

Kate Dillon (Barrister)

Curriculum Vitae

FortyEight Shortland Barristers

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EXPERIENCE

July 2020 - Barrister, FortyEight Shortland Barristers

- Conduct of civil, commercial and insurance litigation involving professional indemnity claims, director and shareholder disputes, construction, company, multi-party multi-unit litigation, territorial authority litigation, class-action claims, property (caveat and equitable claims) and employment matters.
- Junior counsel to Neil Campbell QC: *Dold v Murphy* [2020] NZCA 313 (Court of Appeal)
- *Robertson v Robertson* [2020] NZHC 2272 (section 339 Property Law Act claim)

October 2015 – May 2020 - Barrister, William Martin Chambers

- Conduct of civil, commercial and insurance litigation involving professional indemnity claims, construction, company, multi-party multi-unit litigation, council litigation, class-action claims, property (caveat and equitable claims) and employment matters.
- Junior counsel to David Heaney QC: *Dold and others v Murphy and others* [2019] NZHC 1232
- Junior counsel to David Heaney QC on Court of Appeal/Supreme Court litigation in respect of the matter of:
 - *Invercargill City Council v Southland Indoor Leisure Centre Charitable Trust* [2017] NZCA 68; [2017] 2 NZLR 650 (Court of Appeal)
 - *Southland Indoor Leisure Centre Charitable Trust v Invercargill City Council* [2017] NZSC 190; [2018] 1 NZLR 278 (Supreme court)

Other Matters:

- *Kleber Fukubara v Bluestone Room Limited* [2016] NZERA Auckland 162 and [2016] NZERA Auckland 190 (costs)
- *Invercargill City Council v South Port New Zealand Limited* [2018] NZHC 365 (Interlocutory application)

- Mehta v Habitat Builders Limited [2017] NZHC 2075 (appeal)

September 2009 to September 2015 – Heaney & Partners (Senior Associate)

- Working with territorial authorities and their insurers advising on negligence claims associated with their regulatory functions, namely the issuing of resource consents, building consents, council's inspection regime, issuing of code compliance certificates, and LIMs.
- Defence of claims in the Tribunal, District, High court and Court of Appeal. Receipt of original instructions, preparation of pleadings in response, preparation of appropriate interlocutory applications, briefing witnesses both factual and expert, preparation of written briefs, attendances at mediation and trial.
- Participated in over 60 mediations and a number of Judicial Settlement Conferences to resolve and/or settle disputes.

Trials:

- Baker and Another v Manukau City Council DC Man CIV 2008-092-2206 [21 Jan 2011] (3 day District Court trial – sole conduct)
- Strickland v Rodney District Council and others [2011] NZWHT Auckland 46; (5 day trial in Weathertight Homes tribunal – junior counsel to David Heaney QC)
- Henry and others v Auckland Council [2015] NZHC 435 (2 week trial in High Court – junior counsel to David Heaney QC)
- Southland Indoor Leisure Centre Charitable Trust v Invercargill City Council and others [2015] NZHC 1983 (5 week trial – junior counsel to David Heaney QC)

Interlocutory applications:

- Southland Indoor Leisure Centre Charitable Trust v Invercargill City Council [2014] NZHC 1439 (Defended application to strike out – junior counsel to David Heaney QC)
- Southland Indoor Leisure Centre Charitable Trust v Invercargill City Council and others [2014] NZHC 3176 (costs order)
- Jane Guest and Harris v Auckland Council LVT AK 5/2011 [10 May 2012] (Land Valuation Tribunal) – (junior counsel to David Heaney QC)

Other:

- Appeal from MBIE Determination to revoke code compliance certificate on 3 houses within same subdivision arising out of subsidence (District Court – sole conduct)

September 2008 to May 2009 – Grey Lynn Neighbourhood Law Office (Solicitor)

- General practice advising on all areas of law with the emphasis on civil litigation including, employment, insurance, consumer, motor vehicle and tenancy claims.
- Referrals to specialists for complex or legal aid matters.
- Sole conduct of Wesley clinic in Mt Roskill with emphasis on refugee/criminal/youth/civil matters.

- Attendance at court/tribunal on criminal and employment matters.

May 2005 to September 2006 – McElroys (Staff Solicitor)

- Acting for insurers on a range of litigation issues relating to indemnity, the defence of liability claims, and pursuing subrogated recovery matters.
- Day to day management and conduct of litigation in District Court, High Court and Court of Appeal including opinion work, drafting pleadings and interlocutory applications and attending mediations and court.
- Areas of practice included professional negligence claims (solicitors, accountants, engineers), liquidator recovery, major fires, and leaky building claims.

May 2004 to October 2004 – Vero (Claims Solicitor – Legal Team)

- Providing advice to company on issues such as policy response, claims litigation and subrogated recovery actions. Matters included major fires, contract works disputes, bailees liability disputes and commercial motor claims.

2002 – 2004 – Vero/Vero Liability (Claims Solicitor – Professional Indemnity claims)

- Managing professional indemnity notifications for various professions including solicitors, accountants, company directors, engineers, District Health Boards, and territorial authorities.
- Advising on indemnity issues, setting reserves, liaising with brokers, underwriters, reinsurers and insured regarding claims.
- Instructing and liaising with external solicitors handling litigation arising from claims.
- Working with underwriters drafting policy and proposed terms.
- Working with brokers and insureds on risk management.

2000 - 2002 – NZI (In-house Solicitor)

- Conduct of civil litigation arising from defence of liability claims against insured and pursuit of subrogated recovery actions from preparation and filing of pleadings, to mediation/and/or trial.
- Areas included commercial and domestic motor, house and contents, commercial property, contract works, material damage and business interruption.
- Advice to company on declinature of claims, intellectual property, consumer legislation and privacy issues.

1999 – 2000 - Jones Fee (Solicitor)

- Conduct of civil litigation arising from defence of liability claims against insured and pursuit of subrogated recovery actions from preparation and filing of pleadings, to mediation/and/or trial.
- Areas included solicitor and veterinarian negligence, commercial and bailee liability, defamation, OSH prosecutions and product failures.

1997 – 1998 – BOC Group PLC, UK (Paralegal)

- Assisting on sale of pharmaceutical division with due diligence on business units in UK, France, Sweden, Germany, Italy and Spain with data presented for prospective purchasers in New Jersey, USA.

1996 – 1997 – Department of Trade and Industry, UK (Examiner)

- Investigating and preparing disqualification proceedings against company directors of insolvent companies where it appeared the directors had traded in breach of their director's duties.

1994 -1996 – Vallant Hooker & Partners, Auckland (Solicitor)

- General practice litigation in civil and criminal with trials in the District court and High Court. Areas included contract, employment, criminal, immigration.
- Attendance at Litigation Skills Course.

1993 – 1994 – Harold Kidd Solicitors, Auckland (Solicitor)

- General practice litigation with experience in civil/employment, family and criminal litigation requiring attendance at court and/or mediation.

EDUCATION

Professionals (Victoria) 1992

Bachelor of Laws LLB (Otago) 1991

Sacred Heart Girls College (Hamilton) 1983-1987

INTERESTS

Tennis, Golf, Running, Hiking, Skiing, Lawn Bowls

VOLUNTEER WORK

Summit School (school for children with dyslexia and other learning disabilities) - Board Member (2015-2018) and Chairman of the Board (2017-2018)

REFERENCES

Maria Dew QC