

James Sharpe

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13th Floor St James Hall Chambers | 169 Phillip Street, Sydney NSW 2000

James' practice centres predominantly on insurance and commercial disputes. Prior to being called to the Bar in September 2020, James worked for more than 10 years as a solicitor in Sydney and London advising insurers and commercial clients.

EXPERIENCE (Barrister)

September 2020 onwards

- *Estate of Bovaird v Milstern Retirement Services Pty Ltd* [2022] NSWCATAP 75 – advising and appearing for a nursing home operator in proceedings listed before the NCAT Appeal Panel in which the appellant sought a variety of relief including the recalculation of recurrent charges pursuant to the *Retirement Villages Act 1999 (NSW)*. In this matter, James also appeared on behalf of the same operator in the proceedings at first instance and was successful in obtaining contractual repayments and defeating the former occupant's cross-application
- *NSW Trustee & Guardian re the Estate of Massie* – advising and appearing for NSW Trustee & Guardian in Supreme Court of NSW proceedings involving an estate distribution dispute relating to a death occurring in 1912. In these proceedings, James successfully obtained a Benjamin Order permitting for the distribution of the estate on the basis he had advised to the Trustee and as was outlined to the Court in lengthy written submissions
- Advising and appearing in Supreme Court of NSW proceedings relating to settlement damage suffered to a property in Sydney's eastern suburbs in which the plaintiffs pursue 5 concurrent wrongdoers including civil and geotechnical engineers, builders and neighbours

EXPERIENCE (Solicitor)

Senior Associate

Wotton + Kearney, Sydney

2016 – 2020

Overview

- Assisting several Partners and Special Counsel in the Firm's General Liability team
- Daily conduct of 30+ matters in areas including property, construction, insurance and personal injury

Experience and engagements

- Issuing subrogated recovery proceedings in the Equity Division of the Supreme Court of NSW for fire related losses at the Port of Newcastle
- Advising a large Australian insurer on a co-insurance dispute to recover losses under a binder agreement
- Advising London Market insurers in ACT Supreme Court proceedings which were successfully transferred by the insured defendants to Supreme Court of NSW

Solicitor (Australian qualified)

DAC Beachcroft, London

2015 – 2016

Overview

- Assisting the Firm's Construction and Property team in relation to a variety of first and third party insurance claims
- Daily conduct of litigated and non-litigated matters involving coverage, property loss and reinsurance

Experience and engagements

- Advising reinsurers on a GBP 40 million LEG2 dispute relating to construction losses sustained by a joint venture in Qatar. Preparations included advising on an array of concrete and electrical engineering evidence and engaging local Qatari lawyers to provide advice on jurisdictional, arbitration and limitation issues specific to the claim

- Acting as coverage counsel for Home Warranty insurers in UK High Court proceedings which related to a large residential development in northern England at risk of not completing.
- Advising London market insurers in relation to a non-litigated claim for losses to a gas turbine at an electricity plant in Wales. Preparations included obtaining an opinion from a leading turbine expert based in Germany

Senior Associate

Norton Rose Fulbright, Sydney

2012 – 2015

Overview

- Assisting Partners and Special Counsel to service insurer and large commercial clients including QBE, BP, Stockland, MLC, Marsh, Leighton and CGU in a variety of personal injury, insurance and litigation disputes

Experience and engagements

- Acting for a large Australian retailer and Government department in defence of a high volume of personal injury claims litigated in the Supreme Court and District Court of NSW
- Acting for a London Market insured Hotel Syndicate in defence of catastrophic personal injury proceedings relating to a hotel assault
- Advising London Market insurers in relation to a multimillion AUD ballast train derailment in Broken Hill

Associate

2009 - 2012

Moray & Agnew Lawyers, Sydney (Insurance)

Overview

- Associate in general insurance, catastrophic injury and professional indemnity teams

EDUCATION AND INTERESTS

- Juris Doctor (J.D.) University of Technology Sydney 2006-2009
- Bachelor of Arts (B.A.) (History and Philosophy) University of Sydney 2003-2005
- Sydney Grammar School 1990-2002
- Sydney University Rugby Union 2003-2005
- Cadet Under Officer (Sydney Grammar School Cadet Corps) 2002

AWARDS

- 2014 Finalist in the Lawyers Weekly "30 Under 30" Awards – Insurance category