

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 class actions, professional indemnity insurance (acting for and against insureds and insurers, including in coverage disputes), 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; judicial review under *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 *Rickhuss v Nguyen & Ors*
Appeal on declassing application, for an insurer, led by J Tesarsch and instructed by Lander & Rogers
- [2023] VSC 183 *JB Asset Management & Anor v LBA Capital & Ors*
Successful strike-out of claims of unconscionable conduct, led by P L Ehrlich KC, with R Kornhauser, instructed by Madgwicks
- [2023] VSC 637 *Alphington Developments Pty Ltd v Amcor Limited (No 5)*
Twelve-week trial of 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 *Next Stage Living Moonee Ponds Pty Ltd v Ardmillan Place Nominees Pty Ltd*
Successful claim for loss of bargain, led by P L Ehrlich KC, with R Kornhauser, instructed by Madgwicks
- [2022] VCAT 1082 *Owners Corporation PS326716M v Zheng & Ors*
Water damage, for owners corporation manager, instructed by Lander & Rogers
- [2021] VCC 29 *Baptist & Anor v Lang & Anor*
Specific performance of agreement to resolve adverse possession claim, instructed by Mills Oakley
- [2021] VSC 6 *Alphington Developments Pty Ltd v Amcor Limited (No 4)*
Legal professional privilege, led by D V Aghion, instructed by Kalus Kenny Intalex
- [2020] FCA 990 *Australian Securities and Investments Commission v Merlin Diamonds Limited (No 4)*
Appointment of provisional liquidator, led by M Osborne KC as His Honour then was, instructed by O'Donnell Salzano
- [2020] VSC 36 *Re Freestyle Technology Limited*
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, instructed by Willocks Lawyers
[2018] AATA 2383	<i>Panayiotides and Australian Securities and Investments Commission</i> Review of banning order, led by P L Ehrlich KC, then S Rubenstein, instructed by P&B Law
NSD2390/2018	<i>Yacht Club Sopot SP. Z. O.O. v the ship Monster Project & Anor</i> Maritime mortgage enforcement, led by E Cox SC, instructed by O'Brien & Black
[2017] VSCA 355	<i>Ezra Abrahams Pty Ltd v Milburn</i> Successful appeal from judgment following no case submission, led by D V Aghion, instructed by KCL Law

Memberships

Australian Insurance Law Association
Commercial Bar Association
Common Law Bar Association