



GIDEON GEE

Bachelor of Science - University of NSW
Bachelor of Laws - University of NSW
Bachelor of Civil Law - University of Oxford

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Clerk of Chambers

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Admitted to the legal profession

2002

Admitted as a barrister in NSW

2015

Also entitled to practise in

Australian jurisdictions (Commonwealth,
State and Territory)

Gideon was called to the bar in 2015. Gideon has a broad commercial practice with particular interests in financial services, insolvency, contracts, equity, construction and employment. Gideon regularly appears as sole counsel and led in each of the Courts of New South Wales and the Commonwealth.

Gideon had 12 years' experience as a solicitor before being called to the bar, including as a solicitor and senior associate at a large law firm and in-house at a bank.

Across his 20-year legal career, Gideon has developed particular experience in financial services litigation, regulatory investigations and public private partnership disputes. Gideon has previously acted and advised in disputes concerning privately operated hospitals, toll roads and ports in New South Wales, Victoria, Queensland and South Australia.

PROFESSIONAL EXPERIENCE

2015 – date: Barrister, New Chambers

2010 – 2014: Senior Legal Counsel, The Royal Bank of Scotland plc. Banking and financial services litigation, including proceedings concerning AAA-rated structured credit notes, proceedings concerning a series of 'capital protected' notes and proceedings concerning various public-private partnerships (Clem7 Tunnel, Cross City Tunnel, Lane Cove Tunnel and the Royal North Shore Hospital). Enforceable Undertaking with ASIC in relation to the BBSW submission process.

2006 – 2010: Senior Associate and Solicitor, Dispute Resolution, Mallesons Stephen Jaques. Banking and financial services litigation, including proceedings concerning the construction of the terms of a convertible note, and a claim by a partner of a professional services firm for discrimination and victimisation.

2002 – 2006: Solicitor, Office of the Director of Public Prosecutions, NSW

2001: Associate, Federal Court of Australia.

AWARDS OR PROFESSIONAL RECOGNITION

Doyle's Guide 2017: Listed as Emerging Employment and WHS Junior Counsel in NSW

SELECTED CASES

Court of Appeal

Keynes Capital Global Ltd v Guo [2022] NSWCA 254 (led by B Walker SC; freezing order in aid of foreign proceedings)

Guan v Li (No 2) [2022] NSWCA 261 and **Guan v Li** [2022] NSWCA 173 (led by M Condon SC; jurisdiction of appellate court; cross-vesting; freezing order in aid of prospective proceedings in Federal Circuit and Family Court)

Sui v Jiang [2021] NSWCA 285 (led by Dr E. Peden SC; construction; foreign language contract)

Segal v Sharma [2020] NSWCA 314 (unled; contract, construction)

Hagerty v Hills Central Pty Ltd [2018] NSWCA 200 (led by M. Ashhurst SC; property; contract option; specific performance), on appeal from *Hills Central Pty Limited v Anthony Gerard Hagerty & Catherine Elizabeth Hagerty t/a the Executors of the Estate of the late Gladys Delores Hagerty* [2018] NSWSC 789 (led by M. Ashhurst SC)

Semantic Software Asia Pacific Ltd v Ebbsfleet Pty Ltd [2018] NSWCA 12 (led by E. Collins SC; construction of contractual guarantee; breach; misleading and deceptive conduct)

McKeith v RBS; RBS v James [2016] NSWCA 36 (led by J. Sheahan QC and Dr E. Peden; employment; contract)

Sydney Recycling Park Pty Ltd v Cardinal Group Pty Ltd [2016] NSWCA 329 (led by M. Condon SC and M.A. Karam; voidable transactions; amendment to add transactions after expiry of CA s 588FF(3) period)

Supreme Court

Guo v Xu [2021] NSWSC 460 (led by I. Jackman SC; asset preservation order, in aid of prospective foreign judgment)

De Rucci International Pty Ltd v Zhu [2020] NSWSC 1720 (contract; property)

NTT Australia Digital Pty Ltd v Cover Genius Services Pty Ltd [2020] NSWSC 1378 (deed, property)

Millinium Capital Managers Ltd v Soma Group Ltd (No 3) [2020] NSWSC 966 (misleading or deceptive conduct, whether directors were knowingly involved, interlocutory application, discovery in advance of evidence); **Millinium Capital Managers Ltd v Soma Group Ltd (No 2)** [2020] NSWSC 474 (interlocutory application, amendment); and **Millinium Capital Managers Ltd v Soma Group Ltd** [2020] NSWSC 300 (interlocutory application, amendment, security for costs)

In the matter of Granite Power Limited (administrators appointed) [2019] NSWSC 1491 (application to set aside statutory demand on ground of genuine dispute)

Luo v Windy Hills Australian Game Meats (Pty Ltd) (in liq) (No 4) [2019] NSWSC 1405 (post-judgement asset preservation order)

In the matter of LDW Constructions Pty Ltd [2019] NSWSC 1159 (application to set aside statutory demand, jurisdictional issue)

Reliance Financial Services Pty Ltd v Sunset 53 Pty Ltd [2019] NSWSC 531 (equity, property, caveat)

Tiaro Coal Limited (in Liquidation) v Amzalak [2018] NSWSC 111 (led by M. Condon SC; contract, construction and rectification)

The Trust Company (Australia) Ltd in its capacity as custodian of The Asia Pacific Data Centre Trust v NEXTDC Limited [2018] NSWSC 1361 (leg by A. J. McInerney SC; equity; property)

Hill SA Health Partnership Nominees Pty Ltd and SA Health Partnership Securitisation Pty Ltd v State of South Australia, Australia and New Zealand Banking Group Limited and ANZ Fiduciary Services Pty Ltd, Supreme Court of South Australia, 2016/1460 (led by J. Lockhart SC; interlocutory application concerning the New Royal Adelaide Hospital public private partnership)

In 2018 Gideon was briefed to appear in the **Royal Commission into Misconduct in the Banking, Superannuation and Financial Services Industry** (led by M.J. Collins QC and I.R. Pike SC).

Gideon also regularly appears in the Federal Court, the Federal Circuit Court, the District Court (including as a non-salaried Crown Prosecutor), the NSW Civil and Administrative Tribunal and the Local Court.

PRINCIPAL AREAS OF PRACTICE

COMMERCIAL LAW

Alternative Dispute Resolution

Appellate

Banking and Financial Services

Bankruptcy and Insolvency

Building, Construction and Technology

Contracts

Corporations and Securities

Partnership disputes

Real property

Restraint of trade

Trade Practices

EQUITY

Alternative Dispute Resolution

Appellate

Property

Trusts

INDUSTRIAL / EMPLOYMENT

Civil and Human Rights

Restraint of trade

INQUESTS AND INQUIRIES

Commissions of inquiry

SECTORS

Banks and Financial Institutions

Funds

Government

Healthcare

Transport and Infrastructure

Real Estate