

LexisNexis Professional Development Conference Highlights - August 2008

5th Annual Contracts Conference - WA

6-8 August 2008, Rydges Hotel, Perth

Lawyers from around the state came together with professionals from the mining and construction industries for the **5th Annual Contracts Conference** held at the Rydges Hotel in Perth. Among the presenters were Richard Wilenski, Partner, **Tottle Partners**, Paul D Evans, Partner, **Freehills** and Beau Deleuil, Partner, **Mallesons Stephen Jaques**.

This year's conference theme was *Reducing risks and driving profits through enforceable contracts*, and consisted of an advanced legal skills day to start the event and management and commercial skills on day two.

Delegates again enjoyed the range of topics covered over these two days. Some of the highlights included Vincent Liu's, **Minter Ellison** update on consequential loss, Laurie James, **Knott Gunning** discussing the challenges of contract variation and Rob Lister's, **Pullinger Readhead Lucas** presentation on confidentiality agreements.

Research for **WA's 2009 Contracts Conference** is already underway so if you missed this fantastic event in August be sure to keep a look out for the brochure early next year.

[Click here to purchase papers from this event](#)

5th Annual Contract Law Masterclass - QLD

20-22 August 2008 Marriott Hotel Brisbane

The **5th Annual Contract Law Masterclass** attracted a broad range of delegates, and commenced with an interesting discussion of the commercial environment delivered by Ted Williams, Group Counsel of **Thiess Pty Limited**.

We then heard from Jeffrey Goldberger, Special Counsel to **Blake Dawson**, who delivered the contract case law update, prompting one enthusiastic delegate to ask "More Jeffrey please!" LexisNexis will certainly endeavour to engage Mr Goldberger to fulfil these requests in subsequent conferences.

Black letter law topics including "Minimising your clients' exposure through indemnities and exclusions" delivered by Michael Rochester, General Counsel to **Sedgman Limited** and "Mastering the technicalities of liability apportionment" delivered by David Rodighiero, Partner, **Cartner Newell** were also well received by delegates who described the sessions as informative and supported by very useful papers.

The session on Intellectual Property was delivered at very short notice by John Swinson, Partner, **Mallesons**, following on the inability of the scheduled presenter to attend. However, delegates were treated to an extremely useful discussion of the issues surrounding IP and IT issues in contracts and how they might best be addressed in a practical sense. We were most grateful to Mr Swinson both for his willingness to step in as well as well informed presentation.

Delegates also provided excellent reviews of the session delivered by Gregory Richards, Senior Associate, **Minter Ellison** on Termination of construction contracts which highlighted some of the traps in this area.

Over the next three days, our cast of speakers included such well-known personalities from the Brisbane contract law community as Michael Owens and Karl Scott, **Gadens Lawyers**, Matthew Derrick, **Deacons**, **Andrew Crowe SC**, Arch Fletcher, **Clayton Utz** and many more talented presenters, covering a range of topics including BCIPA, Alliance contracting, Risk and Procurement.

The Workshops on Day 3 covered Tender Management and then the perennial favourite, Drafting essential clauses delivered by Tracey Moore, **McCullough Robertson** and Jay Leary, **Freehills** respectively. These workshops continue to be very popular with delegates, and represent the products of our dedicated facilitators who have invested their time in preparing and presenting the workshops, and generosity in sharing their expertise with other members of the profession.

LexisNexis expresses its appreciation to each of the speakers and presenters over the three days for contributing to the enjoyment and edification of the delegates. See you again in 2009!

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5th Annual Conveyancing QLD

19 & 20 August 2008, Brisbane

Essentials Day

Scott Gregory of **Scott Gregory Lawyers** provided as the linchpin for 70 delegates and 7 key note speakers at the **5th Annual Conveyancing Essentials** on 19 August 2008. Mark Foy of **McCullough Robertson** provided another highly sought after dose of real world insight into the property transaction process, which was exactly what delegates were hoping for when tasked with navigating their way through the voluminous Queensland Conveyancing Protocol.

With representation from the Gold Coast market being provided by **Rodney Johanson**, delegates were brought up to speed with the latest issues facing conveyancing professionals throughout South-East Queensland in particular. John Horrocks of **John Horrocks Solicitors** along with the team from **PC Conveyancing Connection** balanced the practical, procedural and contractual aspects of the program with numerical and prudent risk minimisation tips for avoiding delayed settlement, disputes, and unnecessary liability.

Masterclass Day

David Bell of **Mallesons Stephen Jaques** subsequently guided delegates through the masterclass level of issues on the following day. **Flower & Hart** followed the strong lead provided by Carter Newell to trigger an in-depth and robust interactive morning with delegates from throughout Queensland. Topped with an authoritative delivery by Shane Williamson as a Litigation Partner at **ClarkeKann** on the conduct of real estate agents, David Nematalla introduced **Hickey Lawyers** as a corner stone for front foot representation on the Gold Coast.

Finishing with a focused analysis of the increased number of purchasers and vendors seeking to escape contracts for sale, **Nick Ferret**, **Mark Ambrose** and **David Keane** from the Queensland Bar rounded off this event perfectly with a timely heads-up on the most litigious areas of property transactions being heard by Queensland courts in 2008.

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Legal Drafting Training Series - NSW/QLD

Workshop 3: IP Agreements – Drafting and Unlocking Enforcing Rights

The workshop was facilitated by well-known expert and LexisNexis author by Dimitrios G Eliades, Barrister was a great success. The convenient half day workshop forms part of the LexisNexis Professional Development Training Series currently offered.

Topics addressed in the workshop include:

- Discuss IP due diligence
- Discuss models and structure for commercialising IP
- Key drafting issues in IP licensing
- Case Study in drafting a technology licence agreement - building a model case
- Key issues in enforcing IP Rights
- Q&A Discussion

Workshop 5: Affidavits and Submissions in Family Law

This workshop was facilitated by well-known expert Mark Anderson, Barrister.

Topics addressed in the workshop include:

- Focusing on the purpose of the affidavit – what facts are you trying to establish?
- Filing a presentable document whilst being faithful to the deponent's manner of expression
- Telling the "whole truth"- what to do about less favourable parts of the picture
- Challenges family lawyers face in drafting affidavits
- Developing a practical checklist for matters to include – what do the courts want?

[Click here for details of upcoming workshops in this series](#)

Estate Planning Seminar Series

Exclusively presented by Allan Swan

8 August 2008, Duxton, Perth

In 2007 LexisNexis introduced a series of four half day seminars on Estate Planning. The successful seminar series continues in 2008 nationally.

Seminar 3: Drafting Testamentary Trusts

This seminar focuses on the creation of the most frequently established testamentary trusts, i.e. for people whose aim is not to rule from the grave, at least once their intended beneficiaries are sufficiently mature, but instead want to enhance the value of an inheritance.

Other types of executor controlled testamentary trusts are also considered. A clause by clause summary of the clauses that are usually included in a Will creating (single or staggered release) beneficiary controlled testamentary trusts is provided to participants.

Seminar 4: Drafting to Rule from the Grave

Estate planning takes on greater significance for parents (and other relatives) of children who are vulnerable because of:

- Intellectual disability, whether congenital or acquired
- Drug addictions or gambling problems
- Susceptibility to undue influence or financially inept

To provide best for these vulnerable beneficiaries, parents and other relatives need to consider a range of issues, many of which require an appreciation of the circumstances of the beneficiary and of guardianship, taxation, special disability trust, Centrelink means tested pensions and other laws