

# JONATHON A REDWOOD

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## PRACTICE AREAS

Broad national practice and available to advise and appear in all Australian courts and tribunals in the following areas: international commercial arbitration (energy & resources, oil & gas, general); appellate; general commercial law and equity; banking and finance; insolvency and restructurings; insurance (and re-insurance); corporations and securities (directors' duties and corporate governance/schemes of arrangement); taxation and revenue; superannuation; trade practices; professional negligence (auditors, accountants, financial professionals and solicitors); and constitutional law.

Also qualified and experienced in New York commercial law and U.S. banking and securities regulation and able to appear and advise in these areas, especially in respect of dual representations as Australian and New York counsel for international commercial arbitrations and other matters with a cross-border dimension.

Door Tenant at leading commercial chambers of 3 Stone Buildings in London (New York) from which available to represent Australian clients in international commercial arbitrations in major arbitral fora such as London, New York, Singapore and Hong Kong.

## EDUCATION

### **LLM (Harvard Law School)**

- Gammon Fellow
- Australia's Menzies Scholar to Harvard for 1998
- George Murray Scholar 1998
- Editor, Harvard Journal of Law & Public Policy
- Focus on advanced corporate law, international finance and comparative constitutional law

### **Bachelor Civil Law (Magdalen College, Oxford)**

- Distinction/First Class
- Focus on international dispute settlement (arbitration), comparative financial law and legal theory

### **Bachelor of Laws (First Class) (University of Adelaide)**

- The University Medal
- Thomson Playford Prize for top student
- Angas Parsons Prize for best thesis
- Editorial Committee, Adelaide Law Review
- Editorial Committee, Corporate and Business Law Journal

### **Bachelor of Commerce (University of Adelaide)**

- Lecturer, Advanced Company Accounting

## PREVIOUS EMPLOYMENT

- 2006 – 2008 **Melbourne Law School, Senior and Sessional Fellow**  
(US Securities Regulation, Banking & Finance)
- 2007 – 2008 **Adelaide Law School, Visiting Fellow**  
(Comparative Corporate Governance & Directors' Duties)
- 1999 – 2005 **Sullivan & Cromwell LLP, Senior Associate, General Practice**  
(Banking & Finance, Corporate Governance and Commercial Law Sub-Groups; extensive complex structured finance experience; counsel for Republic of Brazil and Peru in major debt restructurings and sovereign bond issuances and arbitrations; major international arbitration involving Bank for International Settlement (BIS) under ICC Rules) *New York; Melbourne/Sydney*
- 1997 – 1998 **Supreme Court of South Australia, Associate to the Honourable Chief Justice John Doyle AC**

## BAR ADMISSIONS AND MEMBERSHIPS

- 2002 New York Bar Association
- 2006 New South Wales Bar Association
- 2006 Victorian Bar (*Ninian Stephen Chambers | List A Barristers*)
- 2006 High Court and Federal Court of Australia
- 2006 South Australian Bar Association
- 2008 3 Stone Buildings (Lincoln's Inn), Door Tenant

## OTHER CURRENT MEMBERSHIPS AND ASSOCIATIONS

- Reporter, Commonwealth Law Reports
- Lecturer, Australian Institute of Chartered Arbitrators, Diploma in International Arbitration
- Lecturer, Sydney Law School, International Commercial Arbitration
- International Bar Association (IBA)
- American Society of International Law (ASIL)
- International Editorial Board of Lloyds Law Reports: Financial Crime
- Australian Association of Constitutional Law (AACL)
- Council Member, Harvard Club of Australia

## SELECTED CURRENT AND RECENT REPRESENTATIONS \*

- **Representing large corporate in ICC arbitrations seated in Singapore concerning price review mechanisms in long-term supply contracts (instructed by *Freehills*, led by Alan Archibald QC)**
- ***Gordian v Westport (2011) HCA 37* (statutory requirement of arbitrators to give reasons; briefed by Australia's peak arbitral body, ACICA, led by David Jackson QC)**
- **Represented large Italian corporate in an ICC arbitration against an Australia company concerning alleged breach of distribution agreement, seated in Singapore, governed by the Vienna Convention on**

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Arbitration matters are highlighted in bold.

**International Contracts for the Sale of Goods (CISG), hearing at Chambers of Arbitration (Milan, Italy), briefed by *Baker McKenzie*, led by David O'Callaghan SC)**

- *United Petroleum Pty Ltd v Paypoint Solutions Pty Ltd & Ors* (2011, New South Wales Supreme Court)(complex commercial dispute concerning the supply of information technology to United Petroleum, briefed by *Kennedys*, led by Peter Brereton SC)
- ***Wagners Nouvelle Caledonie v Vale Nouvelle Caledonie* [2010] QCA 219 (reviewing correctness of decision in *Eisenwerk* for international arbitrations; instructed by *Norton Rose*, led by Justin Gleeson SC)**
- ***Winter v Equuscorp Pty Ltd* [2010] VSC 419 (Croft J)(judicial review of arbitral awards for manifest error of law; instructed by Equuscorp, unled)**
- ***Wagners Nouvelle Caledone v Vale Inc Novelle* (2009-2010) (complex international arbitration concerning breach of contract and good faith claims arising out of supply of concrete in New Caledonia, seat in Brisbane with Model Law as supervisory law, UNCITRAL Arbitration Rules as procedural rules and governed by New York Law, instructed by *Norton Rose*, briefed as Australian and New York counsel, led by Simon Kerr SC)**
- *Korda (Receiver and Manager), in the matter of South Eastern Secured Investments Limited (Receivers and Managers Appointed)*[2010] FCA 1417 (scope of examinations under s 596B of Corporations Act and interaction with Legal Professional Act 2004 (Vic), instructed by *Blake Dawson*, unled)
- *Victorian Bushfires Royal Commission* (2009-2010) (Representing whole of Local Government, instructed by *Mallesons*, led by Neil Young QC)
- *South Eastern Secured Investments v Birch Ross & Barlow* (2009-2010) (Federal Court examinations and Supreme Court proceedings concerning complex professional negligence and breach of directors' duties claims arising out collapse of \$250 million mortgage-backed investment fund, instructed by *Blake Dawson*, led by Christopher Caleo SC)
- ***Siemens v Fluor* [2008, Med-Arb in New York and Supreme Court proceedings](complex cross-border commercial dispute relating to compressors used in Anaconda nickel plant in Western Australia)(instructed by *Mallesons*, led by Dr Collins)**
- *Gypsy Jokers v State of Western Australia* (2008) 234 CLR 532 (constitutional challenge to fortification removal regime, instructed by VGS, led by Solicitor General)
- *AFD v Director of Consumer Affairs* (2007) 234 CLR 96 (application of Consumer Credit Code to "holdbacks" by banks and other financiers, instructed by *Director of Consumer Affairs*, led by David O'Callaghan SC)
- ***In the Matter of an Arbitration between Clough Engineering Limited v Origin Energy Resources* (2007) (complex construction dispute relating to pipeline in Bass Straight, instructed jointly by *Clayton Utz* and *Corrs Westgarth* as counsel assisting (Tribunal Secretary) Professor John Uff QC)**
- *Gordon v Norwegian Capricorn Line (Aust) Pty Ltd* [2007] VSC 517 (dispute as to statute of limitation period, instructed by *Mallesons*, unled)

## SELECTED PUBLICATIONS & PRESENTATIONS

- "A Comparative Analysis of Enforcement of International Arbitral Awards in Australia and the United States" (29 October 2010, NYSBA conference (Sydney), publication forthcoming 2011)
- "Reform of International Arbitration in Australia" (Victorian Bar, July 2010)

- “Court Enforcement of International Arbitral Awards” (14 July 2009, Diploma in International Arbitration, Gonville & Caius College, Cambridge)
- “Limitations of U.S. Securities Litigation Against Australian Companies by Australian Plaintiffs” (*Corporate Law Bulletin*, December 2008)
- “The *Kable* Principle: After *Forge* and *Gypsy Jokers*” (31 March 2008, Centre for Comparative Constitutional Studies)
- “Class Actions in Australia: Key Requirements and Emerging Trends” (IBA Newsletter, Sep 2007)
- “Delaware’s Court Criticizes Sloppy Sale Process in Private Equity Auction” (*Corporate Law Bulletin*, June 2007)
- “Delaware’s Highest Court Rejects Extension of Directors’ Fiduciary Duty to Creditors” (*Corporate Law Bulletin*, May 2007)
- “Defences to Torts” (*Laws of Australia*, Updating Author)
- “Corporate Greenmail” (1997) 9 *Corp. & Bus. Law Jnl.* 139
- “The Interface Between Public & Private Law” (1998) 7 *Tort Law Rev.* 30

*Academic references can be obtained from*

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