



RESUMÉ

As at 31 January 2008

TROY PEISLEY

Chartered Accountant + Solicitor

B.Bus, D.Law, C.A

EXPERTISE:

Forensic Accounting, Litigation and Commercial Law

CONTACT DETAILS:

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QUALIFICATIONS:

Professional Membership

- Member, Law Society of New South Wales, since 1996
- Solicitor, Supreme Court of New South Wales, since 1996
- Member, Institute of Chartered Accountants in Australia, since 1999
- Member, ICAA Forensic Accounting Special Interest Group.
- Member of Commercial Law Association.
- Member of Experts Panel, Australian Commercial Disputes Centre
- Honorary Solicitor, RSL Life Care, Narrabeen, since 2002 (Pro Bono)

Tertiary Education

- University of Technology, Sydney - Bachelor of Business, 1992 -1996
- NSW Solicitors Admission Board - Diploma of Law, 1992 – 1995
- Graduate Certificate in Forensic Studies, Monash University, 2002 - 2003

Professional Education

- NSW College of Law - Graduate Diploma in Legal Practice, 1996
- Institute Chartered Accountants Australia – PY Programme, 97 – 1999
- Received specialist expert witness training under Professor George Hampel QC, retired Justice of the Supreme Court of Victoria

TRAINING:

Seminars

- Presented seminars for the Law Society of NSW and the Law Institute of Victoria on:
 - ⇒ How to read a Financial Report
 - ⇒ Forensic Accounting for Lawyers
 - ⇒ Quantifying Commercial Damages
- In October 2003 and November 2005, presented the above seminars for Lexis Nexis in Singapore and Malaysia
- Published numerous articles in professional magazines

EXPERIENCE:

Employment History

Client History

Accounting Services

Legal Services

- Troy Peisley Chartered Accountant + Solicitor, 1999 – Present
- The Quinn Group, Senior Accountant and Solicitor, 1995 - 2000
- Provided accounting and legal services to clients in the following industries:
 - ⇒ Building and Construction – Builders, Sub Contractors, Property Developer and Interior Designer
 - ⇒ Entertainment – Film Distributor, Film Marketing, Producer and Screenplay Writer
 - ⇒ Hospitality and Tourism – Registered Clubs, Hotel, Ski Lodge and Travel Agency
 - ⇒ Information Technology – Service Level Agreements, Software Distribution Agreements, Copyright Disputes
 - ⇒ Import and Export – Pesticides Importer/Exporter, Machinery Distributor and Surfing Products Distributor
 - ⇒ Franchising – Coffee
 - ⇒ Manufacturing – Bodyboard, Clothing, Bedding, Sugar and Stencil Concrete
 - ⇒ Primary Producer – Farmer and Horse Agistor
 - ⇒ Services – Events Marketing, Graphic Designers, Doctors, Computer Programmers and an Education Provider
 - ⇒ Retail – Cafés, Restaurants, Computer, Camera, Clothing and Car Hire
- Provided the following accounting services:
 - ⇒ Preparation of interim and end of year Financial Statements
 - ⇒ Preparation of management reports e.g. cash flow forecasts and budgets
 - ⇒ Income Tax, Capital Gains Tax, Fringe Benefits Tax and Goods and Services Tax advice and preparation of Tax Returns
 - ⇒ Advice on business structures
 - ⇒ Advice on remuneration packages including bonuses and commission structures
 - ⇒ Raising debt and equity finance
 - ⇒ Implementing accounting software systems
 - ⇒ Performed statutory audits
 - ⇒ Tender proposals
 - ⇒ Due Diligence Reviews
 - ⇒ Business Planning
- Provided the following legal services:
 - ⇒ Litigation - debt recovery, breach of director's duties, shareholder oppression, misleading and deceptive conduct - TPA, breach implied duty of care and skill, unfair dismissal, breach of trade mark and copyright and demurrage claims
 - ⇒ Drafting - terms of trade agreements and guarantees, employment agreements, sale of share and business agreements, commercial and retail leases, loan agreements (fixed and floating charges), joint venture agreements, service agreement, confidentiality agreement and franchise agreement
 - ⇒ Insolvency – winding up applications, disputes involving voidable transactions, deeds of administration and bankruptcy
 - ⇒ Other - tax, franchising code, trade practices, Corporations Act, employment, Succession, Insurance

Expert Accountant

- Since 1995, provided expert evidence to the Supreme Courts of New South Wales, Queensland and Victoria, the Federal Court of Australia and District Court of NSW. I have performed about 80 forensic accounting assignments, including:
 - ⇒ Share and businesses valuations in oppression matters
 - ⇒ Loss of profit reports in contractual and trade practices disputes
 - ⇒ Economic loss reports in negligence matters eg property damage and personal injury matters
 - ⇒ Account of profit reports in intellectual property disputes
 - ⇒ Business interruption reports in insurance claims
 - ⇒ Forensic investigations
- Since 2006, been appointed by the President of the Institute of Chartered Accountants in Australia, to make binding determinations where accounting issues are in dispute between parties.

RECENT MATTERS:

Greek Orthodox Parish and Community of Burwood and District Saint Nectarios Ltd v Themis Kallos & Ors

Supreme Court of NSW - Commercial Matter

Shareholder Voting Determination

Instructing Solicitor: President, Law Society of NSW

District Court of NSW - Criminal Matter

Financial Investigation Report

Instructing Solicitors: Australian Federal Police / DPP

U&I International Pty Ltd v Vodafone Pty Ltd

Supreme Court of NSW - Commercial Matter

Financial Investigation Report

Instructing Solicitors: Judd Commercial Lawyers

Niknaf v People Property Group Pty Ltd

Mediation - Commercial Matter

Business Valuation Report

Instructing Solicitors: Cowley Hearne Lawyers

Ulis v Powertel Ltd

Supreme Court of NSW - Commercial Matter

Business Valuation Report

Instructing Solicitors: Judd Commercial Lawyers

Gibbs v Smith

Supreme Court of ACT - Commercial Matter

Financial Investigation Report

Instructing Solicitors: Howes Kaye Halpin

Lawson v Integral Energy Australia Ltd

Supreme Court of NSW - Commercial Matter

Business Valuation Report

Instructing Solicitors: Judd Commercial Lawyers

RMS & Partners Pty Ltd v Vero Insurance Ltd (formerly Royal & Sun Alliance)

Supreme Court of NSW - Commercial Matter
Loss of Profit and Loss of Opportunity Report
Instructing Solicitors: RF Bergagnin & Co Solicitors

Heinisch Brothers Australia Pty Ltd v Sara Lee & Ors

Supreme Court of NSW - Commercial Matter
Loss of Profit and Loss of Opportunity Report
Instructing Solicitors: McLaughlins Solicitors

Mayer v Sydney American Imports Pty Ltd t/as Mosman Automobiles & Ors

NSW Industrial Relations Commission
Loss of Profit Report
Instructing Solicitors: Nyman Gibson Stewart Solicitors

Computer Supermarket Pty Ltd v Nextech Computer Supermarket & Ors

Commercial Litigation – Trade Mark Infringement
Loss of profit and Account of Profit
Instructing Solicitors: Gray & Perkins

Ballanday Pty Ltd & Anor V T&M Industries Pty Ltd & Ors

Supreme Court of NSW - Commercial Matter
Proposal for Share Valuation
Instructing Solicitors: Maclarens Solicitors

Hai Quan Global Smash Repairs Pty Ltd V Ledabow Pty Ltd

Federal Court of Australia
Business Valuation and Financial Investigation Report
Instructing Solicitors: Christopher Levingston & Associates

Terry v Doherty

Supreme Court of NSW - Commercial Matter
Loss of Profit Opinion
Instructing Solicitors: Tully & Co Solicitors

Hamilton v State of NSW (in the interests of the NPWS)

District Court of NSW – Personal Injury Matter
Forensic Report
Instructing Solicitors: GIO – General Insurance Law Department

Charmelu Pty Ltd & Ors v Frigmobile Pty Ltd

District Court of NSW - Commercial Matter
Loss of Value and Loss of Profit Opinion
Instructing Solicitors: CH Legal and Jones King Lawyers

Werner v Seidler

Supreme Court of NSW - Commercial Matter
Share Valuation & Minority Shareholder Oppression Opinion
Instructing Solicitors: Beswick Solicitors

NSW Crime Commission v Fadi Saad

Supreme Court of NSW - Commercial Matter
Financial Investigation Report - Criminal Assets Recovery
Instructing Solicitors: Neil J O'Connor & Associates Solicitors

Serhan v Colin Lindsay & Ors

District Court of NSW - Commercial Matter

Share Valuation

Instructing Solicitors: Anne Day & Associates

G.Jamoo & Ors v The Receiver Karl Suleman Enterprises Pty Ltd

Supreme Court of NSW - Commercial Matter

Account of Profits Report

Instructing Solicitors: John McEncroe & Company

Cyprus Hellene Club Ltd v Walter Construction Group Ltd t/as Concrete Constructions (NSW)

Supreme Court of NSW - Commercial Matter

Economic Loss Report

Instructing Solicitors: Swaab Attorneys

RMA Machinery Services & Sales Pty Ltd v Advanced Sheetmetal Technologies Pty Ltd

Supreme Court of Victoria

Account of Profits Report – Patent Infringement

Instructing Solicitors: Macedone Christie Willis Solicitors

Exhibition Surfing Products Pty Ltd

Due Diligence

Hamarc Pty Ltd t/as The River Inn

Supreme Court of NSW - Commercial Matter

Forensic Investigation

Instructing Solicitors: Quinns Solicitors

Paxton Photographic Pty Ltd

Economic Loss Report

Instructing Solicitors: Quinns Solicitors

Destination Education Pty Ltd

Commercial Matter

Business Valuation

Instructing Solicitors: Gray & Perkins

Mcllwane Holdings Pty Ltd

Business Valuation

Instructing Accountants: Ziolkowski & Associates

Stencil Concrete International Pty Ltd

Business Valuation – Patent Infringement

Instructing Solicitors: Quinns Solicitors