

MICHAEL KLOOSTER

Barrister-at-law

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PRINCIPAL AREAS OF PRACTICE

- Appellate
- Bankruptcy/Insolvency
- Building & Construction
- Commercial
- Corporations Law
- Equity
- Succession Act / Family Provision
- Property
- Trade Practices & Competition

Briefs are accepted in all areas of law

ADMISSIONS

- 2010 **New South Wales Bar**
- 2010 **High Court of Australia**
- 2005 **Supreme Court of New South Wales**

SELECTED APPEARANCES

High Court of Australia

- Patterson -ats- SAS Trustee Corporation
High Court of Australia
[2010] HCATrans 338 (10 December 2010)

Federal Court of Australia

- Chaw v Jenkinson [2017] FCA 1292 (6 November 2017)
- Tu v Chang (No 2) [2016] FCA 1568 (22 December 2016)
- Tu v Chang [2016] FCA 1567 (20 October 2016)
- Commissioner of Taxation v Arnold (No 2) [2015] FCA 34 (4 February 2015)
- Sotiropoulos v Bico Designs Pty Ltd [2013] FCA 25 (29 January 2013)
- De Bortoli Wines Pty Limited v HHH Insurance Limited (in liq) [2011] FCA 645 (9 June 2011)

- Urban Ventures Pty Limited v Solitaire Homes Pty Limited [2010] FCA 1373 (14 December 2010)
- Vu v Community Association Deposited Plan No 270263 [2010] FCA 1126 (8 October 2010)

Family Court of Australia

- LL Pty Limited & Dawson and Ors [2015] FamCA 709 (27 August 2015)
- Sampey & Sampey and Ors [2015] FamCA 89 (19 February 2015)

Federal Circuit Court of Australia

- Chaw v Jenkinson [2016] FCCA 2916 (11 November 2016)

Federal Magistrates Court of Australia

- Sidhu v Raptis [2012] FMCA 338 (9 May 2012)

NSW Supreme Court of Appeal

- Il Vizio Corp Pty Ltd v Cashflow Finance Australia Pty Ltd (No 2) [2018] NSWCA 142 (27 June 2018)
- Il Vizio Corp Pty Ltd v Cashflow Finance Australia Pty Ltd [2018] NSWCA 122 (8 June 2018)
- Reozone Pty Ltd v Rene Santoro & Ors [2018] NSWSC 650 (15 May 2018)
- Ku-ring-gai Council v Chan (No 2) [2018] NSWCA 73 (11 April 2018)
- Ly v Dong & Ors [2018] NSWSC 122 (28 February 2018)
- Eliezer v The Owners Strata Plan No 51682 [2017] NSWCA 325 (7 December 2017)
- Ku-ring-gai Council v Chan [2017] NSWCA 226 (7 September 2017)
- Tanamerah Estates Pty Ltd v Tibra Capital Pty Ltd [2016] NSWCA 78 (11 April 2016)
- Tanamerah Estates Pty Ltd v Tibra Capital Pty Ltd [2016] NSWCA 42 (15 March 2016)
- Tanamerah Estates Pty Ltd v Tibra Capital Pty Ltd [2016] NSWCA 23 (1 March 2016)
- Chua v The Owners - Strata Plan No 40301 [2014] NSWCA 306 (27 August 2014)
- Wright v Foresight Constructions Pty Ltd [2011] NSWCA 327 (26 October 2011)

NSW Supreme Court

- Power v Bassett [2018] NSWSC 1266 (14 August 2018)
- In the matter of Pharmacy Depot Hurstville Pty Ltd (in prov liq) [2018] NSWSC 961 (25 June 2018)

- Tydeman v Tibra Capital Pty Limited (No 2) [2018] NSWSC 884 (15 June 2018)
- Comix (Asia) Limited v Bantex Pty Ltd [2018] NSWSC 47 (9 February 2018)
- Boyd v Feeney & Ors [2017] NSWSC 1704 (7 December 2017)
- Boyd v Feeney & Ors [2017] NSWSC 1595 (22 November 2017)
- Eliezer v The Owners Strata Plan No 51682 [2017] NSWSC 783 (15 June 2017)
- Ellens v Fleming & Anor [2017] NSWSC 607 (15 May 2017)
- Eliezer v The Owners Strata Plan No 51682 & Ors [2017] NSWSC 278 (22 March 2017)
- Elite Group Sydney Pty Ltd v Mark Raymond Hutchins in his capacity as Administrator of Total Equipment Management Pty Ltd ACN 138964708 & Ors [2017] NSWSC 372 (27 February 2017)
- In the matter of Tanamerah Estates Pty Ltd [2016] NSWSC 1644 (22 November 2016)
- In the matter of Veraz Enterprises Pty Ltd [2016] NSWSC 1580 (8 November 2016)
- Rafeletos v Liristis [2016] NSWSC 1329 (19 September 2016)
- Evolution Lifestyles Pty Ltd v Clarke (No 3) [2016] NSWSC 1237 (6 September 2016)
- Glenella One Pty Limited v Duncan [2016] NSWSC 996 (29 June 2016)
- Evolution Lifestyles Pty Limited atf Evolution Property Trust v Clarke (No 2) [2016] NSWSC 769 (14 June 2016)
- Empson v Hagar [2016] NSWSC 129 (24 February 2016)
- Tanamerah Estates Pty Ltd v Tibra Capital Pty Ltd [2015] NSWSC 1708 (16 November 2015)
- Tanamerah Estates Pty Ltd v Tibra Capital Pty Ltd [2015] NSWSC 1519 (12 October 2015)
- Application of the Trust Company (Australia) Limited (formerly known as Permanent Trustee Company Limited and formerly known as Trust Company Fiduciary Services Limited) [2015] NSWSC 927 (13 July 2015)
- Livio Versi & Ors v John Versi [2015] NSWSC 805 (17 June 2015)
- In the matter of Tuffrock Pty Ltd [2015] NSWSC 738 (12 June 2015)
- In the matter of Sydney Residential Pty Limited ACN 082 933 855 [2015] NSWSC 2024 (23 March 2015)
- Glenella One Pty Limited v Duncan [2015] NSWSC 165 (6 March 2015)
- Life Image Medical (Gold Coast) Pty Ltd v Chimborazo Pty Ltd (as trustee for the Advanced Orthopaedic Property Unit Trust) [2014] NSWSC 1928 (14 November 2014)
- Gray v Latter (No.2) [2014] NSWSC 207 (11 March 2014)

- Gray v Latter [2014] NSWSC 122 (27 February 2014)
- Gannon v The Owners - Strata Plan No 14403 [2013] NSWSC 1916 (19 December 2013)
- Australia and New Zealand Banking Group Limited v Fink [2013] NSWSC 1781 (4 December 2013)
- Chen Chew Chua v The Owners - Strata Plan No. 40301 [2013] NSWSC 1696 (21 November 2013)
- Vidler v Simpson [2013] NSWSC 1457 (27 September 2013)
- Sydney Building Group Pty Ltd v Edwards [2013] NSWSC 205 (18 March 2013)
- IMB Limited v Great Wall Resources Pty Limited [2012] NSWSC 612 (30 May 2012)
- Hamilton v Carter (No. 2) [2011] NSWSC 1497 (5 December 2011)
- Joseph v Agrey [2011] NSWSC 1601 (24 November 2011)
- In the matter of Love n Bliss Pty Limited [2011] NSWSC 1372 (14 November 2011)
- Rhodes Bay Apartments Pty Ltd v Gay [2011] NSWSC 532 (6 June 2011)
- Perpetual Trustee Company Ltd v Montpensier Pty Ltd [2010] NSWSC 1354 (2 December 2010)
- Victor Seeto & Ors v Bank of Western Australia Limited [2010] NSWSC 922 (19 August 2010)

District Court of NSW

- Abichandani v Willatt [2018] NSWDC 150 (22 May 2018)
- Ahern v Associated Products Pty Ltd & Anor [2017] NSWDC 185 (30 March 2017)
- Flanagan v Urban Publishing Group Pty Ltd [2012] NSWDC 238 (19 October 2012)

NSW Civil & Administrative Tribunal (Appeal Panel)

- Bajic v Paraskevopoulos [2018] NSWCATAP 192 (8 August 2018)
- Knox v Bollen; Bollen v Knox [2018] NSWCATAP 106 (4 May 2018)
- Leung v Alexakis [2018] NSWCATAP 11 (5 January 2018)
- Chaw v Jenkinson [2017] NSWCATAP 150 (18 July 2017)
- Rathchime Pty Ltd v Willat [2017] NSWCATAP 87 (27 April 2017)
- Gurisik v Gurisik [2017] NSWCATAP 78 (4 April 2017)
- Cleary v Pavier (No 2) [2016] NSWCATAP 262 (1 December 2016)

- Buildex Australia Pty Ltd v Soud [2016] NSWCATAP 83 (12 April 2016)
- David James Cleary v Broderick Pavier & Susan Bronwyn Pavier [2015] NSWCATAP 104 (4 June 2015)

NSW Civil & Administrative Tribunal (Consumer & Commercial Division)

- Bajic v Paraskevopoulos; Paraskevopoulos v Bajic; Lazarevich v Bajic [2018] NSWCATCD (22 May 2018)
- Rathchime Pty Ltd v Willat; Willat v Rathchime [2016] NSWCATCD 74 (9 September 2016)
- Jennifer Spencer and Ricardo Spencer v T M Building Consultants Pty Ltd (HB 12/07020) T M Building Consultants Pty Ltd v Jennifer Spencer and Ricardo Spencer (HB 13/40263) [2014] NSWCATCD 113 (27 June 2014)

NSW Civil & Administrative Tribunal (Occupational Division)

- Kabir v Roads and Maritime Services [2014] NSWCATOD 153 (22 December 2014)

SELECTED SECURITY OF PAYMENTS ACT – ADJUDICATED MATTERS

- Ozzy States Pty Ltd -v- J T Interior Lining Pty Ltd
Circa \$8 million dispute
Instructed by Unified Lawyers (March 2018)
- Kenthurst Construction Pty Ltd t/as KDC Group -v- Elite Property Developments Pty Ltd
Circa \$2.8 million dispute
Instructed by New South Lawyers (November 2016)
- Legacy Property Holdings Pty Ltd -ats- Greenway
Circa \$1.2 million dispute
Instructed by Neville & Hourn Legal (September 2016)
- Fashion Forward Pty Ltd -ats- ADCO Constructions Pty Ltd
Circa \$1.5 million dispute
Instructed by HWL Ebsworths (November 2015)

PROFESSIONAL

Oct 2008 – Apr 2010
Bartier Perry
Senior Solicitor (Corporate & Commercial Advisory Division)

Jan 2008 – Oct 2008
Somerville & Co
Solicitor (Business & Commercial Division)

Dec 2005 – Dec 2007
Russell C Byrnes
Solicitor (Admitted 15 December 2005)

May 2000 – Dec 2005
Russell C Byrnes
Paralegal

EDUCATION

2008	Masters of Environmental Law (MEL)	University of Sydney
2007	Graduate Certificate in Legal Practice Bachelor of Law (Hons)	University of Technology Sydney University of Technology Sydney
1999	Higher School Certificate	Sydney Boys High School

ASSOCIATIONS

- ❖ Society of Construction Law Australia
- ❖ Financial Planners Association
- ❖ NSW Young Lawyers
- ❖ Eastern Suburbs Chamber Orchestra (ESCO)
- ❖ 2MBS/FM Fine Music Radio Member

INTERESTS

- ❖ Performing and Listening to Music (Bassoon & Piano)
- ❖ General Fitness
- ❖ Public speaking
- ❖ Soccer
- ❖ Debating
- ❖ Tennis