

Philip Cowdery

Practice Leader, Corporate



Contact Details

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Qualifications

B.A. (Syd)
Dip. Law (Syd)
LLM (Syd)

Areas of Expertise

Corporate/Commercial Transactions
Civil disputes and proceedings
Mediations and arbitrations
ASIC / RMS Investigations
Criminal proceedings
Administrative Law

Overview

Philip is a partner in our Corporate and Commercial Group. He handles:

- a wide range of transactional work, civil disputes and proceedings
- domestic mediations and arbitrations
- investigations by ASIC and RMS
- the full range of statutory and regulatory inquiries and disciplinary proceedings
- criminal proceedings arising in transport law and corporate context
- a variety of administrative law matters often involving proceedings for judicial review; and
- the implementation of innovative litigation strategies relating to transactional work of the firm.

Professional Recognition

Recent awards include 2017, 2018, 2019, 2020 recognised by peers in Best Lawyers in Australia for Litigation, Alternative Dispute Resolution and Insurance.

Expertise

Technical Skills

- Philip's solid foundation of analytical ability and knowledge of the relevant law ensures he provides high-level persuasive advice on a broad range of issues.

Legal Project Management (LPM) Skills

- To ensure his client's expectations are met on-time and on-budget, Philip follows a rigorous and formalized Legal Project Management methodology. Philip's proven skills in managing complex, highly sensitive matters for clients, while meeting all expectations for outcomes and costs, are a testimony to the strength of his legal project management skills.

Strategic Problem-Solving Skills:

- Philip's clients value his considered, strategic approach to matters to identify the optimal solution.

Career Highlights

Key highlights include advising:

- A government client on the draft provisions of NTC Model Laws for National Heavy Vehicle Regulator comparing it to NSW legislation and identifying pros and cons for submissions.
- A client over intellectual property and confidential information issues arising from a contractor obtaining illegally much of the material and know-how and using it to his advantage elsewhere.
- A government client on the road law legislation, government gazettes and delegated legislation regarding heavy vehicle notices and permits issued under various instruments.
- A government client on a claim made under contractual indemnity by railway contractor where the client did not need to indemnify nor pay any current or future claims despite having done so in the past.



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Career Highlights *(contd.)*

Key highlights include advising:

- A client drafting heads of agreement to enter negotiations to sign a commercial lease for setting up a large dentist surgery.
- 3 mortgagors in a family dispute over mortgages regarding farming land including staying the mortgagee's right to seek enforcement of the moneys said to be owed and, at the same time, seeking to set aside the mortgages for undue influence, amongst other claims.
- Numerous clients making applications against a builder company for defective works at their respective properties.
- Numerous government clients on rights to defend public liability claims brought against them in nuisance, negligence and/or intentional torts including appearing in the High Court of Australia.
- A government client on the sufficiency of evidence to prosecute the entities and persons in the chain of responsibility under sections and regulations relating to driver fatigue and work rest hours.
- Advising a client of their entitlement to enforce the Standard Terms and Conditions of a hire purchase contract for various events of default and, at the same time, defeat allegations of statutory recession.