

## PERSONAL RECORD

**Name:** Liam Francis Kelly

**Date of Birth:** 28 October 1965

**School Record:** Educated at St. Joseph's College, Gregory Terrace, Brisbane 1974 to 1982.  
Dux of College 1982  
College Captain 1982

**University of Queensland:** Student at the University of Queensland, St. Lucia, from 1983 to 1988

### **English Literature:**

Awarded honours degree in English Literature in 1986 with IIA Honours.

Awarded the Brisbane School of Arts Prizes for Third and Final Year English Honours in 1985 and 1986 for the student having the highest marks in the compulsory subjects of the honours programme.

### **Law:**

Awarded Bachelor of Laws degree in 1988 with First Class Honours.

Awarded the University Medal for Law in 1988.

### ***Equity:***

Walter Harrison Prize and Butterworth Prize 1985

### ***Commercial Law:***

Chambers McNab Tully and Wilson Prize and Butterworth Prize 1987.

### ***Administrative Law:***

Dr. M.H.M. Kidwai Memorial Prize and Butterworth Prize 1987.

### ***Overall Academic Prizes:***

Ruthning Memorial Scholarship 1988.

Morris Fletcher & Cross Prize in Law 1988 for achieving the highest grades in the graduating class.

Hughes Wilkinson Prize in Law 1988

Virgil Power Prize 1988.

### **Rhodes Scholarship:**

Awarded Rhodes Scholarship for Queensland for 1989.

**Oxford**

**University:** Student at Magdalen College, Oxford 1989 to 1991.  
Graduated with B.C.L. in July 1991.

**Current Status:** Admitted as a barrister for the State of Queensland in August 1989.

Began practice as a barrister in Brisbane in April 1992.

Appointed Senior Counsel in December 2005. Later appointed Queen's Counsel by Letters Patent.

Member of the Legal Practitioners Admission Board

**Sample Cases****Litigation / Arbitrations relating to coal, gas and mining infrastructure**

An arbitration with respect to a chemical plant.

An international arbitration with respect to a large iron ore mining project.

An arbitration relating to the price at which coal could be transported through a major coal terminal.

Arbitration relating to a further price review relating to the price at which coal should be transported through a major coal terminal.

An ICC arbitration relating to the construction of gas infrastructure (pipeline) connecting upstream to downstream operations at Curtis Island, Gladstone.

An international arbitration with respect to an LNG plant and related facilities.

Acted for the Department of Main Roads in relation to a dispute with a major mining company relating to road maintenance relating to the Barkly Highway.

Acted for an LNG producer in Queensland in relation to a matter concerning a royalty dispute.

Acted in a royalties dispute regarding an LNG project.

Acted for Xstrata in relation to claims brought against it relating to alleged lead poisoning occurring at Mt Isa.

Advised major mining company as to its rights to terminate a mining lease in a foreign jurisdiction.

*PT Krakatau Steel v Felix Resources Ltd* [2010] SASC 170.

Advised the Asahi interests in relation to insurance claims against groups of underwriters in relation to Asahi's acquisition of a business in Australia. The insurance issues arose out of a matter proceeding in the Federal Court of Australia's Melbourne registry (the matter settled).

Acted in relation to insurance claims in relation to failures of infrastructure in the Gold Coast desalination plant.

Acted for underwriters in relation to claim made by a director under a directors and officers policy arising out of the Storm Financial collapse.

Acted in relation to a subrogated claim against insurers relating to flooding of a development that occurred in the January 2011 floods in Brisbane.

*Australasian Medical Insurance Ltd v CGU Insurance Ltd* (2010) 271 ALR 142 (Queensland Court of Appeal)

*Australasian Medical Insurance Ltd v CGU Insurance Ltd* (2009) QSC 235 (Supreme Court trial division)

*HTW Valuers (Central Qld) Pty Ltd v Astonland Pty Ltd* (2004) 217 CLR 640 (High Court of Australia)

*Griffiths v State of Queensland* [2012] 2 Qd R 532. (Queensland Court of Appeal)

*Patel v R* (2012) 247 CLR 531 (High Court of Australia: criminal appeal)

*Tabtill Pty Ltd v Creswick* [2011] QCA 381 (Queensland Court of Appeal: fraud, undue influence, duress)

*Stockland Property Management Pty Ltd v Cairns City Council* [2011] 1 Qd R 77 (Queensland Court of Appeal: planning and environment)

*SLS Property Group Pty Ltd v Townsville City Council* [2011] 2 Qd R 166 (planning and environment)

*AKS Investments Pty Ltd v National Australia Bank* [2012] QSC 223 (Queensland Supreme Court: banking and finance/ banker and customer)

*LPD Holdings (Aust) Pty Ltd v Phillips* [2013] QSC 225 (Queensland Supreme Court: corporations, derivative claims, allegations arising out of a mining venture)

*LPD Holdings (Aust) Pty Ltd v Phillips* [2013] QSC 305 (Queensland Court of Appeal: costs, discretionary judgments)

*Australand Corporation (Qld) Pty Ltd v Johnson* [2008] 1 Qd R 203 (Queensland Court of Appeal: corporations, managed investment schemes, statutory interpretation)