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<i>A v New South Wales</i> (2007) 230 CLR 500 Applied. <i>Wessell v New South Wales</i>	25.334
<i>AA v BB</i> (2007) 83 OR (3d) 561 Distinguished. <i>AA v Registrar of Births, Deaths and Marriages and BB</i>	13.51
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<i>Aaffjes v Kearney</i> (1976) 180 CLR 199 Considered. <i>Cunha v Workers Compensation (Dust Diseases) Authority</i>	23.201
<i>Aanestad v Air Canada Inc</i> (1975) 390 F Supp 1165 (1975) Followed. <i>Fattouh v Gulf Air Company GSC</i>	5.234
<i>Abbey Panel and Sheet Metal Co Ltd v Barson Products</i> [1948] 1 KB 493 Applied. <i>King and Others v Kehl</i>	1.95
<i>Abbott v TCN Channel Nine Pty Ltd</i> [1987] Aust Torts Reports 69,072 (80-138) Considered. <i>Webster v Coles Myer Ltd</i>	9.123
<i>Abbs v Matheson & Co</i> (1898) 104 LT 268 Applied. <i>Hu v Northern Sydney Area Health Service</i>	1.19
<i>Abela v Giew</i> (1965) 65 SR (NSW) 485 Considered. <i>Perkins v Redmond Company Pty Ltd</i>	5.21
<i>Adam v Ward</i> [1917] AC 309 Applied. <i>Lee v Kim</i>	1.174
<i>Adams v Eta Foods Ltd</i> (1987) 19 FCR 93 Applied. <i>Workers Compensation Nominal Insurer v Brasnovic</i>	17.75
<i>Adams v London Improved Motor Coach Builders Ltd</i> [1921] 1 KB 495 Referred to. <i>Enterprise Finance Solutions Pty Ltd v Ciszek</i>	20.19
<i>Adeels Palace Pty Ltd v Moubarak</i> (2009) 239 CLR 420 Considered. <i>Nicoll v Dobeson and Others; Nicoll v Workers Compensation Nominal Insurer and Others (No 3)</i>	18.339
<i>Adelaide Stevedoring Co Ltd v Forst</i> (1940) 64 CLR 538 Considered. <i>O'Hagan v Sakker</i>	12.329

<i>Ageing, Disability and Home Care, Department of v Lambert</i> (2009) 74 NSWLR 523	
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<i>Agricultural and Rural Finance Pty Ltd v Gardiner</i> (2008) 238 CLR 570	
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<i>Ainslie, Re</i> (1885) LR 30 Ch D 485	
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<i>Air France v Saks</i> (1985) 470 US 392 (1985)	
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<i>Aitken v Bedwell</i> (1827) 173 ER 1084	
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<i>Aitkin v Goodyear Tyre & Rubber Co (Aust) Ltd</i> (1945) 46 SR (NSW) 20	
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<i>Alameddine v Glenworth Valley Horse Riding Pty Ltd</i> (2015) 324 ALR 355	
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<i>Alcan (NT) Alumina Pty Ltd v Commissioner of Territory Revenue</i> (2009) 239 CLR 27	
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<i>Allen v Lloyd-Jones (No 3)</i> (2010) 10 DCLR(NSW) 256	
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<i>Allen v Tobias</i> (1958) 98 CLR 367	
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<i>Allianz Australia Ltd v Wentworthville Real Estate Pty Ltd</i> (2004) 13 ANZ Insurance Cases 61-598	
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<i>Altarama Ltd v Forsyth</i> [1981] 1 NSWLR 188	
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<i>Amalgamated Engineering Union (Australian Section); Ex parte; Re Jackson</i> (1937) 38 SR (NSW) 13	
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<i>AMEV-UDC Finance Ltd v Austin</i> (1986) 162 CLR 170	
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<i>Angel v Hawkesbury City Council</i> [2008] Aust Torts Reports 81-955 Considered. <i>Alam v Rail Corporation New South Wales</i>	8.81
<i>Angel v HH Bushell & Co Ltd</i> [1968] 1 QB 813 Considered. <i>Hennessy v Lynch (No 2)</i>	3.293
<i>Anglo-Cyprian Trade Agencies Ltd v Paphos Wine Industries Ltd</i> [1951] 1 All ER 873 Considered. <i>Hurcum v Domino's Pizza Australia Pty Ltd (No 2)</i>	4.194
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<i>Anning v Anning</i> (1907) 4 CLR 1049 Applied. <i>Close Finance (CL) Ltd v Kountouris</i>	2.331
<i>ANZ Banking Group Ltd v Computer Plus</i> [1992] 1 VR 607 Applied. <i>Barry and Another v Coshott and Another</i>	18.60
<i>Aon Risk Services Australia Ltd v Australian National University</i> (2009) 239 CLR 175 Applied. <i>Hughes v ISPT Pty Ltd (No 3)</i>	12.63
<i>Arnott v Choy</i> (2010) 56 MVR 390 Considered. <i>Kemble v Gate Gourmet Services Pty Ltd</i>	14.161
<i>Ashenden v Stewarts & Lloyds (Aust) Ltd</i> [1972] 2 NSWLR 484 Applied. <i>Amor-Smith v Ching</i>	22.277
<i>Ashrafi Persian Trading Co Pty Ltd v Ashrafinia</i> [2002] Aust Torts Reports 81-636 Distinguished. <i>Refrigerated Roadways Pty Ltd v Roads and Traffic Authority of NSW</i>	7.45
<i>Attorney-General's Application (No 1 of 2002) (NSW), Re</i> (2002) 56 NSWLR 146 Considered. <i>R v Saddler</i>	6.372
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<i>Attorney-General (NSW) v Kennedy Miller Television Pty Ltd</i> (1998) 43 NSWLR 729 Applied. <i>Randall Pty Ltd v Willoughby City Council</i>	9.31
<i>Australia and New Zealand Banking Group Ltd v Bangadilly Pastoral Co Pty Ltd</i> (1978) 139 CLR 195 Followed. <i>Hadfield v Commonwealth Bank of Australia</i>	1.41
<i>Australian Alliance Assurance Company Ltd v Attorney-General (Qld)</i> [1916] St R Qd 135 Applied. <i>Scaife v Coceanig</i>	13.239

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<i>Australian Broadcasting Tribunal v Bond</i> (1990) 170 CLR 321 Applied. Nithiananthan v Davenport	3.384
<i>Australian Coastal Shipping Commission v Curtis Cruising Pty Ltd</i> (1989) 17 NSWLR 734 Considered. Rodgers v Nine Network Australia Pty Ltd (No 2)	8.157
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<i>Australian Conservation Foundation v Commonwealth</i> (1979) 146 CLR 493 Considered. Kuehne v Warren Shire Council	12.212
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<i>Australian Securities and Investments Commission v Rich</i> (2001) 51 NSWLR 643 Considered. R v Ritson; R v Stacey	11.88
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<i>Axiak (by her tutor Axiak) v Ingram</i> (2012) 82 NSWLR 36 Considered. Hobbs v Fairall and Another	22.327
<i>Azzopardi v Tasman UEB Industries Ltd</i> (1985) 4 NSWLR 139 Applied. Lynch v Victims Compensation Fund Corporation	14.42
<i>B & L Linings Pty Ltd v Chief Commissioner of State Revenue</i> (2008) 74 NSWLR 481 Followed. Ferella and Others v Stomo	24.215

<i>B v Gould</i> (1993) 67 A Crim R 297	
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<i>Babington v Commonwealth</i> (2016) 240 FCR 495	
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<i>Baden v Societe Generale pour Favouriser le Developpement du Commerce et de L'Industrie en France SA</i> [1993] 1 WLR 509	
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<i>Bailey v Federal Commissioner of Taxation</i> (1977) 136 CLR 214	
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<i>Bailey v Marinoff</i> (1971) 125 CLR 529	
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<i>Baker & Davies plc v Leslie Wilks Associates</i> [2005] 3 All ER 603	
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<i>Baker v Rothmans of Pall Mall (Aust) Pty Ltd</i> (1999) 18 NSWCCR 374	
Referred to. <i>Hu v Northern Sydney Area Health Service</i>	1.19
<i>Baker v TE Hopkins & Son Ltd</i> [1959] 1 WLR 966	
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<i>Ball v McIntyre</i> (1966) 9 FLR 237	
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<i>Baltic Shipping Company v Dillon</i> (1993) 176 CLR 344	
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<i>Barton v The Queen</i> (1980) 147 CLR 75 Considered. R v Ansari	4.1
<i>Bate v Priestley</i> (1989) 97 FLR 310 Followed. Patel v Patel and Others	19.334
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<i>Baxter v FW Gapp & Co Ltd</i> [1938] 4 All ER 457 Followed. Rap Pty Ltd v Watkins Tapsell	1.245
<i>Baxter v Obacelo Pty Ltd</i> (2001) 205 CLR 635 Applied. New South Wales Land and Housing Corporation v Quinn	22.66
<i>BBMB Finance (Hong Kong) Ltd v ECDA Holdings Ltd</i> [1990] 1 WLR 409 Referred to. Johnston v Christmas and Others (trading as Henry Davis York)	1.1
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<i>Carr v Finance Corporation of Australia Ltd (No 2)</i> (1982) 150 CLR 139 Applied. <i>Swift v SAS Trustee Corporation</i>	9.213
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<i>Medcalf v Mardell</i> [2003] 1 AC 120 Considered. <i>Momibo Pty Ltd v Adam and Another (t/a Marsdens Law Group)</i>	1.316
<i>Meehan v Jones</i> (1982) 149 CLR 571 Considered. <i>RCM Constructions Pty Ltd v S & Y Painting and Decoration Pty Ltd</i>	8.112
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<i>Newington v Windeyer</i> (1985) 3 NSWLR 555	
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<i>R v Skaf</i> (2004) 60 NSWLR 86 Considered. <i>Dehsabzi v John Fairfax Publications Pty Ltd (No 4)</i>	8.175
<i>R v Skewes</i> (1981) 7 A Crim R 276 Considered. <i>R v Kucukeren</i>	8.6
<i>R v Sloane</i> (1990) 49 A Crim R 270 Referred to. <i>Woolworths Ltd v Department of Health</i>	2.76
<i>R v Smith</i> [1982] 2 NSWLR 608 Applied. <i>Klewer v The Queen</i>	23.104
<i>R v Socialist Worker Printers & Publishers Ltd; Ex parte Attorney-General (UK)</i> [1975] QB 637 Considered. <i>R v Schiff</i>	12.166
<i>R v Stafford, Stone and Eccleshall Justices; Ex parte Robinson</i> [1988] 1 WLR 369 Distinguished. <i>Pentelow v Bell Lawyers Pty Ltd trading as Bell Lawyers</i>	23.134
<i>R v Stanley</i> (1981) 3 Cr App R (S) 373 Applied. <i>Wade v The Queen</i>	13.185
<i>R v Suteski</i> (2002) 128 A Crim R 275 Considered. <i>R v B.O. (No 2)</i>	15.317
<i>R v Suteski</i> (2002) 56 NSWLR 182 Distinguished. <i>R v KJ</i>	9.374
<i>R v Swaffield</i> (1998) 192 CLR 159 Considered. <i>R v D</i>	13.7
<i>R v T</i> (1990) 47 A Crim R 29 Applied. <i>R v Polyblank</i>	2.176
<i>R v Taktak</i> (1988) 14 NSWLR 226 Considered. <i>R v Burns</i>	9.317
<i>R v Tang</i> (2006) 65 NSWLR 681 Applied. <i>R v Vitale</i>	24.304
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<i>R v Tillott</i> (1995) 38 NSWLR 1 Distinguished. <i>R v KSC</i> (No 3)	7.234
<i>R v Ulman-Naruniec</i> (2003) 143 A Crim R 531 Considered. <i>R v Kaddour and Zreika</i>	14.110
<i>R v Vatner</i> (1992) 29 NSWLR 311 Considered. <i>Rook v New South Wales</i> (No 3)	21.204
<i>R v Weeks</i> (1993) 66 A Crim R 466 Followed. <i>R v Sandoval</i>	11.385
<i>R v White</i> (1987) 9 NSWLR 427 Distinguished. <i>Aslan v R</i>	21.101
<i>R v Whyte</i> (2002) 55 NSWLR 252 Followed. <i>KC v Director of Public Prosecutions</i> (Cth)	4.127
<i>R v Wilkins</i> (1988) 38 A Crim R 445 Considered. <i>R v Saddler</i>	6.372
<i>R v Wirth</i> (1976) 14 SASR 291 Applied. <i>Babineau v The Queen</i>	23.375
<i>R v XY</i> (2013) 84 NSWLR 363 Referred to. <i>R v Vitale</i>	24.304
<i>Ragen v Nominal Defendant</i> (No 2) (2007) 4 DCLR(NSW) 227 Considered. <i>Seary v White</i> (No 3)	6.324
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<i>Railways (NSW), Commissioner for v Agalianos</i> (1955) 92 CLR 390 Considered. <i>Mason v Citigroup Pty Ltd</i>	6.203
<i>Railways (Qld), Commissioner for v Peters</i> (1991) 24 NSWLR 407 Considered. <i>Sneil v Cockram and WorkCover Queensland</i>	6.195
<i>Raimondo v South Australia</i> (1979) 53 ALJR 358 (note) Followed. <i>Brown v Drummoyne Sports Club Ltd</i>	5.98
<i>Rajski v Carson</i> (1988) 15 NSWLR 84 Applied. <i>Lucire v Parmegiani</i>	10.364
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<i>Ramsay v Pigram</i> (1968) 118 CLR 271 Considered. <i>Vassallo v Haddad Import & Export Pty Ltd</i>	2.123
<i>Ramskogler v Director of Public Prosecutions</i> (NSW) (1995) 82 A Crim R 128 Referred to. <i>Bowman v R</i>	22.1
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<i>Reeves v Reeves</i> (2002) 36 MVR 488 Referred to. <i>Amor-Smith v Ching</i>	22.277
<i>Reg Glass Pty Ltd v Rivers Locking Systems Pty Ltd</i> (1968) 120 CLR 516 Applied. <i>ING Bank (Australia) Ltd v Australia City Finance Pty Ltd</i>	2.336
<i>Rheem Australia Ltd v Manufacturers' Mutual Insurance Ltd</i> [1984] 2 NSWLR 370 Applied. <i>Anthony v Australian Native Landscapes Pty Ltd</i>	7.212
<i>Rick Cobby Pty Ltd v Podesta Transport Pty Ltd</i> (1997) 139 FLR 54 Considered. <i>Wicomm Pty Ltd v CJ-Milne Solutions Pty Ltd</i>	23.5
<i>Ridgeway v The Queen</i> (1995) 184 CLR 19 Applied. <i>Woolworths Ltd v Department of Health</i>	2.76
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<i>Ridis v Strata Plan 10308</i> (2005) 63 NSWLR 449 Applied. <i>Owners of Strata Plan 21702 v Krimbogiannis and Others</i>	16.190
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<i>Rippon v Chilcotin Pty Ltd</i> (2001) 53 NSWLR 198 Distinguished. <i>J & K Richards Pty Ltd v Nick Frisina Constructions Pty Ltd</i>	7.1
<i>Ritter v Godfrey</i> [1920] 2 KB 47 Followed. <i>Haniotis v The Owners Corporation Strata Plan 64915</i> (No 2)	18.151
<i>Riverstone Meat Co Pty Ltd v Lancashire Shipping Co Ltd</i> [1960] 1 QB 536 Considered. <i>Workers Compensation Nominal Insurer v Brasnovic</i>	17.75
<i>Riverwood International Australia Pty Ltd v McCormick</i> (2000) 177 ALR 193 Considered. <i>Mason v Citigroup Pty Ltd</i>	6.203
<i>Roads and Traffic Authority of NSW v Lolomanaia</i> (2001) 34 MVR 249 Not followed. <i>Juric v Transformex Pty Ltd</i>	6.224
<i>Roadshow Entertainment Pty Ltd v ACN 053 006 269 Pty Ltd</i> (1997) 42 NSWLR 462 Considered. <i>Unilever Australia Ltd v Rosella Foods Pty Ltd</i>	15.185

<i>Roadshow Films Pty Ltd v iiNet Ltd</i> (2011) 194 FCR 285 Considered. <i>Hale v The Queen</i>	13.1
<i>Roberts v City of Gosnells</i> (1995) 13 SR (WA) 72 Referred to. <i>New South Wales Land and Housing Corporation v Quinn</i>	22.66
<i>Roberts v Fuchs Lubricants (Australasia) Pty Ltd</i> (2002) 24 NSWCCR 125 Applied. <i>Butt v Liebherr Australia Pty Ltd</i>	19.346
<i>Rochfort v John Fairfax & Sons Ltd</i> [1972] 1 NSWLR 16 Applied. <i>McMaster v New South Wales</i>	14.367
<i>Rockdale Beef Pty Ltd v Industrial Relations Commission (NSW)</i> (2007) 165 IR 7 Considered. <i>Inspector Walsh v Built (NSW) Pty Ltd</i>	19.206
<i>Rogers v Nationwide News Pty Ltd</i> (2003) 216 CLR 327 Considered. <i>Hennessy v Lynch (No 3)</i>	6.247
<i>Rogers v The Queen</i> (1994) 181 CLR 251 Considered. <i>A v Department of Family and Community Services and Others</i>	20.353
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<i>Rolls Royce Industrial Power (Pacific) Ltd v James Hardie & Co Pty Ltd</i> (2001) 53 NSWLR 626 Considered. <i>Grbac v Shellharbour City Council</i>	2.1
<i>Romeo v Conservation Commission (NT)</i> (1998) 192 CLR 431 Distinguished. <i>Tillman v Kelso Australia Pty Ltd</i>	8.48
<i>Ross McConnel Kitchen & Co Pty Ltd (in liq) v Ross (No 1)</i> (1985) 1 NSWLR 233 Considered. <i>Riley v Chubb Security Services Ltd (No 1)</i>	7.35
<i>Rowlands v New South Wales</i> (2009) 74 NSWLR 715 Considered. <i>Brewster v El-Sayed</i>	17.115
<i>Royal Brunei Airlines Sdn Bhd v Tan</i> [1995] 2 AC 378 Considered. <i>Workers Compensation Nominal Insurer v Brasnovic</i>	17.75
<i>Royall v The Queen</i> (1991) 172 CLR 378 Considered. <i>R v Wells</i>	23.121
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<i>Rush v Commissioner of Police</i> (2006) 150 FCR 165 Considered. <i>Auditore v New South Wales</i>	25.346
<i>Russell v Stubbs Ltd</i> [1913] 2 KB 200 Applied. <i>Stanizzo v Sassu and Others</i>	18.282
<i>Russell Young Abalone Pty Ltd v Traders Prudent Insurance Company Ltd</i> (1993) 7 ANZ Insurance Cases 78,037 (61-182) Considered. <i>Camilleri v Australian Casualty & Life</i>	3.223
<i>Russo v Aiello</i> (2003) 215 CLR 643 Applied. <i>Dawson v New South Wales</i>	14.103
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<i>RW Miller & Co Pty Ltd v Krupp (Australia) Pty Ltd</i> (1991) 32 NSWLR 152 Considered. <i>Riley v Chubb Security Services Ltd (No 1)</i>	7.35
<i>Ryan v Hansen (t/as Hansens Solicitors)</i> (2000) 49 NSWLR 184 Referred to. <i>Sanossian v Parisi & Associates, Lawyers</i>	23.62
<i>Rylands v Fletcher</i> (1868) LR 3 HL 330 Considered. <i>Barclay and Another v Bootle and Others</i>	14.287
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<i>Saad v Commissioner of Police</i> (1995) 12 NSWCCR 70 Applied. <i>Grose v Commissioner of Police (No 2)</i>	16.136
<i>Sachs v Miklos</i> [1948] 2 KB 23 Followed. <i>Johnston v Christmas and Others (trading as Henry Davis York)</i>	1.1
<i>Safety, Rehabilitation and Compensation of Commonwealth Employees, Commission for the v Chenhall</i> (1992) 37 FCR 75 Distinguished. <i>Soutar v Commissioner of Police</i>	3.351
<i>Sali v SPC Ltd</i> (1993) 67 ALJR 841 Considered. <i>Battaglia v Berman</i>	1.143
<i>Salido v Nominal Defendant</i> (1993) 32 NSWLR 524 Considered. <i>Baker v Baker</i>	24.388
<i>Salzke v Khoury</i> (2009) 74 NSWLR 580 Considered. <i>Molnar v Kumar</i>	14.212
<i>Sambasivam v Public Prosecutor, Federation of Malaya</i> [1950] AC 458 Referred to. <i>R v Vincent</i>	1.11

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<i>Sanderson v Blyth Theatre Co</i> [1903] 2 KB 533	
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<i>Sandtara Pty Ltd v Australian European Finance Corporation Ltd</i> (1990) 20 NSWLR 82	
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<i>Shoey's Pty Ltd v Allan</i> [1991] Aust Torts Reports 68,934 (81-104) Considered. <i>Alat v Franklins Pty Ltd</i>	15.203
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<i>Simpson v Bannerman</i> (1932) 47 CLR 378 Distinguished. <i>Simon v Condran</i>	16.230
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<i>Smith v Commonwealth Oil Refineries Ltd</i> (1938) 60 CLR 141 Referred to. <i>Allianz Workers Compensation Ltd v Evans</i>	1.154
<i>Smith v Grant</i> (2006) 67 NSWLR 735 Applied. <i>Fleming v New South Wales</i>	20.289
<i>Smith v NSW Bar Association</i> (1992) 176 CLR 256 Referred to. <i>Corrigan v Coles Supermarkets Australia Ltd</i>	24.385
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<i>Stage Club Ltd v Millers Hotels Pty Ltd</i> (1981) 150 CLR 535	
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<i>Standish v The Queen</i> (1991) 60 A Crim R 364	
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<i>Stanley v Phillips</i> (1966) 115 CLR 470	
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<i>Stanton-Cook v TAFE Commission</i> (1999) 17 NSWCCR 632	
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<i>State Pollution Control Commission v Kelly</i> (1991) 5 ACSR 607	
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<i>Stead v State Government Insurance Commission</i> (1986) 161 CLR 141	
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<i>Stutsel v Reid</i> (1990) 20 NSWLR 661	
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<i>Sutherland v Liquor Administration Board</i> (1997) 139 FLR 206	
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<i>Taxation, Deputy Commissioner of (NSW) v Taylor</i> [1983] 2 NSWLR 139 Applied. <i>Deputy Commissioner of Taxation v Wade</i>	1.259
<i>Taxation, Federal Commissioner of v Applegate</i> (1979) 9 ATR 899 Considered. <i>Dunstan v Rickwood</i>	6.6
<i>Taxation, Federal Commissioner of v Miller</i> (1946) 73 CLR 93 Considered. <i>Dunstan v Rickwood</i>	6.6
<i>Taylor v Director of Serious Fraud Office</i> [1999] 2 AC 177 Not followed. <i>Lassanah v New South Wales</i>	8.343
<i>Taylor v J Thomas & Son; VACC Insurance Co Ltd (Third Party)</i> (1983) 2 ANZ Insurance Cases 77,991 (60-524) Considered. <i>Camilleri v Australian Casualty & Life</i>	3.223
<i>Taylor v Taylor</i> (1979) 143 CLR 1 Referred to. <i>Josa Constructions Pty Ltd v Amarino Pty Ltd</i>	24.1
<i>TCN Channel Nine Pty Ltd v Ilvari Pty Ltd</i> (2008) 71 NSWLR 323 Considered. <i>Lucire v Parmegiani</i>	10.364
<i>Ted Brown Quarries Pty Ltd v General Quarries (Gilston) Pty Ltd</i> (1977) 16 ALR 23 Referred to. <i>Macquarie Corporate Telecommunications Pty Ltd v Oakford Australia Pty Ltd</i>	1.301
<i>Teen Ranch Pty Ltd v Brown</i> (1995) 87 IR 308 Considered. <i>Richards v Cornford</i>	8.353
<i>Television New Zealand Ltd v Ah Koy</i> [2002] 2 NZLR 616 Followed. <i>Martin v Bruce</i>	6.157
<i>Tennyson Textiles Pty Ltd v Telicki</i> [1961] NSWLR 171 Applied. <i>Perrin v SAS Trustee Corporation</i>	19.193
<i>Termijtelen v Van Arkel</i> [1974] 1 NSWLR 525 Applied. <i>BHP Steel Ltd v Whitehouse</i>	1.167
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