

Guy Peterson

Special Counsel

Melbourne
+61.3.9205.2042

guy.peterson@klgates.com

OVERVIEW

Guy Peterson has over 20 years' experience in commercial and insurance coverage disputes across Victoria and Western Australia. He acts for both insurers and policyholders in a broad range of commercial and personal injury matters, with a particular focus on insurance coverage issues. Guy regularly assists policyholders with identifying the most appropriate policy to respond, claim notifications, coverage disputes, contractual obligations to obtain insurance, and policy reviews. He has defended a wide range of claims, on behalf of insurers and policy holders, involving:

- Public liability;
- Property damage;
- "Worker to worker" claims (under both the WIRC Act and Comcare schemes), especially within the construction industry;
- Allegations of intentional torts, including assault, battery and wrongful imprisonment; and
- The development of cancers from exposure to chemicals, including asbestos, dust and bushfire smoke.

PROFESSIONAL BACKGROUND

Guy commenced his legal career at a boutique insurance litigation law firm in Perth, where he advised on a number of insurance and commercial disputes, including initially acting for the successful policy holder in *Maxwell v Highway Hauliers* Pty Ltd [2014] HCA 33.

In 2009, Guy then joined the Perth office, where he advised on a number of commercial litigation, personal injury, and insurance coverage matters, until he moved to the firm's Melbourne office in 2016, where he has focused on insurance coverage matters.

PROFESSIONAL / CIVIC ACTIVITIES

- Australian Insurance Law Association member

- Law Institute of Victoria member

EDUCATION

- B.S., University of Western Australia, 2005 *(Psychology)*
- LL.B., University of Western Australia, 2005

ADMISSIONS

- High Court of Australia
- Supreme Court of Western Australia

THOUGHT LEADERSHIP *POWERED BY HUB*

- 27 November 2023, Medical Panel Referrals and Determinations in Multi-Defendant Claims

AREAS OF FOCUS

- Commercial Disputes
- Insurance Recovery and Counseling

EMERGING ISSUES

- Emerging Contaminants

REPRESENTATIVE EXPERIENCE

Insurance Coverage

- Acting for an emergency services agency in relation to claims for recovery from historic insurers.
- Advising a contractor on a claim by head contractor for breach of contractual obligations to obtain principal's indemnity extension in favour of head contractor.
- Advising a purchaser on the adequacy of insurance arrangements, including bushfire coverage, for owner of forestry assets.
- Advising a renewable energy company on the adequacy of insurance arrangements, including limits of liability, in place by potential licensee.
- Advising a multinational technology and logistics company on coverage issues under CTP legislation in Victoria, Western Australia, South Australia and Queensland for gig economy delivery drivers.

- Advising a multinational technology and logistics company on disclosure obligations to injured contractors, workers compensation insurers and medical practitioners.
- Advising an insurer on coverage issues arising from whether damage to a wooden pier was due to wear and tear.
- Advising an insurer on coverage issues arising from claim for fines or penalties arising from alleged wage theft made by officers of the policy holder.
- Advising an insurer on coverage issues arising from whether pollutants exclusion applies to claims arising from inhalation of toxic smoke.
- Advising an insurer on coverage issues arising from non-performance of timber supply contract and the late notification of the claim by the policy holder.
- Advising an insurer on policy holder's rights to withdraw claim for indemnity under policy.
- Acting for an insurer in relation to recovery of settlement monies and defence costs from co-defendant's public liability insurer.
- Acting for an insurer in relation to recovery of defence costs from contractor who agreed to indemnify the policy holder.

Personal Injury

- Acting for a casino operator in relation to various public liability and WorkCover claims, including claims involving the adequacy of cleaning procedures, allegations by patrons of assault and injuries to contractor's employees.
- Defending claims against emergency services agencies by volunteer members exposed to toxic smoke.
- Defending a claim against a Road Authority by the dependents of a contractor fatally injured during road works.
- Defending a claim against a council by a member of the public paralyzed after diving into shallow water.
- Defending a claim against statutory authority for assault by authorised officers.
- Defending public transport authorities from occupiers' liability claims by passengers.
- Defending a government department against a *Water Act* claim arising from water flowing onto a neighbour's property.