

ANTHONY MESSINA

YEAR OF CALL: 2013

Anthony has a diverse commercial litigation practice, with particular expertise in disputes concerning banking and finance, building and construction, consumers, contracts, corporations, equity, insolvency, insurance, intellectual property, professional negligence and trusts. He appears in trials and appeals, applications for interlocutory and final relief, and mediations.

Prior to being called to the Bar, Anthony was a Senior Associate of Mullins practicing in the firm's commercial disputes and insolvency group.

LEVEL
TWENTY
SEVEN
CHAMBERS



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AREAS OF PRACTICE

Appellate, Banking, Building & Construction, Commercial Equity, Competition & Consumer, Contract, Corporate Insolvency & Bankruptcy, Corporations, Insurance, Intellectual Property, Judicial Review & Administrative, Land Law & Property, Planning & Environment, Sport.

CASES

***Spoor & Ors v Price & Ors* [2019] QSC 53**

April 2019, Contract

***Pioneer Credit Acquisition Services Pty Ltd v Hayes* [2018] FCCA 3144**

November 2018, Corporate Insolvency & Bankruptcy

***CSR Building Products Limited v Halstead* [2018] QDC 241**

October 2018, Judicial Review & Administrative

***Hayes v Pioneer Credit Acquisition Services Pty Ltd* [2018] FCA 1113**

July 2018, Corporate Insolvency & Bankruptcy

Trenfield v HAG import Corporation (Australia) Pty Ltd (no.2)[2018] QDC 129

July 2018, Corporate Insolvency & Bankruptcy, Corporations

Trenfield v HAG Import Corporation (Australia) Pty Ltd[2018] QDC 107

June 2018, Contract, Corporate Insolvency & Bankruptcy, Corporations

Fordyce v Ryan [2016] QSC 307

December 2016, Commercial Equity, Corporate Insolvency & Bankruptcy

Clark v Matton Developments Pty Ltd[2016] QSC 251

October 2016, Insurance

Matton Developments Pty Ltd v CGU Insurance Ltd[2016] QCA 208

August 2016, Appellate, Insurance

Morrison v Workers' Compensation Regulator[2016] QIRC 065

June 2016, Judicial Review & Administrative

Seilers Transport Pty Ltd v McGrath[2016] QDC 075

April 2016, Competition & Consumer

Boon v Summs of Qld Pty Ltd[2016] QCA 038

February 2016, Insurance, Appellate

Boon v Summs of Qld Pty Ltd t/a Big Bill's Bobcats[2015] QSC 162

June 2015, Insurance

Matton Developments Pty Ltd v CGU Insurance Ltd (No2)[2015] QSC 072

April 2015, Insurance

Wilms v Simon Blackwood (Workers' Compensation Regulator)[2015] QIRC 021

February 2015, Judicial Review & Administrative

Matton Developments Pty Ltd v CGU Insurance Ltd[2014] QSC 256

October 2014, Insurance

EXPERIENCE

Anthony's recent work examples include:

› appearing on behalf of a crane operator in respect of a claim for indemnity pursuant to an accident insurance policy. Anthony appeared led by Queen's Counsel at the trial in the Supreme Court and the subsequent appeal in the Court of Appeal. Anthony is being led by Queen's Counsel in respect of the High Court proceeding.

› appearing on behalf of a heavy transport company in an appeal to the District Court from a decision of the

Magistrates Court concerning alleged contraventions of the Australian Consumer Law.

- › appearing on behalf of an insolvency practitioner in respect of an application for judicial advice from the Supreme Court concerning the admission/rejection of claims against the company being wound up.
- › appearing on behalf of a trustee in bankruptcy in an application for the appointment of a receiver of properties held by various trusts. Anthony was lead by Queen's Counsel at the hearing in the Supreme Court.
- › appearing on behalf of a road construction company defending a claim for personal injuries arising from an incident that occurred on a road construction site. He appeared at the trial in the Supreme Court and was led by Queen's Counsel in the subsequent appeal to the Court of Appeal.
- › acting on behalf of a landowner in respect of a claim in the Supreme Court for reinstatement of indefeasible title by reason of fraud.
- › acting on behalf of a supplier of mining equipment in respect of a claim for professional negligence against a former solicitor.
- › acting on behalf of a liquidator in respect of insolvent transaction claims against a trust, which was declared for the purpose of recovering the insolvent company's indebtedness to trust beneficiaries.
- › acting on behalf of an insurer of a road profiler machine in respect of a claim arising because of damage caused to the road profiler machine during its transportation by a contractor.
- › acting for a developer and joint venture partner concerning a dispute arising from the development, subdivision and sale of land.
- › acting for receivers and managers of partnership assets and undertakings, and statutory trustees for sale of farming land, resisting an application in the Supreme Court to terminate the receivership and statutory trust.
- › acting for a majority shareholder in an oppression action brought by a minority shareholder in the Supreme Court.
- › acting for a Registered Professional Engineer of Queensland in a disciplinary proceeding brought by the Board of Professional Engineers of Queensland.

For the 5 years prior to Anthony's admission as a solicitor, he worked full-time as a law clerk in litigation, family law and criminal law, while studying at university.

MEMBER

Bar Association of Queensland

CAREER

2013 Barrister

2012 Senior Associate

2010 Associate

2008 Solicitor

2003 Law Clerk

EDUCATION

2008 Graduate Diploma of Legal Practice, The College of Law

2007 Bachelor of Laws, Queensland University of Technology

PUBLICATIONS

Does a Stitch in Time Really Save Nine? Issues Surrounding Mitigation Costs Under a Policy of Liability Insurance

December 2018, Insurance, Contract

Trenfield v Hag Import: Trading Agreements, ROT, PPSA Vesting and Valuing Security Interests

August 2018, Corporate Insolvency & Bankruptcy

Trenfield v HAG Import: Trade Agreements, ROT, PPSA Vesting and Valuing Security Interests

August 2018, Corporate Insolvency & Bankruptcy, Corporations

Expert Evidence

June 2017, Insurance

Companies behaving badly: winding up on grounds other than in insolvency

May 2017, Corporate Insolvency & Bankruptcy

Equitable Promises, Estoppel and Remedies

April 2017, Succession

Total and permanent disablement: a case update

March 2017, Insurance

Insurance Litigation Update

March 2017, Insurance

Liability limited by a scheme approved under professional standards legislation