

Joel Cook | Barrister

jcook@8wentworth.com.au
t +61 2 8231 5948
f +61 2 9233 7416
ABN 67 181 932 778

8 Wentworth Chambers
Level 8, 174-180 Phillip Street
Sydney NSW 2000
DX 397 Sydney
www.8wentworth.com.au

Curriculum vitae

Practice areas

Commercial disputes		Trusts
Corporations Act/director's duties		Competition and Consumer Law
Corporate & personal insolvency		Contractual disputes
Wills & succession		Alternative dispute resolution
Debt recovery		Partnership disputes

Admissions

- 2018 Called to the bar (NSW)
- 2011 Admitted to Supreme Court of NSW
- 2011 Admitted to the High Court of Australia

Education

- 2015 Advanced Certificate of Insolvency
- 2010 GradDip Legal Practice, College of Law Sydney
- 2010 B. Laws (LLB, Honours), Western Sydney University
- 2009 B. Business (Accounting), Western Sydney University

Membership & Achievements

- NSW Bar Association
- Women's Insolvency Network of Australia
- NSW Golden Gavel public speaking competition, winner 2012

Experience

- 2018 Polczynski Robinson
- 2017 Allens
- 2010- 2017 McCabes Lawyers (now McCabe Curwoods)

Recent appearances

Coshott v Official Trustee in Bankruptcy, in the matter of the Bankrupt Estate of Lenin (deceased)
[2019] FCA 913

An application seeking an extension of time to apply for leave to appeal and for leave to appeal

Verimark Pty Ltd v Passiontree Velvet Pty Ltd [2019] NSWSC 455
Successful application to set aside a creditor's statutory demand;

Coshott v Parker [2019] FCAFC 14 (led by AP Cheshire SC)

Appeal to the full court of the Federal Court in relation to the question whether a 'creditor' with a statute barred debt which is saved from extinction by reason of the maintenance of a solicitor's lien is a creditor for the purposes of the *Probate and Administration Act 1898* (NSW)

Banerjee v Commission of Police [2018] NSWCA 283 (led by AP Cheshire SC)

Acted for an administrator of a security company in challenging the constitutionality of the *Security Industry Act 1997* (NSW) on the basis that is inconsistent with the *Corporations Act 2001* (Cth); the proceedings involved the examination of the role and powers of administrators

October 2018, [decision the subject of a non-publication order] (led by Gillian Mahony)

Acting for the Department of Family & Community Services in relation to an appeal from the Children's Court concerning the care and protection of a child.

Jefferis v Gells Pty Ltd trading as Gells Lawyers [2018] NSWDC 288 (led by Philippe Doyle Gray)

Acting for a barrister seeking to recover legal fees owed by solicitor; issue relating to construction of costs agreement and whether it was conditional costs agreement; whether the costs agreement fell outside of the Legal Profession Act; jurisdiction of the District Court to hear and determine commercial matters.