

FLINT & BATTERY ADDS PERTH, AUSTRALIA
20 April 2016

20 April 2016 (Singapore): The **Flint & Battery** network (www.flintbattery.com), announced on 20 April 2016 the addition of Gandhi and Shaw, Law Firm in Perth, Western Australia. Gandhi and Shaw is founded by Gandhi and David Shaw, both hugely experienced lawyers in the construction, commercial disputes and arbitration space.

Winston Wong, Director of **Flint & Battery LLC**, Singapore, says, "Gandhi and Shaw brings solid high-end disputes capability to the Flint & Battery Network. The experience of Gandhi and Shaw includes acting for multinationals, domestic homegrown businesses and ASX listed companies. In addition, Perth is home to some of the largest mining players in their respective fields. The firm immediately adds substantial cross-border disputes capability to the Flint & Battery network."

David Shaw, Principal of **Gandhi and Shaw**, says: "The synergies between Gandhi and Shaw and the Flint & Battery network are immeasurable. Like Perth, California, London and Singapore are vibrant commercial hubs. Our ability to access the network will greatly assist the seamless service we provide to our clients."

David advises clients on a variety of corporate and commercial disputes and in relation to corporate regulatory inquiries and investigations, and has more than 30 years of experience, as a barrister in London and as a barrister and solicitor in Sydney and Perth, Australia. David's experience is wide-ranging, including listed Australian and international companies, high net worth individuals and liquidators, in a wide range of sectors, including resources, construction and engineering, real estate, insolvency and restructuring, manufacturing and information technology.

David was called to the Bar at Gray's Inn, London, in 1983. He was admitted as a Solicitor of the Supreme Court of New South Wales in 1988, as a Solicitor and Barrister of the Supreme Court of Western Australia in 1989 and as a Solicitor of the High Court of Australia in 1991.

Gandhi has worked in Singapore and in Australia and has provided advice and representation in complex and high-value disputes, in litigation, arbitration and other alternative dispute resolution proceedings. Gandhi's experience centres around construction and commercial disputes. He has represented clients in the Federal Court of Australia, State Supreme Courts (Western Australia, Victoria and New South Wales), WA District Court, WA State Administrative Tribunal, domestic and international arbitrations and before regulatory bodies. He has also acted for clients in alternative forms of dispute resolution, including negotiations and mediations.

Gandhi was admitted as an Advocate and Solicitor of the Supreme Court of Singapore in 2001, as a Solicitor of the Senior Courts of England and Wales in 2007, as a Solicitor and Barrister of the Supreme Court of Western Australia in 2010, as a Solicitor of the High Court of Australia in 2011 and as Barrister and Solicitor of the High Court of New Zealand in 2011.

The Principals of the firm have acted in wide range of matters, including the following:

- Acted in numerous complex proceedings in Western Australia and Victoria for the liquidators of the Great Southern group of companies, which conducted several failed managed investment schemes involving timber plantations and cattle. The various proceedings in Victoria, in which a number of allegations of misleading and deceptive conduct were made, comprised (at that time) the largest ever class action (in fact, a series of 16 class actions) heard in the Supreme Court of Victoria. The class actions were settled after trial, shortly before judgment was to be delivered, and there followed an application

by the plaintiffs for approval of the settlement, and applications by the liquidators for approval of entry into the settlement deed and for approval of a scheme of arrangement to settle an estimated A\$1.6 billion of potential claims by over 40,000 investors in the various managed investment schemes. David and Gandhi drafted the Scheme Booklet, and David attended with, and advised, the liquidators at the Scheme Meeting held in Melbourne, and appeared as counsel at the liquidators' applications.

- Acted for an ASX-listed uranium explorer in relation to a joint venture dispute and hostile takeover bid.
- Acted for the local subsidiary of a European marine services contractor in defending a claim in excess of A\$70 million arising out of services rendered in an offshore environment. The dispute was settled on commercial terms.
- Acted for the local subsidiary of a European marine services provider in successfully pursuing recovery action against a multinational engineering contractor through multiple adjudications under the Construction Contracts (Security of Payments) Act 2004 (NT) for claims in excess of A\$40 million.
- Advised the local subsidiary of a European marine services contractor in relation to its claims in excess of A\$100 million arising out of the premature termination of an agreement. The dispute was settled on commercial terms.

Notable reported decisions include:

- *Re Great Southern Managers Aust Ltd (in liq)* [2016] VSC 38: Concerns an application on behalf of the liquidators of Great Southern Managers Australia Ltd (in liq), under s411 of the *Corporations Act 2001* (Cth), for approval of a proposed scheme of arrangement in respect of A\$1.6 billion in potential claims.
- *The Australian Electoral Commission v Johnston & Ors; Wang v Johnston & Ors; Mead v Johnston & Ors* [2014] HCA 5: The High Court of Australia, sitting as the Court of Disputed Returns, answered questions of law arising in three petitions which disputed the election of six senators for the State of Western Australia to serve in the Senate of the Parliament of the Commonwealth of Australia.
- *Neptune Geomatics Pty Ltd v Greatship Subsea Solutions Australia Pty Ltd* [2012] WASC 477: An application to set aside a statutory demand, and whether the issue of the statutory demand amounted to an abuse of process.
- *Andrew Koh Nominees Pty Ltd v Pacific Corporation Ltd [No 2]* [2009] WASC 207: An application for limited modification of the implied undertaking, in order to provide to WA Police as evidence of alleged criminal offences, answers to interrogatories produced in civil litigation. *Andrew Koh Nominees Pty Ltd atf KL Unit Trust v Pacific Corporation Ltd [No 3]* [2010] WASC 248: An application for a stay of civil proceedings until completion of criminal proceedings.
- *Bond Brewing Holdings Ltd v Crawford* (1989) 1 WAR 517: Application to the Supreme Court of Western Australia for an injunction restraining the receiver appointed to Bond Brewing Holdings from taking any step under an order granted by Justice Beach in the Supreme Court of Victoria.

The **Flint & Battery** network comprises law firms with offices in California, London, Perth, Singapore and Sydney. Network firms consist: Altheis Ltd (London), Gandhi and Shaw (Perth), LWPG (Sydney), Flint & Battery LLC (Singapore), Origins Legal (California).