

# Bryden Dalitz

Barrister

**Francis Burt Chambers**  
Level 17, 77 St Georges Terrace  
Perth WA 6000  
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## QUALIFICATIONS

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Solicitor and Barrister of the Supreme Court of Western Australia Admitted  
October 2014

Solicitor of the High Court of Australia

## EDUCATION

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Master of Laws (Common Law)	University of London (University College London and Queen Mary)	2021
Graduate Diploma of Legal Practice	College of Law	2014
Juris Doctor	University of Melbourne	2013
Bachelor of Arts (Political Science)	University of Western Australia	2010

## EXPERIENCE

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<b>Francis Burt Chambers</b>	Barrister	2021 –
<b>DLA Piper</b>		
Perth, Australia	Senior Associate (Projects)	2020 – 2021
London, UK	Senior Associate (Litigation)	2019 – 2020
Perth, Australia	Senior Associate (Projects)	2018 – 2019
Perth, Australia	Solicitor (Projects)	2015 – 2018
<b>Hardy Bowen</b>	Solicitor	2014 – 2015
(DLA Piper acquired firm in 2015)		
Perth, Australia		

## MATTERS

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### Commercial

Acted for a salvaging company in proceedings before the WA Supreme Court. The company brought an action against a barge owner to recover fees. The owner counterclaimed for alleged breach of contract and negligence.	<ul style="list-style-type: none"><li>• Prepared pleadings, discovery, and evidence</li><li>• Appeared as sole counsel at case management conferences and mediation</li></ul>	2018 – 2019
Acted for a mining company in proceedings before the Queensland	<ul style="list-style-type: none"><li>• Assisted with pleadings, discovery, and evidence</li></ul>	2018

<p>Supreme Court. Sub-lessees of the company's pastoral lease sought relief from forfeiture.</p>	<ul style="list-style-type: none"> <li>• Appeared as sole counsel at directions hearings and mediation</li> </ul>	<p>2016 – 2018</p>
<p>Acted for a minority shareholder in proceedings before the WA Supreme Court against the majority shareholder for alleged misleading conduct during a takeover.</p>	<ul style="list-style-type: none"> <li>• Prepared pleadings and discovery</li> <li>• Appeared as sole counsel at case management conferences</li> </ul>	
<p>Acted for a property developer in proceedings before the WA Supreme Court. An unsuccessful purchaser brought an action against the developer for damages for breach of contract and misleading conduct.</p>	<ul style="list-style-type: none"> <li>• Prepared pleadings, discovery, and evidence</li> <li>• Appeared as sole counsel at case management conferences and interlocutory hearings</li> <li>• Appeared as junior counsel at mediation</li> </ul>	<p>2016</p>
<p><b>Public</b></p>		
<p>Acted for a mining company in proceedings before the WA Supreme Court for a declaration as to the boundaries of mining tenements and judicial review of the WA Mining Warden's recommendation regarding a survey of those boundaries.</p>	<ul style="list-style-type: none"> <li>• Assisted with pleadings and judicial review application</li> </ul>	<p>2021</p>
<p>Acted for the UK Secretary of State for Transport in the 2019 Rail Franchise Litigation: <i>Stagecoach East Midlands Ltd v The Secretary of State for Transport</i> [2020] EWHC 1568 (TCC). Unsuccessful bidders in competitions to award railway franchises commenced proceedings in the High Court of England and Wales alleging that the Secretary conducted the competitions unlawfully. The matter also involved an appeal of a refusal to strike out claims: <i>The Secretary of State for Transport v Arriva Rail East Midlands Ltd</i> [2019] EWCA Civ 2259.</p>	<ul style="list-style-type: none"> <li>• Assisted with pleadings, evidence, and submissions</li> <li>• Acted as instructing solicitor at trial</li> </ul>	<p>2019 – 2020</p>
<p>Acted for a mining company in proceedings before the WA Mining Warden for the forfeiture of tenements. The matter included an application to extend time to seek expenditure exemptions: <i>Black Range Mining Pty Ltd v Mesa Minerals Limited</i> [2018] WAMW 15.</p>	<ul style="list-style-type: none"> <li>• Prepared particulars, evidence, and submissions</li> <li>• Appeared as sole counsel at mentions and interlocutory hearings</li> </ul>	<p>2017 – 2019</p>
<p>Acted for a mining company in proceedings before the WA Mining</p>	<ul style="list-style-type: none"> <li>• Prepared particulars, evidence, and submissions</li> </ul>	<p>2016 – 2017</p>

Warden for the grant of exemptions: <i>Extension Hill Pty Ltd v Crimson Metals Pty Ltd</i> [2017] WAMW 22.	<ul style="list-style-type: none"> <li>• Appeared as sole counsel at mentions and trial</li> </ul>	
Acted for a mining company in proceedings before the WA Mining Warden for the restoration of a forfeited tenement: <i>Danehill Nominees Pty Ltd v Galea</i> [2017] WAMW 4.	<ul style="list-style-type: none"> <li>• Prepared particulars, evidence, and submissions</li> <li>• Appeared as sole counsel at mentions and trial</li> </ul>	2016 – 2017

### Construction

Acted for a joint venture developing three high-profile London residential complexes in adjudications against building contractors.	<ul style="list-style-type: none"> <li>• Prepared submissions</li> </ul>	2020
Acted for a PFI contractor for a project to construct schools in Merseyside, UK in an adjudication against a building contractor.	<ul style="list-style-type: none"> <li>• Prepared submissions</li> </ul>	2020

### Pro bono

Acted for the RSPCA in various proceedings before the WA Magistrates Court seeking the forfeiture of animals and prosecuting individuals for animal cruelty offences.	<ul style="list-style-type: none"> <li>• Prepared disclosure and evidence</li> <li>• Appeared as sole counsel at mentions, trial, and sentencing hearings</li> </ul>	2015 – 2018
Acted for an environmental conservation group in proceedings before the WA Magistrates Court defending an action to recover possession of the group's leased premises.	<ul style="list-style-type: none"> <li>• Prepared evidence</li> <li>• Appeared as sole counsel at trial</li> </ul>	2018

### PUBLICATIONS

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<i>Disputes Arising "Under" a Construction Contract: An Adjudicator's Jurisdiction</i>	Lexology	2020
<i>Maintaining the Privilege: Procedure &amp; Practice</i>	New Law Journal	2020
Case notes	Australian Resources and Energy Law Journal	2017 – 2018 2021