

## PAUL GERARD BOLSTER

### PROFESSIONAL HISTORY

Admitted as a solicitor in NSW in October 1990.

**September 1990 to March 1996** – Employed solicitor - Verekers Solicitors (now Pikes & Verekers), Sydney.

**May 1996 to October 1997** - Adviser - Minister for Employment, Education, Training and Youth Affairs; **Senator the Hon Amanda Vanstone.**

**October 1997 to August 2000** - Adviser - Attorney-General; **Hon D Williams AM QC.**

**August 2000 – January 2003**; 6<sup>th</sup> Floor **Selborne/Wentworth Chambers**

Reading with **Justice Stephen Gageler** and **Neil Williams SC.**

**January 2003 – Present**; Member of 8<sup>th</sup> Floor, Wentworth Chambers.

**2000 – 2006**; member of **Professional Conduct Committee #3** of the Bar Association.

**March 2016 to February 2017 - Counsel Assisting – Auburn Public Inquiry** – An inquiry established under the Local Government Act under Commissioner Richard Beasley SC to inter alia investigate and report on the operations of the former Auburn Council.

**January 2019 to February 2021 - Counsel Assisting the Royal Commission into Aged Care Quality and Safety.**

**March 2021 to November 2021 – Counsel Assisting – Public Inquiry into Norfolk Island Regional Council.**

**May 2021- July 2021 - Counsel Assisting the Public Inquiry into the Norfolk Island Regional Council.**

**Member of the Commonwealth DPP External Counsel Panel**

### EDUCATION

1984-89                      **Bachelor of Laws/ Bachelor of Jurisprudence - University of New South Wales.**

1991-94                      **Master of Laws - University of Sydney.**

### PRACTICE AREAS

Government Inquiries - Appellate – Banking – Commercial – Criminal – White Collar Crime and Fraud - Equity – International - Professional Indemnity – Property - Wills and Probate – Public Inquiries

### SELECTED REPORTED CASES

- *Stokes v Greenup* [2021] NSWSC 1503 - Implied terms – Whether term should be implied requiring payment within a reasonable time or requiring immediate payment of money owing under a deed
- *Motor Yacht Sales Australia Pty Ltd v Blann* [2020] NSWCA 349 – Court of Appeal - Construction and Interpretation of Contract
- *In the matter of Orix Australia Corporation Limited* [2020] NSWSC 1770 – *Pleadings – Directors Duties*
- *R v Kelly* – Criminal Trial – NSW Supreme Court – Bellew J – Murder – acquittal – August – September 2020
- *Xijie Cao v Shumiao Zhu* [2020] NSWSC 321

- *Michael Wilson & Partners v Emmott* [2019] NSWSC 218 - forum non conveniens
- *R v Colston* – Criminal Trial – Queensland Supreme Court – North J – acquittal – November 2018
- *Minister for Immigration and Border Protection v Egan* [2018] FCAFC 169 – revocation of citizenship
- *Li v Ren* [2018] FCCA 806 – bankruptcy jurisdiction
- *Scholefield Goodman (Australia) Pty Limited v Rutkowski (No 2)* [2018] NSWSC 453 – contempt sentence
- *Scholefield Goodman (Australia) Pty Limited v Rutkowski* [2018] NSWSC 19 - contempt
- *Wilson v Wilson* [2017] NSWSC 1669 (1 December 2017) – probate – suspicious circumstances
- *Counsel Assisting – Auburn Local Government Inquiry*
- *Ellis's Town House Pty Ltd v Botan Pty Ltd* [2017] NSWCA 20 – commercial lease construction
- *Kazal v Thunder Studios Inc (California)* [2017] FCA 238; *Thunder Studios Inc (California) v Kazal (No 2)* [2017] FCA 202 - contempt
- *Page v Page* [2017] NSWCA 141, following *Page v Page* [2016] NSWSC 1218 – family provision
- *McGrath v Mestousis* [2017] NSWSC 995 – imposition of easement s 88K Conveyancing Act
- *EPS Constructions Pty Ltd v Mass Holdings Pty Ltd* [2015] NSWCA 317 (15 October 2015) – formation of commercial contract
- *Adisan Pty Ltd v Irwin* [2015] NSWCA 217 (30 July 2015) - Guarantee
- *Westpac Banking Corporation v ZH International Pty Ltd; Bronte Properties Pty Ltd v ZH International Pty Ltd* [2015] NSWSC 607 (22 May 2015)
- *Sarks v Cassegrain* [2015] FCAFC 38 (19 March 2015)
- *RHG Mortgage Corporation Ltd v Baira; RHG Mortgage Corporation Ltd v Ianni* [2014] NSWSC 849 (1 July 2014)
- *Selena Natanie Ng v Morgan* [2014] NSWSC 536 (8 May 2014)
- *Ari v Decevic (No. 2)* [2014] NSWSC 85 (18 February 2014)
- *Cassegrain v Gerard Cassegrain & Co Pty Limited* [2013] NSWCA 454 (18 December 2013)
- *Gerard Cassegrain & Co Pty Ltd (in liquidation) v Cassegrain* [2013] NSWCA 455 (20 December 2013)
- *In the matter of Creditors' Trust Deed established in the administration of Bevillesta Pty Ltd* [2013] NSWSC 1258 (5 September 2013)
- *Ryan and Briggs v Wikramanayake & Anor* [2013] NSWSC 1150 (21 August 2013)
- *Brown v Stephen Paul Firth* [2013] NSWSC 677 (30 May 2013)
- *Baira v RHG Mortgage Corporation Limited* [2012] NSWCA 387 (3 December 2012)
- *Gerard Cassegrain & Co Pty Limited v Cassegrain* [2011] NSWSC 1156 (29 September 2011)
- *Denis Cassegrain & Ors v Gerard Cassegrain & Co. Pty Ltd & Ors* [2012] NSWSC 403 (27 April 2012)
- *Callaghan v Merivale CBD Pty Limited* [2005] NSWSC 985
- *Elkofairi v Permanent Trustee Co Ltd* [2002] NSWCA 413 – led by Bathurst CJ

Paul Bolster

15 December 2021