

Michael Holmes

Consulting Principal

Bachelor of Laws (Hons)
Bachelor of Arts



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Areas of expertise

Corporate and Commercial Law
Trade Practices/Consumer Law
Dispute Resolution & Litigation
Sports Law

Overview

Michael is a highly experienced commercial lawyer having spent 8 years in private practice and 10 years as a barrister. Michael has assisted many individuals and corporate entities to find intelligent and pragmatic solutions to complex legal problems.

Michael is a graduate member of the Australian Institute of Company Directors ('GAICD'), a graduate member of the Chartered Institute of Arbitrators ('MCIARB'), a member of the Australia New Zealand Sports Law Association ('ANZSLA') and a panel member of the Football NSW Appeals Tribunal.

Michael has a particular interest in sports law which reflects his experience as a former national level athlete and as a current coach with Athletics Australia.

Expertise

Michael is experienced in all aspects of commercial work including drafting/reviewing agreements, providing advice and dispute resolution. He has appeared in in all major jurisdictions including the Federal Court, Supreme Court (including Court of Appeal), District Court, Local Court, tribunals (NCAT) and commissions of inquiry (eg. ICAC).

Michael has extensive experience:

- in contracts, construction, corporations, equity, trade practices/consumer law, intellectual property, property, torts, insurance, insolvency and debt recovery.
- in alternate dispute resolution including mediation and arbitration.
- dealing with matters of significant complexity and financial value.
- dealing directly with in-house counsel and executive management in private and public companies.
- drafting, interpreting and analysing complex agreements.

Case Examples

- Acting for large private company over period of 9 years including appearing in 76 day hearing in the NSW District Court - successfully defending claim by former franchisee.
- Acting for public mining company in Federal Court proceedings commenced by US company for enforcement of foreign arbitral award. Enforcement of costs order (\$8M US) following arbitration in Oregon, USA. Appeals also pursued in American courts.
- Appearing with Bret Walker SC in NSW Court of Appeal - challenge to expert rental determination under commercial lease.
- Acting for CFO in relation to claims brought by ASIC following \$100M collapse of property developer
- Appearing for construction company in Supreme Court to defend unfair preference claim following \$32M collapse of coal mining project
- Providing advice to mining services company in respect of \$10M breach of intellectual property claim.

