

**NAME:** Nicholas John Floreani

**QUALIFICATIONS:** Barrister & Solicitor of the Supreme Court of South Australia [1997]  
Solicitor of the Supreme Court of New South Wales [1997]  
Barrister of the Supreme Court of New South Wales [1998]  
Barrister of the High Court of Australia [1998]  
Solicitor of England & Wales [2001]

**EDUCATION:** University of Adelaide,  
Bachelor of Commerce [1990 - 1992]

Queensland University of Technology,  
Bachelor of Laws [1993 - 1995]

University of South Australia,  
Graduate Diploma in Legal Practice [1996]

**MEMBERSHIPS:** Young International Arbitration Group (YIAG)  
South Australian and New South Wales Bar Associations  
Australian Forum on International Arbitration (AFIA) - SA Representative  
Institute of Arbitrators and Mediators Australia (IAMA) - Associate Member  
Australian Centre for International Commercial Arbitration (ACICA)  
ADR Committee of Law Society of South Australia

**SHORT COURSES:** The Practitioners Certificate in Mediation and Conciliation [2004]  
Professional Certificate in Arbitration [2004]

**PUBLICATIONS:** *Law Society Journal* (NSW)  
*Building and Construction Law* (BCL)  
*Journal of the Institute of Arbitrators and Mediators Australia*  
*Addstead and the Developing Jurisdiction of Court Compelled Mediation*

## PRINCIPAL LITIGATION:

As counsel:

*United Group Infrastructure Pty Ltd v OneSteel Manufacturing Pty Ltd* (Supreme Court of South Australia) 2006-7 Junior counsel - litigation involving the relining of Whyalla Blast Furnace - Target Estimate Contract - resolved at mediation.

*LF Schilling Nominees & Others v Bird Cameron & Balcalm Edge* (District Court of South Australia) 2007 Lead counsel - auditors negligence - damages - resolved at mediation.

*Collins v Stratford* (District Court of South Australia) 2007 Lead counsel - motor vehicle accident - liability - causation - psychiatric injury.

*Inquest into the deaths arising from the Thredbo Landslide* (NSW's Coroner's Court) - Junior counsel assisting the Coroner in the inquest into the deaths of 18 people caused by a landslide at Thredbo Village, New South Wales.

As solicitor:

*In re Holocaust Victims Asset Litigation* (United States District Court E.D. New York) 2002-3 Attorney with Claims Resolution Tribunal, Zurich adjudicated claims filed against Swiss bank accounts in connection with the Settlement Agreement reached in the Holocaust Victims Assets Litigation in the United States.

*AMEC Australia Pty Ltd v Pacific Power* (Supreme Court of NSW and Sydney, UNCITRAL Arbitration) - acted on behalf of a power station proprietor in a dispute against mechanical engineering firm regarding Wallerawang Power Station refurbishment.

*International Military Services Limited v Ministry of Defence & Support for Armed Forces of Islamic Republic of Iran* (High Court of Justice England and Wales, Queens Bench Division) - acted on behalf of a state-controlled arms manufacturer against a sovereign state in court action to defeat enforcement proceedings.

*Edison First Power Limited v Powergen UK PLC* - London, LCIA Arbitration - acted on behalf of a North American power producer in a dispute with a United Kingdom power station asset company. The dispute arose out of the cross-border acquisition, by the US firm, of power station assets in the UK.

*BNP Paribas (France) v Avis Group Holdings Inc. (US)* - London, ICC Arbitration - acted on behalf of a French bank in a dispute with a United

States car hire company regarding a dispute arising out of the cross-border acquisition of United Kingdom and European interests in the fleet car hire business.

*Civil Tech Pty Ltd v Minister for Industrial Affairs* – Adelaide, Arbitration - acted on behalf of a contractor in arbitration proceedings against a state government body involving the construction of an underwater pipeline for a marine laboratory.

Acted on behalf of a multi-national Canadian rail stock manufacturer in a dispute with a United Kingdom rail transport authority. Mediation conducted in London.

Advice (including issues of enforcement) to a state-owned Chinese pipeline construction company in a dispute with a trans-national consortium (including a sovereign state) involving the engineering, procurement and construction of an oil pipeline in the Sudan.

Advice to a scaffolding contractor in arbitration commenced by an event organising company for failure, by the contractor, to provide an adequate scaffolding structure, leading to the collapse of a video screen during a major international sporting event.