

Michelle Devenish Meares

2 Selborne Chambers
Level 2, 174 Phillip St, Sydney NSW 2000
+61 2 9233 6400 mmeares@selbornechambers.com.au

Education

- 2014 **Graduate Diploma of Legal Practice, Australian National University**
- 2011 – 2014 **Bachelor of Laws (Hons 1), University of New England**
- First Class Honours
 - A Rose Memorial Prize - first in Corporations Law
- 2008 – 2010 **Master of Arts in Creative Writing, University of Technology**
- 1999 – 2003 **Bachelor of Arts, University of Southern Queensland (Comms/Anthropology)**
- 1996 **Bachelor of Journalism, Bond University – 1 year**
- Scholarship
- 1993 **Bachelor of Economics, University of Sydney – 1 year**
- 1992 **Higher School Certificate, Pymble Ladies' College**

Admissions

- 2023 **Called to New South Wales Bar**
- 2014 **Admitted to the High Court of Australia**
- 2014 **Admitted to the New South Wales Supreme Court**

Professional Experience

- 2023 – **Member - NSW Bar Association Legal Aid & Media Information Technology Committee**
- 2023 – **Barrister - 2 Selborne Chambers**
- 2022 – **President - NSW Regional Women Lawyers**
- 2021 – 2023 **Principal - Meares Law**
- 2022 – 2023 **Council Member - Council for NSW Law Reporting**
- 2021 – 2023 **Council Member - Law Society of New South Wales**
- 2020 – 2021 **Practice Leader - Brazel Moore Lawyers.**
- 2019 – 2023 **Member - NSW Law Society Privacy & Data Law, Ethics & Family Law Committee**
- 2017 – 2020 **Associate - Watts McCray Lawyers**
- 2014 – 2017 **Associate - CBD Law**
- 2014 **Legal Intern - Australian Law Reform Commission: Privacy Inquiry**
- 2011 – 2014 **Research Assistant - University of Sydney, Professor Cameron Stewart**

Professional Recognition

2019 Finalist Regional Lawyer of the Year, NSW Women Lawyers Association

Areas of Practice

- Equity & Trusts
- Real Property
- Commercial
- Common Law – Personal Injury & Intentional Torts
- Family Law
- Succession Law
- Consumer Protection & Trade Practices
- Care & Protection

Selected Cases

Led appearances

- *Agrigrain Pty Ltd v Rindfleish* (NSWCA) - led by M Friedgut - Negligence claim for work related injury - issue of who was the employer of the injured worker - Limitation Issues
- *Proietti v Proietti* (NSWCA) - led by L Chan - Appeared as Amicus Curiae - Vexatious Proceedings Order made
- *Wyllie v Fisher* (NSW SC ongoing) – led by M Friedgut – Joint venture/partnership dispute regarding property development
- *Diakovasili & Anor v Order of AHEPA NSW Incorporated* (NSW SC) - led by M Friedgut - General law derivative action - Where two members of incorporated association seek declaration as to entitlement to commence derivative proceedings
- *Quader v Nguyen* (NSW SC) - led by L Chan - right of appeal - who may exercise - where plaintiff sought leave to appeal against decision of NCAT Appeal Panel pursuant to s 83 of the Civil and Administrative Tribunal Act 2013 (NSW) - where plaintiff was not a party to the NCAT proceedings
- *Rindfleish v Agrigrain Pty Ltd* (NSW DC) - led by M Friedgut - plaintiff injured replacing a bearing in a grain auger - negligence claim

Unled appearances

- *Williams v Dr Aranov* (DC ongoing) – medical negligence claim – cosmetic surgery
- *Diamantidis Group Pty Ltd v Agarwak Group Real Estate Pty Ltd & Ors* (DC) – restraint of trade – subpoena objection
- *Spitzkowsky v Hunter New England Local Health District* (DC) – medical negligence
- *McGrath v Ali & El Raz* (LC) – claim for commission
- *Burston v Burston* (DC) – historical sexual assault - negligence
- *Beckwith & Dass* (No 2) (FCFCOA) - contested costs application - dispute as to costs following 6 day property/parenting trial
- *Qureshi & Abernathy* (FCFOCA) - complex parenting matter - 5 day trial - risk issues - s68B injunctions

- *Finlay & Finlay* (FCFCOA) - parenting matter - 2 day trial - unacceptable risk of harm - family violence
- *Cygnis & Cygnis* (FCFCOA) - parenting matter - 3 day trial - Father has a range of mental health diagnoses, including Autism Spectrum Disorder (ASD) and Attention-Deficit/Hyperactivity Disorder (ADHD)
- *Deady & LPC Group* (NCAT ongoing) – building defects claim – Home Building Act & Australian Consumer Law breach of consumer guarantees
- *Willard & Attic Group* (NCAT) - building defects claim - Australian Consumer Law breach of consumer guarantees
- Children’s Court – 10 day trial – finding of realistic possibility of restoration.
- Enforcement proceedings in relation to over \$350,000 of unpaid children's private school fees involving application to set aside property transfer for nil consideration

Selected Cases as a Solicitor

- *Adams v Department of Family and Community Services* (NCAT) - Section 29 Certificate Care & Protection Act - Whether respondent has discharged onus in respect of schedule 1 GIPA Act
- *Mulroney & Mulroney* (FCFCOA) - parenting matter with 2 children with Autism Spectrum Disorder
- *Hood & Weaver* (FCFCOA Appeal) - parenting matter - allegations of abuse
- Appearing in complex family law financial matters related to bankruptcy, companies & trust structures.
- Appearing in Care & Protection Matters
- Appearing in equity, commercial, breach of contract, employment & building defect matters in Supreme Court, District Court & NCAT
- Acting in relation to civil claims arising from historical sexual abuse, workers compensation, work injury damages & motor accident claims

Selected Publications/Presentations

- Marbury Chambers – Cybersecurity Guidelines March 2025
- Legalwise Seminars – Recordings, s138 Evidence Act and Surveillance laws September 2024
- 2 Selborne Property & Family Law Conference – Bankruptcy and Family Law – March 2025
- NSW Bar Association BarNews –Technology Facilitated Abuse –Autumn 2024
- 2 Selborne Property & Family Law Conference – Setting Aside Transactions to Defeat Claims in Family Law Proceedings March 2024
- Lawyers Weekly – Women in Law Conference Melbourne November 2023
- NSW Bar Association Cybersecurity, Privacy and Technology Expert Panel
- NSW Law Society Specialist Accreditation Conference 2017 Data Retention Panel; 2019 Panel on Cyberstalking technology facilitated abuse in family law; 2020 Vaccinations and Family Court with Professor Cameron Stewart
- NSW Law Society Annual Conference 2022 Panel on Drug testing in family law
- IUCN Academy of Environmental Law Annual Colloquium Speaker New Zealand Speaker Oceans & Marine 2013