

# IAN BAILEY AM SC

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## Select Cases and Alternative Dispute Resolution Matters

### Supreme Court of New South Wales

- Referee of proceedings under Part 72 of the Supreme Court Rules and since 2005 under Uniform Civil Procedure (“UCP”) Rules Part 20
- Several proceedings from 2005 to 2014
- In all matters Reports have been adopted by Supreme Court and on two occasions by the Court of Appeal in New South Wales
- Mediator in numerous Court-directed mediations, 2005 - 2013

### District Court of New South Wales

- Referee of in excess of ten proceedings under Part 28B of District Court Rules and since 2005 under UCP Rules Part20
- In all matters Reports have been adopted by District Court and on one occasion by the NSW Court of Appeal
- Mediator in numerous Court-directed Mediations 2003 to date

### Commercial Arbitration

- Arbitrator in numerous Construction Disputes 1988 to date, including both substantial international and domestic proceedings, primarily as a sole arbitrator
- Award in *Wagners Nouvelle Caledonie Sarl v Vale Inco Nouvelle Caledonie SAS* [2010] QCA 219 distinguishing the difficult *Eisenwerk* decision was upheld by Queensland Court of Appeal
- Nominee of Royal Australian Institute of Architects in 5 joint arbitrations 1980 - 83

### Expert Facilitation

- Facilitator, under a pre-action agreement, of substantial disputes involving Supreme Court & arbitration proceedings arising in a mining related contract in South Australia June 2009 and a major ship loading facility in Queensland during 2011

### SOP Adjudications

- Adjudicator in ten matters under the *Building and Construction Industry Security of Payment Act 1999* NSW including multi million dollar payment claims 2006 – 2011

### Expert Determination

- Expert in major Commercial and Construction Expert Determinations 1985 to date

### Commercial Mediation

- Appointed by the parties to act as mediator in many commercial and construction disputes across Australia