



Admissions

Barrister: 2006

Solicitor: 1998

Qualifications

LLM	University of Sydney
Grad Dip Military Law (M)	Australian National University
LLB (Hons)	Australian National University
BJaps	Australian National University

Areas of Practice

Commercial litigation / Contracts

Property / Strata

Succession / Family Provision

Trusts and Equity

Corporations Law / Financial Services

Intellectual property

Competition / Consumer Law

Biography

Admitted to the bar in 2006 after practising as a solicitor in private practice and with the corporate regulator, Alex has established a broad practice in commercial and equity law. He specialises in trusts and succession, commercial and property disputes and company and financial services law. His clients include private businesses and government regulators, as well as individuals. In addition to advocacy work, Alex's practice also includes advisory work for both private and government clients.

Alex appears in the High Court of Australia, the Supreme Court of NSW (including the Court of Appeal), the Federal Court of Australia, the District Court of NSW, the Local Court of NSW and tribunals. Alex has also appeared in the Supreme Courts of Victoria and the ACT.

Alex lectures and tutors at the University of Sydney in the areas of evidence law, contract law, civil and criminal procedure, education law and discrimination, and has presented seminars on a broad range of legal topics.

Alexander Kuklik

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Previous and other professional employment

2012 - to date	Lieutenant – Legal Officer Royal Australian Navy Reserve
2001 - 2006	Senior Lawyer / Team Leader, Enforcement Directorate Australian Securities & Investments Commission
2001 - 2002	Solicitor Marrickville Legal Centre
1998 - 2001	Solicitor Ebsworth & Ebsworth Lawyers

Presentations

- ‘*Predictive Coding and its Adoption in Australia*’ – Presentation to Salvos Legal – November 2017
- ‘*Aspects of Evidence*’ – Presentation to Fair Work Ombudsman – November 2017
- ‘*Expert Evidence*’ - Presentation to the Australian Property Institute – September 2015
- ‘*Section 127 and the disclosure of third party documents*’ – presentation to the Australian Securities & Investments Commission – August 2015
- ‘*Section 50 of the Evidence Act*’ – Presentation to the Australian Competition and Consumer Commission – June 2015
- ‘*Consumer Law Update*’ – Presentation to NSW College of Law Specialist Legal Conference – May 2015
- ‘*Admissibility of Evidence*’ – Presentation at NSW State Legal Conference, August 2014.
- ‘*ADR and Negotiation: Strategies and legal issues*’ – Presentation to the Australian Competition and Consumer Commission - June 2014.
- ‘*Trusts in Family Law Proceedings*’ - Presentation to South Coast Law Society, March 2014
- ‘*Public Interest Immunity & Whistleblowers*’ – presentation to the Australian Securities & Investments Commission - 2012.

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Lecturing

- Sydney University: Evidence Law – 2015+
- Sydney University: Contract Law – 2016
- Sydney University (tutoring): Torts and Contracts II – 2017
- Sydney University (tutoring): Civil and Criminal Procedure – 2016+
- LPAB – Law Extension Committee: Evidence – 2015+
- LPAB – Law Extension Committee: Contracts – 2015+
- University of Technology Sydney - Bar Preparation Course – Evidence - 2017+
- NSW College of Law, Master of Applied Law Workshop – Procedure and Preparation of Evidence - April and September 2014.
- Sydney University - discrimination and education law as part of the course: ‘*Ethics and Social Justice in Early Childhood*’ – 2013 and 2014.

Cases

Appearances include:

Commercial, equity and real property

- *Cross v Dominion WFS Pty Ltd & Ors* – (current) Related proceedings for negligent financial services, advice and misrepresentations arising out of collapse of Astarra and Trio.
- *Waller v Hargraves Secured Investments Ltd* [2012] HCA 4 (With Michael Loewenstein) - High Court of Australia proceedings for the enforcement of mortgages over farm debt and the operation of the *Farm Debt Mediation Act 1994* (NSW).
- *Strata Plan 61732 v TR Druce Pty Lrd & Anor* (With Gregory Sirtes SC) – Proceedings for faulty construction of strata apartments and product liability.

Corporations and financial services law

- *In the matter of Idylic Solutions Pty Ltd - Australian Securities Investments Commission v David John Hobbs* [2012] NSWSC 1276 (With John Halley SC and Jeremy Clarke) – Civil penalty proceedings relating to Ponzi scheme, the operation of

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an unregistered managed investments scheme, misrepresentations to investors, provision of financial services without a licence and breach of directors' duties.

- *Australian Securities & Investments Commission v Empower Invest Pty Ltd* [2010] NSWSC 1025 – Proceedings regarding breach of enforceable undertakings regarding refunding investors in unregistered managed investment scheme.
- *Warne v Australian Securities & Investments Commission* [2009] AATA 340 – Appeal of ASIC disqualification orders.
- *Australian Securities & Investments Commission v Macdonald (No. 12)* [2009] NSWSC 714 (With Anthony Bannon SC, Robert Beech Jones SC and others) – Civil penalties, application of ss 1317, 1318 of the *Corporations Act 2001* (Cth).
- *Australian Securities & Investments Commission v Macdonald (No. 11)* [2009] NSWSC 287 (With Anthony Bannon SC, Robert Beech Jones SC and others) – Breaches of directors duties by board of James Hardie Industries Limited, misleading and deceptive conduct by company in relation to restructure of James Hardie and consequences upon obligations regarding asbestos liability.
- *Macdonald v Australian Securities & Investments Commission* [2007] NSWCA 304 (With Robert Beech-Jones SC and Jennifer Single) – NSW Court of Appeal - Appeal in relation to pleadings in civil penalty proceedings.

Intellectual property

- *Cantarella Bros Pty Ltd v Espresso Enterprises Pty Ltd* [2014] ATMO 68 – Proceedings opposing the registration of a trademark.
- *Century Venues Pty Ltd & Anor v Sydney Comedy Festival Pty Ltd* (With Julia Baird SC) – Proceedings in Federal Court of Australia for breach of trademark.

Succession

- *Sullivan v Craig; Estate of O'Sullivan* [2008] NSWSC 1189 – Removal of executrix of estate for dereliction of duty.

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