

## Graeme Slattery

**Partner**

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### About Graeme

Graeme Slattery is a disputes partner in our Sydney office. He has over 20 years' experience assisting clients in corporate and commercial disputes, public and administrative law matters and regulatory investigations and prosecutions. Graeme was described in *Legal 500 Asia Pacific 2024* as "solutions-focused, commercial and always available. Fast turnaround when required."

Graeme has deep sector experience across natural resources, manufacturing and supply and technology sectors. His practice includes representing clients in a wide range of high-value and complex disputes, many of which have cross-border aspects. His experience includes conducting disputes on a wide range of corporate and commercial matters, regulatory compliance and licensing, administrative law and other private law issues. These include disputes relating to large mining and gas projects, share and other business sale agreements, property developments, finance agreements, joint ventures, investment schemes, directors' duties, disclosure obligations and oppression actions.

While Graeme's litigation practice encompasses a variety of industry sectors and issues, he has particular experience in assisting clients with corporations law matters including disputes, governance and shareholder matters, drawing from both his extensive experience with clients and his role as a director in listed and private companies.

Graeme also has extensive experience in advising private and public clients on regulatory and administrative law matters in a wide range of areas including advising statutory bodies. He is frequently called on to assist clients dealing with the Australian Securities and Investments Commission, environmental and other regulators, as well as actions by special interest groups. Graeme has represented clients in a wide range of other public law and regulatory areas, including various state and territory administrative tribunals, Senate committees and coronial inquiries. He has assisted clients with product recalls, Australian Competition and Consumer Commission (ACCC) investigations, workplace accidents, manufacturer's liabilities, food safety and dangerous goods investigations and prosecutions.

His extensive environmental experience includes acting in the defence of two of the most significant prosecutions ever commenced under the *Environmental Protection Act 1986* (WA) and acting in the first ever challenge under the "water trigger" provisions of the *Environment Protection and Biodiversity Conservation Act 1999* (Cth).

## Experience

### Corporate and Commercial Disputes

- Represented a global service provider seeking to recover loss and damage from the vendors of a private contracting business arising from misleading conduct by the vendors and defending the obligation to make further payments to the vendors.
- Represented a large global service provider that acquired an Australian-listed service provider for claims arising from inaccurate financial accounts which inflated the value of the business.
- Acted for a global pharmaceutical business regarding the recovery of an overpayment of the purchase price paid for a private Australian company. The overpayment occurred at completion arising from errors by a third-party.
- Represented a global technology supplier facing a large damages claims in relation to alleged poor performance of an industrial facility using my client's technology.
- Represented a supplier of face masks and other protective medical equipment and COVID test kits during the outbreak of COVID in a large contractual dispute with the state government of Western Australia.
- Acted for an Australian-listed mining company in a warranty dispute with the vendor of an operating mine regarding significant environmental liabilities where the regulator was seeking to draw on AUS\$45 million environmental bond.
- Acted in for a pharmaceutical company in a dispute with another Australian pharmaceutical company regarding the alleged use of confidential information by a former employee seeking damages and an account of profit.
- Represented a large global gold mining company in a dispute regarding an agreement to acquire an interest in an asset by carrying out exploration work where the valuation of work completed was challenged which risked milestones not being met and all past expenditure being forfeit.
- Represented an offshore oil and gas company in a SIAC arbitration commenced to recover payments due under an operating agreement where specified levels of oil reserves were met.
- Represented an ASX-listed company in an action alleging tortious contractual interference and other breaches arising from the award of high value mining tenements in Africa.
- Acted for an international bank in a licensing dispute with a global software provider regarding the use of compliance critical software.

### Shareholder/Board Level Dispute/Joint Ventures

- Represented a corporate shareholder in an ASX-listed entity in a dispute with another majority shareholder, and where competing shareholder meetings had been called in an attempt to secure control of the board. Expedited proceedings occurred over a three-week period to obtain declarations in relation to both shareholder meetings.
- Acted for the shareholder of company registered in British Virgin Islands in a buyout dispute with a minority shareholder where proceedings to wind up the company were commenced.
- Advised the board of an ASX-listed entity on strategy and steps where a major shareholder was seeking to take control of the board.
- Represented a large property developer in dispute with the overseas shareholders of an investment vehicle for a development including the defence of claims based upon breach of directors' duties and oppression.

- Represented a group of minority shareholders of a large private company in a wide-ranging dispute with a majority shareholder over undocumented loans to the company and unwritten agreements to issue additional shares.

### **Contentious Regulatory Matters**

- Represented a listed company responding to an investigation by Australian Securities and Investments Commission (ASIC) into a report that our client has made misleading public statements about its green credentials and activities (greenwashing).
- Represented an New South Wales (NSW) Statutory body in a dispute with a coal miner regarding the extraction and use of gravel on mining tenements.
- Represented a global logistics business in an action by the NSW Department of Planning and Environment regarding allegations of breach of restrictions of use of contaminated land used to store wind turbine blades.
- Represented an ASX-listed company charged with breaching laws regarding the transport and handing of dangerous goods by road.
- Represented several global product manufacturers regarding product recalls and then assisting with discussions with the Australian Competition and Consumer Commission (ACCC) and the product recall itself.
- Represented a manufacturer of large mining equipment in an investigation into a serious accident on a work site with a machine manufactured by my client resulting a worker suffering serious injuries.
- Represented directors being investigated and then prosecuted by ASIC for making false statements when applying to deregister a company.
- Represented a large manufacturer with ongoing investigations, compulsive requests for documents and other actions arising from my client's operating licence and alleged unreasonable impact on a neighbouring residential area.
- Represented the operator of a port in relation to an investigation into potential environmental breaches arising from the handling of mining products, which were alleged to have contaminated the community.

### **Administrative Law**

- Represented a listed oil and gas company that was the holder of an environmental approval, which was challenged by a public interest group on the basis that the work approved posed a significant risk to a water resource under the *Environment Protection and Biodiversity Conservation Act 1999*.
- Acted for the operator of an industrial facility in an appeal by a large interest group against a new operating licence.
- Acted for the operator of an industrial facility in judicial review proceedings commenced by the operator regarding a Minister's decision to impose conditions on the operating licence of my client.
- Acted for Woolworths in an application to substitute a liquor licence to open the first Dan Murphy's store in Darwin that involved significant input from community groups and a five-day hearing before the Liquor Commission, an urgent interim injunction and multiple other sets of proceedings.

- Represented multiple clients (both mining and oil and gas) in mediations and then arbitrations to finalise the terms of Access Agreements with private land holders under the terms of the applicable legislation.

### **Property Disputes**

- Acted for multinational petrol station operator in proceedings over the exercise of an option to renew a lease where issues arose over the registration of the lease as part of the purchase of the site from the previous owner.
- Acted for a global service provider in an extended dispute with a landlord over air conditioning and other core services in a tenancy in their head office in Australia. Dispute involved three separate sets of proceedings including an application for urgent interim injunction.
- Represented a Sydney landlord facing multiple claims of estoppel and negligence over water damage to property in commercial premises.
- Represented the builder/developer of a prime site in Cronulla in a dispute with the owner of the site and the funders arising from delays by the owner.
- Represented the tenant and operator of a childcare centre in a dispute with its landlord which was building the childcare centre premises pursuant to development and lease agreement on a site in Sydney.
- Acted for several listed mining and oil and gas companies in relation to disputed access agreements in NSW and the Northern Territory that were resolved by an arbitration or Tribunal orders.
- Acted for statutory body in a dispute with a group of residents over proposed redevelopment of inner-city site.

## **Credentials**

### **Education**

- The University of Western Australia, B.A., 2004
- The University of Western Australia, LL.B., 1998

### **Admissions**

- High Court of Australia, 2007
- Western Australia, 2002

## **Recognitions**

- Recommended in *Legal 500 Asia Pacific* 2019 in dispute resolution, and restructuring and insolvency, Australia
- Recommended in *Legal 500 Asia Pacific* 2018 in dispute resolution, Australia
- Recommended in *Legal 500 Asia Pacific* 2017 in dispute resolution, Australia

## **Expertise**

### **Services**

- Litigation
- Restructuring & Insolvency

## Industries

- Construction & Engineering

## About our firm

One of the world's strongest integrated law firms, providing insight at the point where law, business and government meet. We deliver commercially focused business solutions by combining our legal, lobbying and political capabilities and invaluable connections on the ground to a diverse mix of clients, from long-established leading corporations to emerging businesses, startup visionaries and sovereign nations. More than 1,500 lawyers in over 40 offices across four continents provide unrivaled access to expertise.