

# Marjorie Daley

Year of call: 2021

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## Overview

Marjorie is an experienced commercial litigator with a particular interest in professional negligence and insurance related disputes. She has extensive experience in multi-party complex litigation, particularly in the areas of property damage, economic loss and nuisance.

Since coming to the Bar, Marjorie has developed a practice in succession law, and regularly advises in family provision applications, informal wills and trustee matters.

## Areas of practice

- Building & Construction
- Competition and Consumer
- Contract
- Corporations
- Equity & Trusts
- Insurance
- Professional Negligence
- Property
- Tort
- Wills & Estates

## Education

- 2000** Bachelor of Laws (Hons), University of Queensland
- 1998** Bachelor of Arts (Modern History), University of Queensland

## Career summary

- 2021** Called to the Queensland Bar
- 2007 – 2021** Senior Associate, Minter Ellison (practising in the Canberra, Melbourne and Brisbane offices)
- 2003 – 2006** Solicitor, Oxford, United Kingdom

## Selected cases

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- *Li & Ors v Margate Beach Properties Pty Ltd* (Supreme Court, Qld) – purchasers’ claim under s. 18 ACL for representations made about asbestos contaminated land (led by Jane Muir) (current)
- *Toowoomba Regional Council v The Commonwealth of Australia* – acting for the Council in claims for damages in negligence, nuisance and breach of statutory duty in respect of losses sustained from PFAS contamination of groundwater and soil at Oakey, Queensland (led by Dan Piggott KC) (current)
- *Oakey Beef Exports Pty Ltd v The Commonwealth of Australia* – acting for Oakey Beef in claims for damages in negligence, nuisance and breach of statutory duty in respect of losses sustained from PFAS contamination of groundwater and soil at Oakey, Queensland (led by Dan Piggott KC) (current)
- *Pearson v ING Bank (Australia) Ltd* (2023) 14 QR 170 (led by Jane Muir): security for costs and factors relevant to the exercise of the discretion
- *Enkelmann & Ors v Stewart & Anor* [2023] QSC 111 (led by Nick Ferrett KC): discovery, scope and application of r 212(2) UCPR, including whether a solicitor’s file note of an expert’s opinion is a statement or report of an expert pursuant to r 212(2) and is not privileged from disclosure
- *Bordonaro v State of Queensland* [2022] QDC 002: pleadings, particulars
- *Hose Pty Ltd v Wide Bay Insurance Broking Pty Ltd* [2022] QSC 223: pleadings, strike-out application; proportionate liability under the *Civil Liability Act 2002* (Qld)
- *AIG Australia Limited v Sudale & Anor* [2022] QCA 160 (led by Jane FitzGerald): non-party disclosure; stay of proceedings
- *Otis Elevator Company Pty Ltd v Drane* [2021] QCA 160 (led by Angela Rae): continuation of proceeding after delay