

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; 6th Floor **Selborne/Wentworth Chambers**

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

January 2003 – Present; Member of 8th 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

EDUCATION

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

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

PRACTICE AREAS

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

SELECTED REPORTED CASES

- *Elkofairi v Permanent Trustee Co Ltd* [2002] NSWCA 413 – led by Bathurst CJ
- *Callaghan v Merivale CBD Pty Limited* [2005] NSWSC 985
- *Haoui v Regina* [2008] NSWCCA 209 – acquittal on appeal
- *Stephenson v Dwyer* [2008] NSWCA 123
- *Laidlaw v Hillier Hewitt Elsley Pty Ltd* [2009] NSWCA 44
- *Barnes v R* [2010] NSWCCA 136 – acquittal on appeal led by Fagan J
- *Westpac Banking Corporation v Toksoz & Anor* [2010] NSWSC 1509
- *Smith v Wikramanayake & Ors* [2011] NSWCA 269 (31 August 2011)
- *Alliance Engineering Pty Ltd & Anor v Yarraburn Nominees Pty Ltd & Ors* [2011] NSWCA 301 (21 September 2011)
- *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)

- *Baira v RHG Mortgage Corporation Limited* [2012] NSWCA 387 (3 December 2012)
- *Brown v Stephen Paul Firth* [2013] NSWSC 677 (30 May 2013)
- *Walter Nazloomian v Commonwealth Bank of Australia Pty Limited and ors* [2013] NSWSC 681 (4 June 2013)
- *In the matter of Saracen Holdings Pty Ltd* [2013] NSWSC 1083 (9 July 2013)
- *Ryan and Briggs v Wikramanayake & Anor* [2013] NSWSC 1150 (21 August 2013)
- *In the matter of Creditors' Trust Deed established in the administration of Bevillesta Pty Ltd* [2013] NSWSC 1258 (5 September 2013)
- *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)
- *Ari v Decevic (No. 2)* [2014] NSWSC 85 (18 February 2014)
- *Selena Natanie Ng v Morgan* [2014] NSWSC 536 (8 May 2014)
- *RHG Mortgage Corporation Ltd v Baira; RHG Mortgage Corporation Ltd v Ianni* [2014] NSWSC 849 (1 July 2014)
- *Sarks v Cassegrain* [2015] FCAFC 38 (19 March 2015)
- *Westpac Banking Corporation v ZH International Pty Ltd; Bronte Properties Pty Ltd v ZH International Pty Ltd* [2015] NSWSC 607 (22 May 2015)
- *Adisan Pty Ltd v Irwin* [2015] NSWCA 217 (30 July 2015) - Guarantee
- *EPS Constructions Pty Ltd v Mass Holdings Pty Ltd* [2015] NSWCA 317 (15 October 2015) – formation of commercial contract
- *McGrath v Mestousis* [2017] NSWSC 995 – imposition of easement s 88K Conveyancing Act
- *Page v Page* [2017] NSWCA 141, following *Page v Page* [2016] NSWSC 1218 – family provision
- *Kazal v Thunder Studios Inc (California)* [2017] FCA 238; *Thunder Studios Inc (California) v Kazal (No 2)* [2017] FCA 202 - contempt
- *Ellis's Town House Pty Ltd v Botan Pty Ltd* [2017] NSWCA 20 – commercial lease construction
- *Counsel Assisting – Auburn Local Government Inquiry*
- *Wilson v Wilson* [2017] NSWSC 1669 (1 December 2017) – probate – suspicious circumstances
- *Scholefield Goodman (Australia) Pty Limited v Rutkowski* [2018] NSWSC 19 - contempt
- *Scholefield Goodman (Australia) Pty Limited v Rutkowski (No 2)* [2018] NSWSC 453 – contempt sentence
- *Li v Ren* [2018] FCCA 806 – bankruptcy jurisdiction
- *Minister for Immigration and Border Protection v Egan* [2018] FCAFC 169 – revocation of citizenship
- *R v Colston* – Criminal Trial – Queensland Supreme Court – North J – acquittal – November 2018
- *Michael Wilson & Partners v Emmott* [2019] NSWSC 218 - forum non conveniens
- *Xijie Cao v Shumiao Zhu* [2020] NSWSC 321
- *R v Kelly* – Criminal Trial – NSW Supreme Court – Bellew J – Murder – acquittal – August – September 2020
- *In the matter of Orix Australia Corporation Limited* [2020] NSWSC 1770 – Pleading – Directors Duties
- *Motor Yacht Sales Australia Pty Ltd v Blann* [2020] NSWCA 349 – Court of Appeal - Construction and Interpretation of Contract

Paul Bolster

4 March 2021