

Nicholas Brown

Partner

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OVERVIEW

Nicholas Brown is an experienced dispute resolution lawyer representing clients' interests in complex litigation. His practice spans corporations law, insolvency as well as white collar crime.

Nicholas is tireless in representing his clients' interests. He provides pragmatic commercial advice and is a clear communicator.

Nicholas has acted for organisations as well as high-wealth individuals covering a wide variety of industries including mining, oil and gas, property and more recently cybercrime and cryptocurrency. His commercial litigation experience extends to contractual disputes, claims under consumer legislation relating to misleading and deceptive conduct, directors' duties as well other claims at common law.

PROFESSIONAL BACKGROUND

Prior to joining the firm, Nicholas was a partner in an Australian national law firm for four years and prior to this, a partner with a boutique Western Australian law firm for three years.

ACHIEVEMENTS

- Recognised by *The Legal 500 Asia Pacific* as a Recommended Lawyer for Dispute Resolution: Litigation in Australia, 2021-2024, 2026
- Listed in *The Best Lawyers in Australia*™ for Alternative Dispute Resolution, 2020-2022
- Recognised by *Doyle's Guide* as a recommended Leading Commercial Litigation & Dispute Resolution Lawyer in Western Australia, 2016

PROFESSIONAL / CIVIC ACTIVITIES

- Member of the Law Society of Western Australia
- French-Australian Chamber of Commerce and Industry

- Member of the Australian Mining and Petroleum Law Association

EDUCATION

- LL.B., University of Glasgow, 1994
- B.A., University of Western Australia, 1990

ADMISSIONS

- High Court of Australia
- Supreme Court of New South Wales
- Supreme Court of Queensland
- Supreme Court of South Australia
- Supreme Court of Victoria
- Supreme Court of Western Australia

LANGUAGES

- French

THOUGHT LEADERSHIP *POWERED BY HUB*

- March 2022, Extraterritorial Disputes
- September 2015, Arbitration World

NEWS & EVENTS

- 3 February - 19 February 2026, 2026 CPD Program–Australia
- 11 February - 20 February 2025, 2025 CPD Program–Australia
- 13 February - 21 February 2024, 2024 CPD Program–Australia

AREAS OF FOCUS

- Commercial Disputes
- Fintech Lending
- International Arbitration

- Restructuring and Insolvency
- White Collar Defense and Investigations

INDUSTRIES

- Energy
- Oil and Gas

REPRESENTATIVE EXPERIENCE

- Applying to the Federal Court to obtain appointment of receivers over assets of a private equity fund and proceedings for breach of trust, possible breaches of requirements to register managed investment schemes.
- Advising in relation to issues arising from the issue of cryptocurrency coin offerings.
- Advised individuals and corporations in connection with corporate insolvency and associated director and parent company liability issues.
- Tsvetnenko v United States of America [2019] FCA 206 - Advised prominent Australian citizen in respect of extradition proceedings.
- Otto Energy (Tanzania) Pty Ltd v Swala Energy Ltd [2016] FCA 1266 - Acted in an ICC mediation for Australian ASX-listed African based oil exploration company.
- Tasfoods Ltd v Tasmanian Land Company Ltd (Supreme Court of Victoria, Judd J, December 2015) - Represented the interests of a Chinese-based investor in relation to the acquisition of a dairy farm in Tasmania.
- Advising a large Australian bank in relation to a dispute concerning an application for default judgment for possession by mortgagee.
- Advised receivers in relation to issues concerning the interests of secured parties in relation to a significant corporate insolvency.
- Advising international litigation funder regarding the implication of other Personal Property & Securities Act 2009 (Cth) on its standard litigation funding agreements.
- Advising the board of an ASX-listed mining company in connection with the appointment of a voluntary administrator over subsidiary companies.
- Advising and representing commercial clients in relation to commercial disputes involving the unwinding of partnerships, joint property holdings and trusts and companies arising from joint business.
- Acted for creditors in connection with winding-up applications.
- Jones, in the matter of Great Southern Ltd (in liquidation) [2017] FCA 169. (Corporations Act, corporate insolvency, debt subordination and equity - Advising and representing liquidators (of the Great Southern

Group) in relation to the liquidation and winding up of agricultural managed investment schemes associated with the Great Southern Group of Companies in what was a billion dollar liquidation.

- Bux Global Ltd v Hooke & Anor (2018) 128 ACSR 18 - Represented the interests of a private company in relation to various disputes concerning its shareholding.
- MOL Bulk Carriers Pte Ltd v Sin-Tang Development Pte Ltd [2016] FCA 619 - Represented the interests of an overseas entity in Federal Court proceedings.