

# GREENS LIST

BARRISTERS



## ADAM COOTE

BAR ROLL: 2010 | ADMITTED: 2008

Adam practices in common law and commercial law.

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## EXPERTISE

Appellate | Banking & Finance | Bankruptcy Law & Insolvency Law | Commercial Law | Common Law | Competition Law & Consumer Law | Corporations Law & Securities Law | Defamation | Inquests, Inquiries, Tribunals & Commissions

## PROFILE

Adam practices in common law and commercial law.

His common law practice is mainly in personal injuries (for example: WorkCover, transport accidents and public liability), but includes all torts. He acts for both plaintiffs and defendants. He accepts briefs to draft paperwork, including for serious injury applications.

Adam's commercial law practice includes contractual disputes, professional negligence (for example: accountants, financial advisers and solicitors), insurance and the Australian Consumer Law.

## RECENT CASES



Streeter -v- Power and Bennett Lawyers (A Firm) [2024] (County Court of



SBA Old Co Pty Ltd -v- Carrio and Anor [2023] (County Court of Victoria) (breach of

Victoria)(professional negligence of solicitors  
- breach of fiduciary obligations) (unled)

lease) (unled)



Abou-Jaber -v- Elston [2023] (County Court of Victoria) (loan agreement - constructive trust - conversion) (unled)



Zhou -v- Languillar [2023] (County Court of Victoria) (misleading and deceptive conduct concerning the purchase of a business) (unled)



Environmental Services Group Pty Ltd -v- Industra Coat Pty Ltd & Ors [2023] (County Court of Victoria) (restraint of trade - breach of contract - breach of guarantee - rectification of contract - professional negligence of solicitors) (led by Travis Mitchell)



Tomolo -v- Taylor Preston Lawyers Pty Ltd & Ors [2022] (County Court of Victoria) (professional negligence of solicitors - failure to issue proceedings within limitation period - proportionate liability) (unled)



Sirmersan Marble Industries Joint Stock Company -v- Attila's Natural Stone & Tile Pty Ltd [2022] (County Court of Victoria) (breach of contract - international shipment of products - Free on Board shipping term) (unled)



Blair -v- Cooper [2022] (County Court of Victoria) (injunction preventing interference with Sheriff regarding Warrant of Seizure of Sale) (unled)



Fischer's Cleaning Pty Ltd -v- Project Ux Pty Ltd [2021] (County Court of Victoria) (breach of contract for professional services - misleading and deceptive conduct) (unled)



Sen -v- Raymond Francis Barrett In His Capacity As Liquidator Of Senler Investments Pty Ltd (In Liquidation) [2021] (Federal Court of Australia) (application for a stay or termination of the winding up of a company) (unled)



Waugh -v- Constable Connor & Co Pty Ltd & Anor [2021] (County Court of Victoria) (freezing order - ancillary order - oral examination of judgment debtor - breach of undertaking to Victorian Legal Services Board - installment order pursuant to s 6 of the Judgment Debt Recovery Act 1984 (Vic)) (unled)



Dover Financial Advisers Pty Ltd -v- HN Law Pty Ltd & Ors [2020] (Supreme Court of Victoria) (professional negligence of solicitors - misleading and deceptive conduct - proportionate liability) (led by Andrew Panna QC)



Flexirent Capital Pty Ltd -v- SFM Trucking Pty Ltd & Ors [2020] (County Court of Victoria) (chattel mortgage – guarantee and indemnity – failure to mitigate loss – unconscionable conduct – provision of financial services and unconscionable conduct under s 12CB of the Australian Securities and Investments Commission Act 2001 (Cth)) (unled)



Ultra Lending Pty Ltd -v- 462 Victoria Parade Pty Ltd & Ors [2020] (County Court of Victoria) (breach of contract – mortgage – professional negligence of solicitor – misleading and deceptive conduct – proportionate liability) (unled)



Castrol Australia Pty Ltd -v- Freer [2019] (County Court of Victoria) (breach of contract – trade fund agreement – breach of guarantee and indemnity) (unled)



Enwerd Pty Ltd -v- Corser & Corser [2018] (County Court of Victoria) (retail lease – guarantee and indemnity – penalty clause – unconscionable conduct) (unled)



Samoiloff -v- Grandiflora Nurseries Pty Ltd [2018] (Supreme Court of Victoria) (s 109 appeal from the Magistrates’ Court of Victoria regarding a statutory compensation claim – ss 39 & 40 of the Workplace Injury Rehabilitation and Compensation Act 2013 (Vic) – no evidence to support a finding of fact – procedural fairness – rule in Browne & Dunn) (led by Stephen O’Meara QC)



Charalambous -v- Burgess [2017] (Supreme Court of Victoria) (application for freezing order – risk of dissipation of assets) (unled)



Mann -v- Condon [2016] (Federal Court of Australia) (statutory interpretation – ss 149A and 149N of the Bankruptcy Act 1966 (Cth) – whether bankrupt discharged from bankruptcy) (unled)



Philippiadis -v- TAC [2016] (Supreme Court of Victoria – Court of Appeal) (appeal from the County Court of Victoria against the dismissal of serious injury applications pursuant to s 93 of the Transport Accident Act 1986 (Vic) – clinical records as evidence – adequacy of reasons) (led by Andrew Clements QC)



Chalmers -v- Registrar of Titles [2015] (Supreme Court of Victoria) (breach of finance contract – breach of fiduciary duty – fraud – misleading and deceptive conduct – unconscionable conduct) (led by Caroline Kenny QC and Michael Seelig)



Ozmen -v- ABI Transport [2014] (Supreme Court of Victoria) (s 109 appeal from the Magistrates’ Court regarding a statutory compensation claim and whether a medical panel opinion was binding) (plaintiff discontinued the proceeding) (unled)



Tien -v- Pho [2014] (Supreme Court of Victoria) (s 148 appeal from VCAT regarding proper construction of s 233 of the Property Law Act 1958 (Vic)) (unled)



Anderson & Parslow -v- Angelopoulos [2014] (Supreme Court of Victoria) (s 148 appeal from VCAT - apprehended bias – natural justice – costs order) (unled)



Jackson -v- The Commissioner of the Australian Federal Police [2014] (Supreme Court of Victoria – Court of Appeal) (appeal from the County Court regarding refusal to grant a stay of proceedings under the Proceeds of Crime Act 2002 (Cth) pending a criminal trial) (led by Caroline Kenny QC)



Hopkins -v- Hopkins [2014] (Supreme Court of Victoria) (s 148 appeal from VCAT - adequacy of reasons – offers of compromise - costs order) (unled)



Delta Downs Pty Ltd -v- CS Accounting and Taxation Pty Ltd & Ors [2014] (County Court of Victoria) (breach of retainer – breach of fiduciary duty – professional negligence by accountant and financial planner) (led by Stephen Marantelli)



Guss -v- Boroondara City Council [2012] (Supreme Court of Victoria) (s 109 appeal from the Magistrates’ Court) (unled)

## Publications

Summary Judgment Applications - proceed with caution  
Breach of Contract - Elements of a cause of action  
Freezing Orders  
Security for Costs - Corporations

## Memberships & Committees

[Victorian Bar](#)

To get in touch with Adam Coote | or for more information please contact the Clerk on:

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