v JKN Para 1 Pty Ltd & Toplace Pty Ltd* [2022] NSWSC 958, combustible cladding, remediation of building defects under Home Building Act, for the plaintiff, led by J Steele SC, instructed by Eakin McCaffery Cox.



- *Owners of Strata Plan No 92450 v JKN Para 1 Pty Ltd & Toplace Pty Ltd* [2023] NSWCA 114, failure to comply with BCA, evidential burden re rectification, for the appellant, led by J Steele SC, instructed by Eakin McCaffery Cox.
- *Probuild Constructions (Aust) Pty Ltd v S&T Services Pty Ltd* (NSWSC, settled), breach of contract, negligence and misleading and deceptive conduct, collapse of crane, for the plaintiff, led by D Weinberger, instructed by McCabe Curwood.
- *Rawson Homes Pty Ltd v Capital Estate Developments Pty Ltd* (NSWDC, settled), fire in solar power system, for the first cross-defendant, instructed by HWL Ebsworth.
- *Tallai Project Group Pty Ltd v Ellair Solutions Pty Ltd* (NSWSC, reserved), dispute between builder and mechanical subcontractor, restitution of payments made under Security of Payment Act, for the defendant, leading E Miers, instructed by D Leamey.
- Appearing in various disputes before the New South Wales Civil & Administrative Tribunal arising under the *Home Building Act 1989* (NSW) and *Strata Schemes Management Act 2015* (NSW).

Professional negligence

- *Allen v Nyman & KPW Law Pty Ltd* (ACTSC, settled), legal advice re lodgment of caveat, for the plaintiff, instructed by HWL Ebsworth.
- *Forrester Management Pty Ltd v AMI Tax Advisory Pty Ltd* [2026] NSWDC 13, accounting advice re structure in which to purchase residential home, for the plaintiff, instructed by HWL Ebsworth.
- *Tran v Tran* (NSWDC, ongoing), legal services re sale of property, where solicitor acted for both sides of transaction, for the plaintiffs, instructed by Genesis Legal
- *Wu v Wu & Perkins* [2022] ACTSC 360, legal services re sale of property, for the second defendant, led by M Walsh SC, instructed by Moray & Agnew.

Equity and trusts

- *Braumann v McDonald* (NTSC, settled), application for declaration to enforce alleged express trust, for the defendant, instructed by Bryson Kelly.
- *Cleary v Cleary* (NSWSC, ongoing), alleged breach of fiduciary duty, for the defendant, instructed by Conditsis Lawyers.



- *Hall v Hall* (NSWSC, settled), application for removal of trustee, for the defendant, led by T O'Brien, instructed by Turnbull Hill.
- *Heinecke v Le Maitre* (NSWSC, settled), proprietary estoppel, alleged breach of trust, led by G Sirtes SC and T Catanzariti, instructed by Baker, Deane & Nutt.
- *Gooley v PricewaterhouseCoopers* (NSWSC, ongoing), alleged breach of fiduciary duty, for the second defendant, led by G Ng SC, instructed by Hall & Wilcox.
- *Pal v Pal* (NSWSC, ongoing), claim for constructive trust over property sold by parents to daughter, for the defendant, instructed by Hall & Wilcox.
- *Siganto v Siganto* (NTSC, settled), joint endeavour constructive trust, breach of contract, for the plaintiff, instructed by Bryson Kelly.
- *Smart v Smart* (NSWSC, ongoing), alleged breach of fiduciary duty, application under s 66G of the Conveyancing Act, for the plaintiff, instructed by Hunt & Hunt.
- *Tringas v Liberty Investments Pty Ltd* (NSWSC, settled), proprietary estoppel, constructive trust, for the plaintiff, instructed by David Leamey.
- *Waldren v Waldren Holdings Pty Ltd* (ACTSC, ongoing), validity of amendment made to trust deed, for the defendant, instructed by HWL Ebsworth.

Real property

- *Hexagon Group Investments Pty Ltd v 13 Pine Road Pty Ltd* (NSWSC, settled), application for order compelling defendants to consent to lodgment of development application, for the plaintiff, instructed by Hall & Wilcox, led by J Lazarus SC.
- *Hosseini-Nasab v Palagummi* (NSWSC, settled), breach of contract for sale of property, claim for deposit and damages, negligent misstatement re ability to complete, for the plaintiff, led by J Lazarus SC, instructed by Storey & Gough.
- *Karimbla Properties No 22 Pty Ltd v Planning Ministerial Corporation* (NSWSC, settled), construction of new Powerhouse Museum, interference with easement instructed by Meriton Property Services Pty Ltd, for the plaintiff, led by G Sirtes SC and B Le Plastrier.
- *Miraki v El-Cheikh* (NSWSC, settled), alleged lodgment and failure to remove caveat without reasonable cause, for the defendant, instructed by Cornwalls.



- *Singh v Inglis* (NSWSC, ongoing), contract for sale of land, whether validly rescinded, for the defendant, instructed by Hall & Wilcox.
- *Theunissen v Barter* (2025) 117 NSWLR 49; 263 LGERA 348; [2025] NSWCA 50, interpretation of easement granting recreation rights, for the appellant, led by J Lazarus SC, instructed by Speiser Lawyers.
- *Wilson v Allen* (ACTSC, unreported), alleged lodgment of caveat without reasonable cause, for the defendant, instructed by HWL Ebsworth.

Constitutional Law

- *Burton v DPP (NSW)* (2022) 110 NSWLR 145; 407 ALR 505; 373 FLR 205; [2022] NSWCA 242, implied freedom of political communication, validity of s 105 of the Care and Protection Act, led by M Seymour, *amicus curiae* brief.
- *Leggett v Hawkesbury Race Club Limited* (2022) 293 FCR 608; 317 IR 54; [2022] FCA 622, inconsistency between Fair Work Act and NSW Workers Compensation Act, for the plaintiff, led by M Best, instructed by Gilbert's Legal.

Criminal Law

- *Lusty (Examiner) v ITT124* [2025] FCA 141, contempt of Australian Criminal Intelligence Commission, plea in mitigation, for the defendant, instructed by Bryson Kelly.
- *R v E3Sixty Ltd* (NSWLC, 17 January 2023, unreported), failure to file financial statements, plea in mitigation, for the defendant, instructed by Hall & Wilcox.
- *R v Pridgeon & Ors* (QDC, 8 February 2024, discontinued), conspiracy to defeat justice, trial by jury, for the first defendant.
- *R v Rolfe* (NTSC, acquittal), murder, trial by jury, for the prosecution, led by P Strickland SC, S Callan SC and J Poole.
- *R v Sotiriadis* (NSWDC, 18 April 2023, unreported), import commercial quantity of prohibited precursor, committal, plea in mitigation, for the defendant, led by P Strickland SC, instructed by Stephen Andrianakis & Associates.
- Acting under grants of Legal Aid for various defendants charged with summary offences before the Local Court of NSW including supply, assault, intimidation, breach of AVO and dealing with proceeds of crime.



Intentional torts

- *Corban v State of New South Wales* (NSWDC, reserved), alleged false imprisonment, assault and battery, for the defendant, instructed by McCabes.
- *Elman v Owners SP 11629* (NSWLC, settled), nuisance arising from failing to maintain and repair common property beams beneath apartment floor, for the plaintiff, instructed by Hall & Wilcox.
- *Hall v State of New South Wales* (NSWDC, reserved), alleged false imprisonment, battery, for the defendant, instructed by McCabes.
- *Hamdam v State of New South Wales* (NSWDC, ongoing), alleged false imprisonment, battery, misfeasance in public office, malicious prosecution, for the defendant, instructed by Crown Solicitors Office.
- *Hunter v Fletcher* (NSWDC, ongoing), alleged trespass to property, for the plaintiff, instructed by Beatty Hughes & Associates.
- Acting for the State of New South Wales in various claims made against police officers settled before hearing in the District Court of NSW instructed by Crown Solicitors Office, McCabes and Makison D'Apice.

Commissions and inquests

- *Inquest into the Deaths of Andrew and Vanessa Woods* (Coroners Court, ongoing), suspected murder-suicide, for the Commissioner of Police, instructed by the Office of General Counsel.
- *Public Inquiry into Liverpool City Council* (15 July 2025), for the Audit Office of NSW and Assistant Auditor-General Financial Audit, instructed by HWL Ebsworth.

Miscellaneous

- *Accord Pacific Properties Pty Ltd v Matthai* (NCAT, 17 August 2022, unreported), validity of election of strata committee, appointment of independent strata managing agent, for the defendants, led by J Lazarus SC, instructed by Eakin McCaffery Cox.
- *Casey v DePuy International Ltd* [2023] FCA 254, class action, appeal from decision of independent counsel, jurisdiction of Federal Court, error of law, for the defendants, led by M Walsh SC, instructed by Norton Rose Fulbright.



- *Chester v Cowin* [2024] NSWSC 1554; *Chester v Cowin (No 2)* (2025) 24 ASTLR 719; [2025] NSWSC 74, family provision, right of occupation until children finish school, costs, for the defendant, instructed by Bryson Kelly.
- *Pascoe v Voukidis* [2025] NSWSC 398, application to transfer proceedings to Federal Circuit and Family Court of Australia, exclusive jurisdiction in bankruptcy, for the plaintiff, instructed by Hall & Wilcox.
- *Ullah v OM Security Pty Ltd* [2025] FCA 1347, application for summary dismissal, for Meriton Property Services Pty Ltd, instructed by Tom Howard Legal.

OTHER EXPERIENCE

2019-2022	Seminar and Tutorial Leader Constitutional Law, Criminal Law, Evidence University of Technology Sydney
2015-2022	Reporter (Jul 2015-Apr 2020) Senior Reporter (Apr 2020-Nov 2022) FCR, FLR, ARLR, AAR Thomson Reuters
2017-2020	Research Assistant Research and editorial assistance for <i>Heydon on Contract</i> (2019), <i>Cross on Evidence</i> (12th ed, 2019), <i>Restraint of Trade Doctrine</i> (4th ed, 2018), <i>Cases and Materials on Equity and Trusts</i> (9th ed, 2018), <i>Trade Practices Law</i> (online and loose-leaf) Eight Selborne Chambers
2017-2018	Tipstaff to the Honourable Justice Stephen Robb Supreme Court of New South Wales
2016	Law Graduate Commercial Dispute Resolution, Insurance, Banking & Finance Hall & Wilcox Lawyers
2015-2016	Intern & Project Officer Australasian Legal Information Institute



2015 **Intern**
Native Title Inquiry, Freedoms Inquiry
Australian Law Reform Commission

AWARDS/SCHOLARSHIPS

2018-2021	Centre for Media Transition Doctoral Scholarship University of Technology Sydney
2016	Joint Winner, Annual Essay Prize Australian Academy of Law
2015	Winner, Sir Anthony Mason Constitutional Law Essay Prize New South Wales Young Lawyers
2015	Runner up, Governor General's Essay Competition Constitution Education Fund of Australia

PUBLICATIONS

R v Bashir? The Case for Charging Martin Bashir with Fraud
[2021] *Criminal Law Review* 779.

Publishing Fake News for Profit Should be Prosecuted as Wire Fraud
(2020) 60 *Santa Clara Law Review* 29.

Can Parliament Deprive the High Court of Jurisdiction with Respect to Matters Arising Under the Constitution or Involving its Interpretation?
(2020) 41 *Adelaide Law Review* 87.

Taking Advantage of Advances in Technology to Enhance the Rule of Law
(2017) 91 *Australian Law Journal* 575.