

Naomi D Oreb

Barrister

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Education

2012 **BCL (Distinction) and top of course, University of Oxford**

Vinerian Scholarship for best overall performance in the BCL
1st place in Civil Procedure (Clifford Chance Prize)
1st place in Criminal Justice and Human Rights (Faculty Prize)
Faculty of Law Linklaters Scholarship
JB Watt Postgraduate Travelling Scholarship to Oxford

2009 **LLB (Hons I), University of Sydney**

3rd in graduating class (Nancy Gordon Smith Prize)
1st place in final year exams (John George Dalley Prize 1A)
1st place in Evidence (Monahan Prize)

2007 **BA (Hons I), University of Sydney**

University of Sydney Beauchamp Literary Prize
University of Sydney Honours Scholarship
Dean's List of Academic Excellence
AFUW (NSW) Jamieson Award
AFUW (NSW) Prize for Essays in English
Josiah Symon Scholarship No I in English
Walter Reid Memorial Book Prize

Admissions

2014 **Barrister, NSW Bar – Ludlows award for top of bar exams (aeq.)**

2012 **Lawyer, Supreme Court of NSW and High Court of Australia**

Previous employment

2011 – 2014 **Solicitor, King and Wood Malletsons (Sydney) – Dispute Resolution**

2010 **Associate to the Hon. Justice Kiefel AC, High Court of Australia**

Selected appearances

Competition and consumer law

- *ACCC v Woolworths Group Limited* [2019] FCA 1039 (Led by C Moore SC).
- *Australian Competition Tribunal v Port of Newcastle Operations Pty Ltd* [2018] HCATrans 55 (Led by R Higgins SC, for the Commonwealth). Also *Port of Newcastle Operations Pty Ltd v The Australian Competition Tribunal* (2017) 346 ALR 669 (Led by N Hutley SC) below.
- *Sydney Medical Service Co-operative Ltd v Lakemba Medical Services Pty Ltd* [2016] FCA 763 (**unled**). Also subsequent contempt proceeding: *Sydney Medical Service Co-operative Ltd v Lakemba Medical Services Pty Ltd (No 2)* [2016] FCA 1188 (**unled**).
- *Champion Homes Sales Pty Ltd v ProductReview.com.au Pty Ltd* (2016, NSWSC, settled at hearing) (**unled**, for ProductReview).
- *ACCC v Hillside (Australia New Media) Pty Ltd t/as bet365* [2015] FCA 1007 (liability) and [2016] FCA 698 (penalty) (Led by C Moore SC).

Common law (tort, negligence, professional discipline)

- *Fede v Gray bht NSW Trustee and Guardian* [2019] HCASL 180 (Led by M Windsor SC, for Gray).
- *Hutchinson v State of New South Wales* (2019, HCA, reserved) (Led by M Hutchings, for the State). See too appeal ([2019] NSWCA 91) and trial (District Court, unreported, 2018, Balla DCJ).
- *State of New South Wales v Dargin* [2019] NSWCA 47 (Led by D Bennett AC QC and M Hutchings, for the State).
- *Davison v LPAB* [2019] NSWSC 959 (Led by K Richardson SC, for the NSW Bar).
- *State of New South Wales v Thomlinson* [2018] NSWCA 151 (Led by J Marshall SC, for the State).
- Interlocutory – application to strike out pleadings. *Acquah v State of New South Wales* (unreported, 2018, for the State) (Robinson J, District Court, **unled**).
- Interlocutory – various applications to set aside notices to produce and subpoenas in the District Court. Eg before Levy DCJ (2018), Curtis DCJ (2019), Jeffreys DCJ (2019) (all for the State, **unled**).
- *Sandrin v State of New South Wales* (unreported, 2017, for the State) (Norton DCJ, District Court, 3 days, **unled**).
- *Chen v State of New South Wales (No 2)* [2016] NSWCA 292 (Led by M Windsor SC and M Spartalis, for the State).
- *Cam & Bear Pty Ltd v McGoldrick* [2016] NSWSC 1894 (Led by P Horvath).

- *Shift2Neutral v Fairfax Media Publications Pty Limited* [2015] NSWCA 274 (Led by R McHugh SC).

General commercial / corporations / equity / contract

- **Rugby Australia Code of Conduct Tribunal.** *In the matter of Israel Folau* (2019) (Led by J Gleeson SC, A Hochroth, for Rugby AU).
- **ASIC Examinations.** Appeared for former CEO of a bank (2019) (Led by R Dick SC).
- **Interlocutory – security for costs.** *Anderson v Patersons Securities Limited* [2019] NSWSC 852 (**unled**).
- **Contract.** *Haines Bros Earthmoving Pty Ltd v ACCC Excavations Pty Ltd* (2019, Local Court) (**unled**).
- **Interlocutory – urgent injunctive relief (franchising).** *Just Better Care Australia Pty Ltd v Just Better Care Canberra Pty Ltd* [2018] FCA 114 (Led by J Giles SC). Related – joinder [2018] FCA 452.
- **Constitutional law.** *Australian Information Commissioner v Elstone Pty Ltd* [2018] FCA 463 (Led by R Higgins SC).
- **Corporations Act.** *McBain v Bellamy's Pty Ltd* [2018] NSWSC 1152 (Led by J Kirk SC).
- **Contract (frustration), dedication of a road.** *Pier 26 Pty Ltd v GL Investment Co* (2018, Local Court) (**unled**).
- **Contract.** *S&P Marine Pty Ltd v Access Private Equity Pty Ltd* (settled at hearing, 2017, Local Court) (**unled**).
- **PPSA.** *Forge Group Power Pty Ltd (in liq) v GEII* (2016) 305 FLR 101 (Led by J Giles SC).
- **Procedural fairness.** *Royal Guardian Mortgage Management v Nguyen* (2016) 332 ALR 128 (Led by T Blackburn SC).
- **Interlocutory – issue of subpoena to foreign entity.** *Ceramic Fuel Cells Limited (in liq) v McGraw-Hill Financial, Inc* (2016) 112 ACSR 102 (Led by C Withers).
- **Contract (Contracts Review Act).** *Layton v Hagopian* (2016, Local Court) (**unled**).
- **Contract.** *Isak Investments Pty Ltd v Airport VIP Parking Pty Ltd* (2016, Local Court) (**unled**).
- **Contract (Masters v Cameron).** *Latham v Manly-Warringah Sea Eagles Ltd* (2016, Local Court, for Manly) (**unled**).
- **Application for permission to appeal.** *Reynolds v Highfields* [2016] FWCFB 5024 (**unled**).
- **Appeal – foreign state immunity.** *Firebird Global Master Fund II v Republic of Nauru* (2015) 326 ALR 396 (Led by R Dick SC and D Barnett). See also application for special leave ([2015] HCATrans 15); appeal ((2014) 89 NSWLR 477); stay application ([2014] NSWCA 375); trial ([2014] NSWSC 1358).

- **Representative proceedings.** *Gray v Cash Converters International Limited*; see e.g. [2015] FCA 1109 (Led by A Coleman SC and D Sulan).
- **Insolvency.** *Re Keneally (as administrator of Australian Blue Mountain International Cultural & Tourism Group Pty Ltd (admin appt))* (2015) 107 ACSR 172 (Led by D Sulan).
- **Equity – estoppel.** *Wantagong Farms Pty Ltd v Bulle* [2015] NSWSC 1603 (Led by P Brereton SC and T Breakspear).
- **Interlocutory – application for leave to appeal.** *G & H Minard Investments (Aust) Pty Ltd v Investment & Property Choices Pty Ltd* [2014] NSWCA 418 (Led by D Sulan).
- **Various unled Supreme Court** motions and applications e.g. privilege dispute (Hammerschlag J), application to re-instate deregistered company, appeared for witness giving evidence pursuant to *Evidence on Commission Act 1995* (NSW).
- **ASIC Prosecution.** Publicly listed company, failure to lodge reports (2014, Local Court) (unled).

Selected publications

N Oreb	Book chapter, “Interim Remedies” in <i>Zuckerman on Australian Civil Procedure</i> (2018). Topics covered: interim injunctions, security for costs, freezing orders, interim payments.
N Oreb	‘Case comment: The Legality of Kettling after <i>Austin</i> ’ (2013) 76(4) <i>Modern Law Review</i> 735–742
N Oreb	‘Betting Across Borders: <i>Betfair Pty Limited v Western Australia</i> ’ (2009) 31(4) <i>Sydney Law Review</i> 607–619
T O’Brien and N Oreb	‘Australian International Arbitration Act Held To Be Constitutional’ (2013) 5(1) <i>The ACICA News</i> 13-16
Jan 2013 – Present	Reporter, New South Wales Law Reports

Debating

2009	World Universities Debating Championships: Best Speaker (of 600)
2008	Australasian Universities Debating Championships: Best Speaker, Best Speaker in Grand Final, Winner

August 2019