

Nic Cozens

BARRISTER

Admitted: 13 December 2011
Bar Roll: 26 October 2016
Qualifications: LL.B. (Hons) (Monash University), B.A. (Psych) (University of Adelaide)

Profile

My principal areas of practice are commercial disputes and insurance law, with a focus on professional liability, class actions, corporations (including oppression and insolvency), trade practices, and complex contractual disputes concerning the development of land.

Experience

Sept 2016-present **Victorian Bar**
Owen Dixon Chambers West, 5.20

Aug 2015-Aug 2016 **Associate, Federal Court of Australia**
Chambers of the Honourable Justice Murphy

Mar 2011-Aug 2015 **Lander & Rogers**
Graduate and Lawyer, General Insurance

Selected matters

[2024] VSC 271 *Roberts Construction Group Pty Ltd v Drummond Carpentry Services Pty Ltd (No 2)*
Stay application pending appeal; judicial review of adjudication under the *Building and Construction Industry Security of Payment Act 2002*, instructed by Eidelweisz Lawyers

[2024] NSWSC 650 *Raad v The Cosmetic Institute Pty Limited*
Cosmetic surgery class action, for an insurer, settled prior to 14-week trial, led by J Tesarsch and instructed by Lander & Rogers

[2023] NSWCA 249 *Nguyen v Rickhuss*
Appeal on declassing application, for an insurer, led by J Tesarsch and instructed by Lander & Rogers

[2023] VSC 183	<i>JB Asset Management & Anor v LBA Capital & Ors</i> Successful strike-out of claims of unconscionable conduct, led by P L Ehrlich KC, with R Kornhauser, instructed by Madgwicks
[2023] VSC 637	<i>Alphington Developments Pty Ltd v Amcor Limited (No 5)</i> Twelve-week trial of contractual claims for reimbursement of contamination remediation costs, led by M Osborne KC as His Honour then was, D V Aghion KC, A Downie and G Douglas, with C Hender, instructed by Kalus Kenny Intalex
[2022] VSC 89	<i>Next Stage Living Moonee Ponds Pty Ltd v Ardmillan Place Nominees Pty Ltd</i> Successful claim for loss of bargain, led by P L Ehrlich KC, with R Kornhauser, instructed by Madgwicks
[2022] VCAT 1082	<i>Owners Corporation PS326716M v Zheng & Ors</i> Water damage, for owners corporation manager, instructed by Lander & Rogers
[2021] VCC 29	<i>Baptist & Anor v Lang & Anor</i> Specific performance of agreement to resolve adverse possession claim, instructed by Mills Oakley
[2021] VSC 6	<i>Alphington Developments Pty Ltd v Amcor Limited (No 4)</i> Legal professional privilege, led by D V Aghion, instructed by Kalus Kenny Intalex
[2020] FCA 990	<i>Australian Securities and Investments Commission v Merlin Diamonds Limited (No 4)</i> Appointment of provisional liquidator, led by M Osborne KC as His Honour then was, instructed by O'Donnell Salzano
[2020] VSC 36	<i>Re Freestyle Technology Limited (admins apptd)</i> Shareholder oppression, led by P L Ehrlich KC, instructed by Hope Earle
[2019] VCAT 422	<i>Gledhill v Scotia Property Maintenance Pty Ltd</i> Water damage; determination of applicable limitations period, instructed by HWL Ebsworth
[2019] VSC 743	<i>Yap v Lee</i> Administration suit by beneficiary following loss of trust deed. Led by P L Ehrlich KC, instructed by Willocks Lawyers

- [2019] FCA 1083 *Yacht Club Sopot SP. Z.O.O. v The Yacht "Monster Project"*
Maritime mortgage enforcement, led by E Cox SC, instructed by O'Brien & Black
- [2018] AATA 2383 *Panayiotides v Australian Securities and Investments Commission*
Review of banning order against stockbroker, led by P L Ehrlich KC, then S Rubenstein, instructed by P&B Law
- [2017] VSCA 355 *Ezra Abrahams Pty Ltd v Milburn*
Successful appeal from judgment following no case submission, led by D V Aghion, instructed by KCL Law
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Memberships

Australian Insurance Law Association
Commercial Bar Association
Common Law Bar Association