

# CURRICULUM VITAE OF MICHAEL O'MEARA SC

## ***Professional qualifications:***

- BA, LLB (Hons) (ANU). University Medal in Law. Supreme Court Judges' Prize. LLM (Syd). M Tax (Syd).
- Admitted to the New South Wales Bar, 2005. Appointed Senior Council in 2019.
- Admitted as a Solicitor of the Supreme Court of New South Wales, 2001.

## ***Some notable cases:***

### High Court:

- *Commissioner of Taxation v Carter* [2022] HCA 10; (2022) 274 CLR 325.
- *Commissioner of Taxation v Travelex Limited* [2021] HCA 8; (2021) 271 CLR 605.
- *Glencore International AG v Federal Commissioner of Taxation* [2019] HCA 26; (2019) 265 CLR 646.
- *Pipikos v Trayans* [2018] HCA 39 (2018) 265 CLR 522.
- *Wilkie v Commonwealth; Australian Marriage Equality Ltd v Cormann* [2017] HCA 40; (2017) 263 CLR 487.
- *Ramsay Health Care Australia Pty Ltd v Compton* [2017] HCA 28; (2017) 261 CLR 28.
- *Blank v Commissioner of Taxation* [2016] HCA 42; (2016) 258 CLR 439.
- *Bell Group NV (in liquidation) v Western Australia* [2016] HCA 21; (2016) 260 CLR 500.
- *Commissioner of Taxation v Australian Building Systems Pty Limited (in liq)* (2015) 257 CLR 544.
- *TCL Air Conditioner (Zhongshan) Co Ltd v The Judges of the Federal Court* [2013] HCA 5; (2013) 251 CLR 533.
- *X7 v Australian Crime Commission* [2013] HCA 29; (2013) 248 CLR 97.
- *British American Tobacco Australia Ltd v Commonwealth (Plain Packaging Case)* [2012] HCA 43; (2012) 250 CLR 1.
- *Westport Insurance Corporation v Gordian Runoff Limited* [2011] HCA 37; (2011) 244 CLR 239.
- *British American Tobacco Australia Ltd v Laurie* [2011] HCA 2; (2011) 242 CLR 283.
- *Travel Compensation Fund v Tambree* [2005] HCA 69; (2005) 224 CLR 627.

### Full Court of the Federal Court:

- *Lee v Deputy Commissioner of Taxation* [2023] FCAFC 22; (2023) 296 FCR 272.

- *Director General of Security v Plaintiff S111A/2018* [2023] FCAFC 33; (2023) 296 FCR 639.
- *Advanced Holdings Pty Limited v Federal Commissioner of Taxation* [2021] FCAFC 135; (2021) 113 ATR 508 .
- *Peter Greensill Family Co Pty Limited (Trustee) v Federal Commissioner of Taxation* [2021] FCAFC 99; (2021) 285 FCR 410 (special leave refused: [2022] HCATrans 19).
- *Federal Commissioner of Taxation v Glencore Investment Pty Limited* [2020] FCAFC 187; (2020) 281 FCR 219.
- *Federal Commissioner of Taxation v Fortunatow* [2020] FCAFC 139; (2020) 278 FCR 409.
- *Australian Competition and Consumer Commission v Cascade Coal Pty Limited* [2019] FCAFC 154; 372 ALR 90.
- *Oztech Pty Limited v Public Trustee of Queensland* [2019] FCAFC 102; (2019) 269 FCR 349.
- *Commissioner of Taxation v Resource Capital Fund IV LP* [2019] FCAFC 51 (2019) 266 FCR 1; [2019] HCATrans 190.
- *Satyam Computer Services Ltd v Commissioner of Taxation* [2018] FCAFC 172; (2018) 266 FCR 502.
- *Denmark Community Windfarm Ltd v Commissioner of Taxation* [2018] FCAFC 11 (2018) 259 FCR 179.
- *Commissioner of Taxation v Primary Health Care Limited* [2017] FCAFC 131; (2017) 252 FCR 496.
- *Commissioner of Taxation v Donoghue* [2015] FCAFC 183; (2015) 237 FCR 316.
- *Allan J Heasman Pty Limited v Commissioner of Taxation* (2015) 233 FCR 520.
- *Commissioner of Taxation v McGrouther* [2015] FCAFC 34; (2015) 229 FCR 446.
- *Obeid v Australian Competition and Consumer Commission* [2014] FCAFC 155; (2014) 226 FCR 471.
- *Commissioner of Taxation v Resource Capital Fund III LP* (2014) 225 FCR 290; [2014] HCATrans 235.
- *Commissioner of Taxation v Resource Capital Fund IV LP* [2013] FCAFC 801; (2013) 215 FCR 1.
- *Commissioner of Taxation v Macquarie Bank Limited* [2013] FCAFC 13; (2013) 210 FCR 164.
- *TT-Line Co Pty Limited v Commissioner of Taxation* (2009) 181 FCR 400.

#### New South Wales Court of Appeal:

- *Ibrahimi v Commonwealth of Australia* [2018] NSWCA 321; (2018) 366 ALR 341.
- *Commissioner of the Australian Federal Police v McGlone* [2016] NSWCA 103.
- *Commissioner of Taxation v 4 Doonan Street Collinsville Pty Ltd (in liq)* [2016] NSWCA 69; (2016) 102 ATR 917.

- *R v CB; MP v R* [2011] NSWCCA 264; (2011) 291 FLR 113.

Federal Court of Australia:

- *Simplot Australia Pty Limited v Federal Commissioner of Taxation* [2023] FCA 1115.
- *YTL Power Investments Ltd v Federal Commissioner of Taxation* [2023] FCA 258.
- *La Mancha Group International BV v Commissioner of Taxation* [2020] FCA 1799; (2020) 112 ATR 660.
- *Advanced Holdings Pty Limited v Federal Commissioner of Taxation* [2020] FCA 1479.
- *N&M Martin Pty Limited v Commissioner of Taxation* [2020] FCA 1186.
- *Brett Cattle Company Pty Limited v Minister for Agriculture, Fisheries and Forestry* [2020] FCA 732; 274 FCR 337.
- *Peter Greensill Family Co Pty Ltd v Federal Commissioner of Taxation* [2020] FCA 559.
- *Douglass v Commissioner of Taxation* [2019] FCA 1246; 110 ATR 393.
- *Lochtenberg v Commissioner of Taxation* [2019] FCA 1167; 110 ATR 1167.
- *Fyna Projects Pty Ltd v Deputy Commissioner of Taxation* [2018] FCA 2041; (2018) 267 FCR 218.
- *Oztech Pty Limited v Public Trustee of Queensland (No 15)* [2018] FCA 819.
- *Resource Capital Fund IV LP v Commissioner of Taxation* [2018] FCA 41.
- *Australian Competition and Consumer Commission v Cascade Coal Pty Limited (No 3)* [2018] FCA 1019.
- *Selth v Australasian Barristers Chambers Pty Limited (No 3)* [2017] FCA 649; (2017) 256 FCR 367.
- *Whitby Land Company Ltd v Deputy Commissioner of Taxation* [2017] FCA 28.
- *Federal Commissioner of Taxation v Warner* [2015] FCA 659; (2015) 244 FCR 479.
- *Kafataris v Federal Commissioner of Taxation* [2015] FCA 874; (2015) 243 FCR 291
- *KAP Motors Pty Limited v Commissioner of Taxation* (2008) 168 FCR 319.

Other Courts:

- *Nerang Subdivision Pty Limited v Hutson* [2023] QSC 268.
- *Integrated Trolley Management Pty Limited v Chief Commissioner of State Revenue* [2023] NSWSC 557.
- *Tab Land Pty Limited v Western Australian Planning Commission (No 3)* [2023] WASC 35.
- *Wrestpoint Nominees Pty Limited v City of Armadale* [2022] WASC 366.
- *City of Wanneroo v Tab Land Pty Limited* [2022] WASC 53; [2020] WASC 249.

- *Pesec v Consolidated Builders Ltd* [2021] ACTCA 25; [2021] ACTSC 105.
- *Ibrahimi v Commonwealth of Australia (No 9)* [2017] NSWSC 1051.
- *293 Nicholson Road Pty Limited v Administrative Appeals Tribunal* [2017] WASC 321; 326 FLR 349.
- *Innes v Commonwealth* [2015] ACTCA 33.
- *Corkhill v Commonwealth* [2015] ACTSC 216; 11 ACTLR 23.

***Publications:***

- “From Elder Dempster to London Drugs: The Saga of Vicarious Immunity” (2005) 21 *Journal of Contract Law*, 131.
- “Causation Remoteness and Equitable Compensation” (2005) 26 *Australian Bar Review* 51.