

# Registration Form / Tax Invoice

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## Litigation: Remedies Master Class

Tuesday 24 November 2009

8.45am – 1.00pm

Rydgcs World Square Sydney, 389 Pitt Street, Sydney

Course cost includes tuition, materials and refreshments  \$352

I cannot attend but please provide the papers  \$165

Total Price includes GST **Total \$**

### Payment Options

I enclose a cheque **payable to "CLE, UNSW"**,

or Payment by credit card  Mastercard  Visa

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**Please return this registration form with your payment to:**

**CLE,  
Faculty of Law,  
UNSW, Sydney  
NSW 2052.**

Tel: (02) 9385 2267 or (02) 9385 2195

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Email: cle@unsw.edu.au

Website: www.cle.unsw.edu.au

**Programme Variation:** The Director of CLE retains the right to vary the programme to deal with unforeseen circumstances. This includes cancelling or re-scheduling a programme and changing speakers or content if occasion obliges us to do so.

**Cancellation Policy:** Cancellations will be accepted up to two weeks prior to the commencement of the course. Withdrawal after this time and before the commencement of the course will result in a cancellation charge of \$100. Cancellations after the commencement of the course will not be eligible for a refund.

**Privacy note:** The information you have provided on this form will only be used by UNSW to distribute information about University courses and activities to you.

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THE UNIVERSITY OF  
NEW SOUTH WALES

FACULTY OF LAW  
CONTINUING LEGAL EDUCATION

# Litigation: Remedies Master Class

Tuesday 24 November 2009

8.45am – 1.00pm

Rydgcs World Square Sydney,  
389 Pitt Street, Sydney

[www.cle.unsw.edu.au](http://www.cle.unsw.edu.au)

## Audience

- Solicitors in General Practice
- Contract & Commercial Barristers & Solicitors
- Litigation Lawyers
- Commercial Litigation specialists
- In House Counsel, Corporate Counsel
- Property Lawyers

## Objective

The importance of planning in Litigation is paramount. This involves careful inquiry of what results clients seek and what remedies are actually available from Court procedures.

This seminar will focus on some key procedures and provide guidance in relation to injunctive relief available and the care that must be taken in such applications, the use that can be made of Rectification, an exploration of the doctrines of Tracing and Subrogation, and an important review of Damages and the options available that should be considered.

This seminar is relevant to both Litigation lawyers and those in other practice areas who advise clients of their options when disputes arise.

**CLE/CPD Points:** Four (4)

## About CLE/CPD

The CLE/CPD programme is an important link between the Law School at UNSW and the professional community. The programme consists of a series of quality short courses assisting lawyers, accountants, financial planners, executives and other professionals whose work demands up-to-date knowledge of, and skills in, the relevant areas.

# Litigation: Remedies Master Class

Tuesday 24 November 2009

**Chair:** Elizabeth OLSSON, SC, 8th Floor,  
Garfield Barwick Chambers

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**8.45am** Welcome and Opening remarks from  
the Chair

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**8.55am**

**Topic 1:** Interlocutory Injunctions

**Speaker:** Stefan BALAFOUTIS, Barrister,  
10th Floor Selborne/Wentworth Chambers

- Principles governing the grant of interlocutory injunctions.
- Procedural aspects of applications for interlocutory injunctions.
- Common examples of interlocutory injunctions.

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**9.50am**

**Topic 2:** Rectification

**Speaker:** Mark SPEAKMAN SC, Barrister,  
10th Floor Selborne /Wentworth  
Chambers

- What can be rectified
- Common and unilateral mistake
- Limits of rectification

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**10.45am** Morning tea

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**11.05am**

**Topic 3:** Tracing and Remedial Subrogation

**Speaker:** Justin HOGAN-DORAN  
Barrister, Seven Wentworth Chambers

- Overview of tracing and remedial subrogation

- Relationship between restitution and equity in subrogation and the divergence between Australian and English law
- Proprietary and personal remedies and orders
- Proof of tracing claims in complex cases

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**12.00 noon**

**Topic 4:** Damages – Reviewing the tests and entitlements for different types of claims

**Speaker:** John EMMERIG, Partner, Blake Dawson

- Damages in contract, tort and statutory claims
- Misleading conduct claims under TPA, Fair Trading and Corporations Act
- Equitable damages
- Damages in administrative law
- When can exemplary damages be claimed?
- When can aggravated damages be claimed?
- Interest as a head of damage
- Emerging issues

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**12.55pm-1.00pm Q&A Close**

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For more information visit our website:  
[www.cle.unsw.edu.au](http://www.cle.unsw.edu.au)