

## William A D Edwards



William A D Edwards is one of Australia's leading class actions barristers

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### QUALIFICATIONS

Bachelor of Laws  
First Class Honours and Sydney  
University Medal  
Bachelor of Arts

### CORRESPONDENCE

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### CHAMBERS

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### COMMERCIAL LAW

Appellate | Banking & Finance | Class Actions | Consumer Law | Contractual Disputes |  
Corporate Insolvency | Corporations & Securities | Equity & Trusts | Insurance

### TORT LAW

Appellate | Class Actions | Major Torts | Product Liability | Professional Negligence

### PUBLIC LAW

Administrative Law | Appellate | Constitutional Law

William's expertise includes shareholder actions, consumer actions, mass tort actions, and product liability actions. He practises in all jurisdictions (Victoria and New South Wales in particular) and regularly appears in the Federal Court of Australia and all State superior courts.

William also has a general commercial practice and advises Australian and foreign corporations (particularly litigation funders) on a range of matters. He has extensive experience acting in non-curial dispute resolution, including complex commercial infrastructure and commodity price arbitrations.

Prior to joining the Bar, William was Associate to the Honourable Justice W.M.C. Gummow AC, then Justice of the High Court of Australia, a solicitor with Mallesons Stephen Jaques and a former Tipstaff to the late Honourable Justice G.F.K. Santow AO, then Justice of the Supreme Court of New South Wales Court of Appeal.

William holds degrees in Arts and Law (first class honours) from the University of Sydney where he was awarded the University Medal and a number of academic prizes.

William was admitted to the New South Wales Bar in 2008, the Victorian Bar in 2012 and is also a member of the Western Australian Bar Association.

*Liability limited by a scheme approved under Professional Standards legislation*

## Recent Cases

### CLASS ACTIONS

*Carpenders Park Pty Ltd v Sims Metal Management Ltd ("Sims Class Action")* – acting for applicant in shareholder class action in Federal Court of Australia (NSW Registry) alleging breach of continuous disclosure breaches and misleading or deceptive conduct (briefed by William Roberts Lawyers).

*Excel Texel Pty Ltd v Quintis Ltd (in Liq) ("Quintis Class Action")* – acting for applicant in shareholder class action in Federal Court of Australia (NSW Registry) alleging breach of continuous disclosure breaches and misleading or deceptive conduct (briefed by Gadens).

*Hall v Pitcher Partners (a firm); Hall v Arnold Bloch Leibler ("Slater & Gordon Advisors Class Action")* – acting for applicant in shareholder class action in Federal Court of Australia (Victoria Registry) alleging misleading or deceptive conduct (briefed by Maurice Blackburn Lawyers).

*Haswell v Commonwealth of Australia ("Multi-Site PFAS Class Action")* – acting for applicants in class action in Federal Court of Australia (Sydney Registry) on behalf of property owners in Bullsbrook (WA), Darwin (NT), Richmond and Wagga Wagga (NSW), Townsville (QLD), Edinburgh (SA) and Wodonga (VIC), claiming property losses associated with contamination caused by historical use of Aqueous Fire Fighting Foam by the Department of Defence (briefed by Shine Lawyers).

*Lenthall v Westpac Ltd ("Westpac Life Insurance Class Action")* – acting for applicant in consumer class action in Federal Court of Australia (NSW Registry) alleging breach of fiduciary duty and statutory contraventions arising out of advice given by Westpac financial planners in relation to life insurance policies (briefed by Shine Lawyers).

*Parkin v Boral Ltd* (“*Boral Class Actions*”) – acting for applicants in in shareholder class action in Federal Court of Australia (NSW Registry) alleging breach of continuous disclosure breaches and misleading or deceptive conduct (briefed by Maurice Blackburn Lawyers).

*SP87231 v 3A Composites GmbH & anor* and *SP91086 v Fairview Architectural Pty Ltd* (“*Cladding Class Actions*”) – acting for applicants in consumer class action in Federal Court of Australia (NSW Registry) alleging breach of statutory warranties by manufacturer and deemed manufacturer of polyethylene core cladding for buildings (briefed by William Roberts Lawyers).

*Southernwood & Kidd v Brambles Ltd* (“*Brambles Class Actions*”) – acting for applicants in shareholder class action in Federal Court of Australia (Victoria Registry) alleging breach of continuous disclosure breaches and misleading or deceptive conduct (briefed by Maurice Blackburn Lawyers and Slater & Gordon Lawyers).

*Wetdal Pty Ltd v Estia Health Ltd* (“*Estia Class Action*”) – acting for applicant in investor class action in Federal Court of Australia (Victoria Registry) alleging breach of prospectus disclosure provisions, continuous disclosure breaches and misleading or deceptive conduct (briefed by Phi Finney McDonald).

*Whittenbury v Vocation Ltd* (“*Vocation Class Action*”) – acting for applicant in investor class action in Federal Court of Australia (Victoria Registry) alleging breach of prospectus disclosure provisions, continuous disclosure breaches and misleading or deceptive conduct (briefed by Maurice Blackburn Lawyers and Slater & Gordon Lawyers).

*Zonia Holdings Ltd v Commonwealth Bank of Australia; Baron v Commonwealth Bank of Australia* (“*CBA Class Actions*”) – acting for applicant in investor class action in Federal Court of Australia (VIC/NSW Registry) alleging continuous disclosure breaches and misleading or deceptive conduct (briefed by Maurice Blackburn Lawyers and Phi Finney McDonald).

*Hudson v Commonwealth of Australia* (“*Oakey Contamination Class Action*”) and *Bartlett v Commonwealth of Australia* (“*Katherine Contamination Class Action*”) – acting for applicants in class action in Federal Court of Australia (Sydney Registry) on behalf of property and business owners in Oakey (Qld) and Katherine (NT), claiming property losses associated with contamination caused by historical use of Aqueous Fire Fighting Foam by the Department of Defence, settled in principle subject to Court approval for \$126.5M: [2020] FCA 837 (briefed by Shine Lawyers).

*Fisher v Vocus Ltd* (“*Vocus Action*”) – acting for applicant in shareholder class action in Federal Court of Australia (Victoria Registry) alleging breach of continuous disclosure breaches and misleading or deceptive conduct, recently settled for \$35M: [2020] FCA 579 (briefed by Slater & Gordon Lawyers).

“*CIMIC Class Action*” – *Inabu Pty Ltd as trustee of the Alidas Superannuation Fund v CIMIC Group Ltd* (2016-2019) – acting for applicant in shareholder class action in Federal Court of Australia (ACT Registry) alleging breach of continuous disclosure breaches and misleading or deceptive conduct, settled subject to Court approval for \$32.4M: [2020] FCA 510 (briefed by Maurice Blackburn Lawyers).

“*Stolen Wages Class Action (QLD)*” *Pearson v State of Queensland* – acting for applicant in trust claims in Federal Court of Australia (Queensland Registry) alleging misappropriation of wages of Aboriginal and Torres Strait Islanders in the 1970s; settled for \$190 million: (briefed by Bottoms English Lawyers).

*“Macmahon Class Action” – Hopkins v Macmahon Holdings Ltd (2017-2018)* – acting for applicant in shareholder class action in Federal Court of Australia (NSW Registry) alleging continuous disclosure breaches and misleading or deceptive conduct, resulting in settlement: [2018] FCA 2061 (leading Mr A.H. Edwards, briefed by ACA Lawyers).

*“GetSwift Class Action” – Perera v GetSwift Ltd (2018)* – acting for applicant in class action in important carriage motion before the Federal Court ((2018) 357 ALR 586) and Full Federal Court ([2018] FCAFC 202): (briefed by Squire Patton Boggs).

*“QBE Class Action” – Money Max Int Pty Ltd v QBE Insurance Group Ltd (2015-2018)* – acting for applicant in shareholder class action in Federal Court of Australia (Victoria Registry) alleging continuous disclosure breaches and misleading or deceptive conduct, resulting in \$132.5 million settlement (and the first successful ‘common fund’ application: [2016] FCAFC 148) (led by Mr M.B.J. Lee SC, then Mr B. Quinn QC, and with Ms M. Szydzik, briefed by Maurice Blackburn Lawyers).

*“Slater & Gordon Class Action” – Hall v Slater and Gordon Limited (2016-2017)* – acting for applicants in shareholder class action in the Federal Court of Australia (Victoria Registry) alleging continuous disclosure breaches and misleading or deceptive conduct by Slater and Gordon Limited, resulting in \$32.5M settlement with complex incorporated scheme of arrangement: [2018] FCA 2071 (led by Mr J.C. Sheahan QC, and with Mr D.J. Fahey, briefed by Maurice Blackburn Lawyers)).

*“Bellamy’s Class Action” – McKay Super Solutions Pty Ltd v Bellamy’s Australia Ltd; Basil v Bellamy’s Australia Ltd (2016-2017)* – acting for applicants in shareholder class action in the Federal Court of Australia (Victoria Registry), on carriage motion: [2017] FCA 947 (led by Mr J.C. Sheahan QC, and with Mr D.J. Fahey, briefed by Maurice Blackburn Lawyers).

*“Allco Class Action” – Blairgowrie Trading Pty Ltd v Allco Finance Group Ltd (2013-2016)* – acting for applicants in shareholder class action in the Federal Court of Australia (NSW Registry) alleging continuous disclosure breaches and misleading or deceptive conduct by Allco, (and on ‘common fund’ application (2015) 325 ALR 539), resulting in \$40 million settlement: (2017) 343 ALR 476 (led by Mr M.B.J. Lee SC, briefed by Maurice Blackburn Lawyers).

*“River City Class Action” – Hopkins v AECOM Australia Pty Ltd (2012-2016)* – acting for applicants in investor class action in Federal Court of Australia (NSW Registry) against traffic forecaster in relation to the Clem7 bypass tunnel in Brisbane, resulting in \$121 million settlement (led by Mr J. Sheahan QC and Mr M. Pesman SC, briefed by Maurice Blackburn Lawyers).

*“Bank Fees Class Actions” – Paciocco v Australia and New Zealand Banking Group Ltd and Farey v National Australia Bank Ltd (“NAB Bank Fees Class Action”) (2014-2016)* – acting for applicants in Federal Court proceedings concerning credit card penalty fees litigated against ANZ ((2014) 309 ALR 249; (2015) 236 FCR 199, (2016) 258 CLR 525), and resolved with NAB ([2016] FCA 340) (led by Mr M.B.J. Lee SC in the Federal Court, and Mr D.F. Jackson QC and Mr M.B.J Lee SC in the High Court, briefed by Maurice Blackburn Lawyers).

*Brisconnections Airport Link Class Action – Bulense Pty Ltd v Arup Pty Ltd (2014-2015)*– acting for applicant in investor class action in the Federal Court of Australia against traffic forecaster in relation to the ‘AirportLink’ toll road in Brisbane, successfully resolved in July 2015 [2015] FCA 726 (unled, briefed by Piper Alderman Lawyers).

*Matthews v Ausnet Electricity Services Pty Ltd (formerly SPI Electricity Pty Ltd)* (2013-2014) – advising applicant on aspects of the Kilmore East – Kinglake Bushfire class action in the Supreme Court of Victoria (led by Mr B. Walker SC, briefed by Maurice Blackburn Lawyers).

“Premium Income Fund Class Action” – *Hodges v Waters* (2013-2014) – acting for applicant in investor class action in the Federal Court against KPMG auditors of the compliance plan of the MFS Premium Income Fund, successfully resolved on confidential terms: (2015) 232 FCR 97 (led by Mr M.B.J. Lee SC briefed by Johnson Winter & Slattery).

“NAB CDO Class Action” – *Pathway Investments Pty Ltd v National Australia Bank* (2012) – acted for plaintiffs in shareholder class action for continuous disclosure breaches and misleading or deceptive conduct by NAB in Supreme Court of Victoria, resulting in \$115 million pre-trial settlement in favour of applicants [2012] VSC 625 (led by Mr M.B.J. Lee SC, briefed by Maurice Blackburn Lawyers).

“Centro Class Action” – *Kirby v Centro Properties Ltd & Ors; Kirby v Centro Retail Ltd; Stott v PricewaterhouseCoopers Securities Ltd* (2011-2012) – appeared for applicants in class actions for continuous disclosure breaches and misleading or deceptive conduct by Centro companies and their auditors in Federal Court, resulting in \$200 million settlement in favour of applicants after 10 weeks of hearing [2012] FCA 650 (led by Mr M.B.J. Lee SC and Mr N. Hutley SC, briefed by Maurice Blackburn Lawyers).

#### COMMERCIAL LAW

*Forge Ltd (in liq) v Robinson & Ors* – acting for plaintiff company in liquidation in suit against former directors and auditors in Supreme Court of NSW, alleging negligence, breach of contract, and misleading or deceptive conduct (briefed by Squire Patton Boggs).

*Westgem Investments Ltd v Commonwealth Bank of Australia Ltd* (2012 – acting for plaintiffs in Supreme Court of Western Australia bringing substantial contractual and trade practices claims, went to trial in 2018 (reserved) (led by Mr C.R.C. Newlinds SC, briefed by Jackson McDonald).

*King v Adams* [2017] NSWCA 277, [2016] NSWSC 1798 – acting for defendant members of lottery syndicate successfully resisting claim by a person claiming to be entitled to be a member of the syndicate, in the Supreme Court of NSW (led by Mr M.B.J. Lee SC at trial, Mr N.C. Hutley SC on appeal, briefed by Harris Freidman).

*Bonham v Iluka Resources Ltd* [2017] FCAFC 95 – acting shareholder seeking preliminary discovery against a respondent in relation to claim of possible continuous disclosure breaches and misleading or deceptive conduct (led by Mr N.C. Hutley SC, briefed by ACA Lawyers).

*Addenbrooke Pty Ltd v Duncan* (2017) 348 ALR 1 – acting for appellant in successfully seeking retrial in misleading or deceptive conduct suit in the Federal Court of Australia (led by Mr J. Stoljar SC, briefed by Deutsch Miller).

*Waimoana Pty Ltd v Centuria Strategic Property Ltd* (2015-2017) – acting for plaintiff in investor class action in Supreme Court of New South Wales alleging failure to make proper disclosure, resulting in confidential settlement (led by Mr M.B.J. Lee SC, briefed by Arnold Bloch Leibler).

*Bill Express Ltd (in Liq) v Pitcher Partners (a firm); Bill Express Ltd v KPMG (a firm)* (2014-2016) – acting for plaintiff companies in auditors’ negligence suit in Supreme Court of Victoria, resolved in December 2016 (led by Mr M.B.J. Lee SC, briefed by Johnson Winter & Slattery).

*Polo Enterprises Australia Pty Ltd v Pinctada Hotels and Resorts Pty Ltd* [2015] NSWCA 397 – acting for respondent in appeal concerning the construction of contract, and at first instance successfully defending claim for injunctive relief to restrain staging of an event – Supreme Court of NSW (Commercial List) [2012] NSWSC 1518, (unled, briefed by Jarman McKenna / John de Mestre & Co).

*Re Anglican Development Fund Diocese of Bathurst* (2015) 336 ALR 372 – acting for defendants in complex commercial dispute in Supreme Court of New South Wales concerning letters of comfort, and charitable trusts (led by Mr G.O. Blake SC).

*Marathon Global Fund Plc v AustralianSuper Pty Ltd* (2013-2015) – acting for defendant in contractual claims in Supreme Court of NSW concerning performance fees, resolved (briefed by Allens).

*ADCO Constructions Pty Ltd v Goudappel* (2014) 254 CLR 1 – acting for appellant in High Court appeal concerning statutory construction of ‘Henry VIII’ clause in State legislation (led by Mr D.F. Jackson QC, briefed by Moray & Agnew).

*Fortescue Metals Group Ltd v Commonwealth of Australia* (2013) 250 CLR 548 – acting for applicants in High Court constitutional challenge to the Minerals Resource Rent Tax (led by Mr D.F. Jackson QC and Mr B. Dharmananda SC, briefed by Corrs Chambers Westgarth).

*Parkview Pty Ltd (in Liq) v Bank of Western Australia* [2013] NSWCA 422, [2013] NSWSC 79 – appeared in the NSW Court of Appeal, and at first instance, acting for successful defendant in suit for breach of trust in context of construction contract (led by Mr S.R. Donaldson SC, briefed by Henry Davis York).

*AMP Capital Property Nominees Ltd v Westfield Management Ltd* (2012) 247 CLR 129; [2011] NSWCA 386, (2011) 255 FLR 1 – appeared in High Court of Australia (and in NSW Court of Appeal, and at first instance) to successfully resist application for injunction to restrain voting on a resolution to wind up a registered management investment scheme (led by Mr D.F. Jackson QC, Mr P. Cosgrave SC and Mr M.I. Borsky, briefed by Allens).

*Strategic Property Holdings (No.3) Pty Ltd v Austbrokers RWA Pty Ltd* [2012] NSWSC 1570 – advising and acting on successful claim by property investors against insurance brokers in Supreme Court of NSW (Commercial List), (led by R.J. Weber SC, briefed by TressCox Lawyers).

*Sturt & Anor v Farran & Ors* [2012] NSWSC 400 – appeared for successful defendants in administrative law and church constitutional proceedings in relation to the Anglican Church of Australia in Supreme Court of NSW Equity Division (led by Mr G. O. Blake SC, briefed by Makinson & d’Apice Lawyers).

*CGU Insurance Ltd v One.Tel Ltd (in Liq)* (2010) 242 CLR 174 appeared for insurer in High Court of Australia in relation to questions concerning the *Bankruptcy Act* (led by Mr D.F. Jackson QC, Mr A.W. Street SC and Mr E.G. Romaniuk, briefed by Colin Biggers & Paisley).

*E. & J. Gallo Winery v Lion Nathan (Australia) Pty Ltd* (2010) 241 CLR 144 – appeared for respondent in trademark litigation in the High Court of Australia, led by Mr F.M. Douglas QC and Mr D.T. Kell

(briefed by Mallesons Stephen Jaques).

*ICM Agriculture Pty Ltd v Commonwealth & Ors* (2009) 240 CLR 140 – appeared in challenge in the High Court of Australia to Constitutional validity of Commonwealth-State water right reductions (led by Mr R.J. Ellicott QC and Mr M.G. McHugh).

*Application by EnergyAustralia* [2009] ACompT 7-9 – appeared for intervener in application for administrative review in the Australian Competition Tribunal under the National Electricity Law in respect of NSW Distribution Determination 2009-2014 (led by Mr F.M. Douglas QC, briefed by HWL Ebsworth Lawyers).