

MEI BARNES

YEAR OF CALL: 2018

Versatile, client focused and approachable, Mei practises predominantly in the areas of construction, competition and property (including Native Title). She advises and appears (both led and alone) for public and private corporations, State and Federal Government agencies, and individuals on contentious matters in all State and Federal courts. She also has experience in mediation, negotiation and domestic arbitration, and is admitted to practice in Australia and New York. Mei is listed in Doyle's Guide to the Legal Profession as a recommended junior counsel for construction & infrastructure disputes.

Mei previously worked as a solicitor at Herbert Smith Freehills, as the associate to the Hon. Justice Margaret Wilson of the Supreme Court of Queensland, and in house at the Commonwealth Department of Resources and Energy. She holds a Bachelor of Laws (with First Class Honours) from the Australian National University, and a Master of Laws from Columbia University, New York, where she graduated as a James Kent Scholar.

She is a member of the Law Council of Australia's Competition and Consumer Law Committee, and a sessional academic in Dispute Resolution at the Queensland University of Technology.

AREAS OF PRACTICE

Appellate, Arbitration, Banking, Building & Construction, Commercial Equity, Competition & Consumer, Contract, Corporations, Employment & Industrial, Insurance, Intellectual Property, Land Law & Property, Native Title & Cultural Heritage, Resources & Energy.

CASES

Stillwater Pastoral Company Pty Ltd v Stanwell Corporation Ltd[2024] FCA 1382

December 2024, Class Actions, Competition & Consumer, Resources & Energy

Keating on Behalf of the Wallara People, Clan of the Koko-Muluridji v State of Queensland [2024] FCA 1044

September 2024, Native Title & Cultural Heritage

Mallonland Pty Ltd v Advanta Seeds Pty Ltd[2024] HCA 25

August 2024, Professional Negligence, Appellate

LEVEL

TWENTY
SEVEN

CHAMBERS



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***Keating v Native Title Registrar* [2023] FCA 137**

March 2023, Native Title & Cultural Heritage

***Mallonland Pty Ltd & Anor v Advanta Seeds Pty Ltd* [2023] QCA 24**

February 2023, Class Actions

***Jolan Pty Ltd v Essential Investments Pty Ltd (No 3)* [2022] FCA 1627**

December 2021, Corporations

***Martens on behalf of the Kungandji Gurrabuna People of Kamoi (Kimoi or Kimuy) v State of Queensland* [2021] FCA 1577**

December 2021, Native Title & Cultural Heritage

***Jolan Pty Ltd v Essential Investments Pty Ltd (No 2)* [2021] FCA 1533**

December 2021, Corporations

***Rolleston Coal Holdings Pty Limited v The Deputy Premier, Treasurer and Minister for Aboriginal and Torres Strait Islander Partnerships* [2021] QSC 328**

November 2021, Corporations

***Singleton on behalf of the Yirrganydji People v State of Queensland (No 2)* [2021] FCA 1350**

November 2021, Native Title & Cultural Heritage

***Australian Competition and Consumer Commission v HealthEngine Pty Ltd* [2021] FCA 1203**

August 2021, Competition & Consumer

***Mallonland Pty Ltd & Anor v Advanta Seeds Pty Ltd* [2021] QSC 132**

June 2021, Class Actions

***Mallonland Pty Ltd & Anor v Advanta Seeds Pty Ltd* [2021] QSC 74**

April 2021, Class Actions

***General Trade Industries Pty Ltd (in liquidation) v AGL Energy Limited* [2020] FCA 1562**

October 2020, Contract

***Alvoen on behalf of the Wakaman People #5 v State of Queensland (No 2)* [2020] FCA 960**

July 2020, Native Title & Cultural Heritage

***Rainbow on behalf of the Kurtijar People v State of Queensland* [2019] FCA 1683**

August 2019, Native Title & Cultural Heritage, Judicial Review & Administrative

***B&K Holdings (Qld) Pty Ltd v Garmin Australasia Pty Ltd* [2019] FCA 64**

February 2019, Competition & Consumer

***Garmin Australasia Pty Ltd v B & K Holdings (Qld) Pty Ltd* [2018] QCA 353**

December 2018, Appellate, Contract

EXPERIENCE

COMPETITION & CONSUMER

- > Acting for a respondent to a class action brought in respect of alleged misuses of market power under the *Competition and Consumer Act*.
- > Acting for the ACCC in civil penalty proceedings concerning alleged breaches of the Australian Consumer Law, and in proceedings concerning alleged cartel conduct and exclusive dealing.
- > Acting for a retailer and distributor of fitness products in a claim against an international supplier for alleged misuse of market power, exclusive dealing and misleading and deceptive conduct.

BUILDING & CONSTRUCTION

- > Acting for a global design and consultancy firm in a dispute with a building contractor regarding a water treatment facility.
- > Appearing for and advising a Tier 1 construction company in relation to a licencing dispute with the Queensland Building and Construction Commission.
- > Advising construction companies on delay and defective work claims arising on commercial and public infrastructure projects.
- > Acting for a government entity in arbitration proceedings concerning delay and variation claims in the construction of a major road.
- > Advising a global design and consultancy firm in relation to potential liability associated with the use of aluminium composite panels.
- > Appearing on applications under the *Subcontractors' Charges Act*.

LAND LAW & PROPERTY

- > Appearing and advising on residential and commercial property disputes in the Supreme Court of Queensland.
- > Acting for a large farming business in a claim for breach of contract and misleading and deceptive conduct arising from the sale of the business.
- > Appearing for and advising an Australian commercial property developer in relation to a major residential property development in Mango Hill, Brisbane.

> Appearing for a leading property investment firm to obtain urgent search and freezing orders in the Queensland Supreme Court.

> Appearing for and advising for pastoralists in northern Queensland resisting a Native Title Claim particularly involving issues of succession.

> Acting for the State of Queensland in Native Title claims involving issues of succession, coalescence and multiple Indigenous claim groups.

CLASS ACTIONS

> Acting for a seed manufacturer in respect of a negligence class action brought by end users of the seed.

> Acting for the plaintiff and group members in a negligence and nuisance claim brought against the Commonwealth Government in respect of the outbreak of White Spot Disease in Queensland.

> Acting for an electricity generator in a class action concerning alleged misuse of market power under the Competition and Consumer Act.

RECOMMENDATIONS

Doyles Guide to the Australian Profession

2023 -2025 – Leading Construction & Infrastructure Junior Counsel (QLD, 'Leading')

2020-22 – Leading Construction & Infrastructure Junior Counsel (QLD, 'Recommended')

MEMBER

Bar Association of Queensland

Member of the Law Council of Australia's Competition and Consumer Law Committee

Member of the Society of Construction Lawyers Australia

Member of the New York State Bar Association (Antitrust Section)

Member of LawRight

EDUCATION

2017 Master of Laws (James Kent Scholar), Columbia University

2013 Graduate Diploma in Legal Practice, Australian National University

2012 Bachelor of Laws (First Class Honours), Australian National University

2012 Bachelor of Arts, Australian National University

AWARDS

2017 James Kent Scholar

2017 Parker Certificate for International and Comparative Law

2009-2012 ANU Chancellor's Commendation for Academic Excellence

2011 International Alliance of Research Universities Scholarship – Cambridge University

PUBLICATIONS

Briefing Counsel

September 2022

Time Bars in Construction Contracts - A Panoramic View

June 2021, Building & Construction

First decision under class action regime in QLD - guidance to manufacturers and producers on duty of care and product information disclosure

May 2021, Class Actions

Managing Class Action Disputes - Class Definition

July 2020, Class Actions

Moral obloquy or commercial autonomy? Debating statutory unconscionability

May 2020, Competition & Consumer

Strategies for Persuasive Expert Evidence

December 2019, Building & Construction

Raising the bar for businesses: the ACL's reach in business negotiations and brand protection

October 2018, Competition & Consumer, Corporations, Contract

But can't I just rely on the words in the contract? Recent appellate cases for and against
August 2018, Building & Construction, Contract

Liability limited by a scheme approved under professional standards legislation