

ANTHONY LO SURDO SC
12 WENTWORTH SELBORNE CHAMBERS, SYDNEY
LONSDALE CHAMBERS, MELBOURNE



Appointed Senior Counsel: 6 October 2011

Admissions

Barrister: 9 August 1996

Solicitor: 3 July 1987

Jurisdictions

Throughout Australia, Internationally

Qualifications

Bachelor of Arts (University of Sydney, 1985)

Bachelor of Laws (University of Sydney, 1987)

Master of Laws (University of Sydney, 1996)

Acc. M. LEADR (1993)

National Accredited Mediator (2008)

Arbitrator (2010)

Expert Determiner (2010)

Adv. M. LEADR (2013)

Arbitrator and Mediator, Court of Arbitration for Sport (CAS) (2016)

Fellow, Australian Centre for International Commercial Arbitration (ACICA) (2016)

Fellow, Resolution Institute (2016)

International Mediation Institute, Certified Mediator (2017)

Singapore International Mediation Institute, Certified Mediator (2017)

Arbitrator and Mediator, Asian International Arbitration Centre (AIAC) (2018)

Arbitrator, Thailand Arbitration Centre (2019)

Arbitrator, Sport Resolutions (UK) (2019)

Anthony Lo Surdo SC

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Practice Areas

Administrative law	Equity
Alternative dispute resolution (including mediation & arbitration)	Insurance
Banking, finance & securities law	Insolvency
Commercial (including contract law)	Partnerships
Consumer protection	Professional indemnity
Corporations law	Product liability
	Property
	Representative proceedings
	Sports law

Biographical Summary

Anthony has a broad practice both at trial and appellate level spanning diverse areas including commercial, equity, corporations, insurance law, professional indemnity, property and sports law. He has a particular interest in banking and insolvency in respect of which he has written extensively and has been named in *“Doyle’s Guide to the Australian Legal Profession”* in 2011 and again in 2015, 2016, 2017 and 2018 as one of Australia’s leading insolvency and restructuring barristers.

Anthony is accredited as an advanced mediator, arbitrator and expert determiner. He is regularly retained as a mediator in complex multi-party disputes. He has also been ranked by *“Doyle’s Guide to the Australian Legal Profession”* as a leading mediator in New South Wales, 2018. He is also often appointed as an arbitrator in commercial matters especially involving sport both domestically and internationally.

Advisory and Advocacy

Anthony has advised and/or has appeared for:

- The ACT Government.
- Applicants and Group Members in class actions including arising out of the collapse of Storm Financial Pty Ltd (in liq) and Westpoint Corporation (in liq).
- ASIC in relation to breaches of continuous disclosure provisions, breaches of market manipulation requirements, misleading and deceptive conduct and unconscionable conduct, and disciplinary proceeding involving insolvency practitioners.

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- Banks and other financial institutions in relation to the enforcement of security interests and banker/customer disputes.
- Creditors of insolvent companies and individuals.
- Directors in relation to breach of directors' duties and insolvent trading claims.
- Insolvency administrators (voluntary administrators, receivers, trustees in bankruptcy and liquidators).
- Insurers in relation to indemnity issues generally, professional indemnity (including advising and appearing in defence of surveyors, architects, valuers, brokers, town planners, builders and lawyers) and product liability.
- Lessors (including major shopping centre proprietors) and lessees in relation to disputes which have arisen between them (including proceedings for possession and for relief against forfeiture).
- Vendors and purchasers of land, builders and developers.
- Corporations and individuals in relation to contractual disputes (including share sale agreements and agreements for the sale of interests in other personal property).
- Professional Sportspersons, Clubs and Associations including for Triathlon Australia in 2012 in an arbitration hearing which concerned an appeal by World Champion Emma Snowsill against her non-inclusion in the Australian Olympic Team, for athletes charged with breaches of the world anti-doping regulations and for Kurtley Beale in a code of conduct hearing brought by the Australian Rugby Union (ARU) in the ARU Code of Conduct Tribunal.

Mediation, Arbitration and Dispute Resolution

Mediation

Anthony is accredited as an advanced mediator by Resolution Institute (formerly LEADR). He is also accredited the New South Wales Bar Association under the National Mediator Accreditation

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System Standards (NMAS). He has also been ranked by “*Doyle’s Guide to the Australian Legal Profession*” as a leading mediator in New South Wales, 2018.

As part of his ongoing commitment to excellence in mediation, in 2017 Anthony attained certification as a mediator by the International Mediation Institute (IMI) and the Singapore International Mediation Institute (SIMI) and in doing so joins a select number of mediators in Australia to achieve that qualification.

In recognition of his specialist knowledge of mediation and sports law, in January 2016, Anthony was appointed by the International Council of Arbitration for Sport (ICAS) as a mediator of the Court of Arbitration for Sport (CAS) and in 2019, he was appointed to the Sports Resolution (UK) International Panel of mediators.

Anthony has been a member of the Supreme Court and District Court’s Mediation Panels for several years. He is also a member of the mediation panels of the Australian Centre for International Commercial Arbitration (ACICA), the IMI and the SIMI.

Anthony has acted as mediator in a vast array of matters since he was first accredited in 1993. He has mediated well in excess of 200 complex disputes since 2009. He uses his experience as both senior counsel and as a mediator to quickly identify the issues and to gain an understanding of the position of each party in the mediation so as to assist in facilitating a fair and efficient resolution to a dispute.

Anthony’s work as a mediator includes:

- Banking disputes
- Contractual disputes
- Corporations law disputes including claims arising from insolvency
- Partnership disputes
- Disputes between joint venturers
- Disputes between lenders and valuers involving allegations of negligent property valuation
- Medical negligence
- Claims involving alleged negligence by lawyers
- Claims involving the alleged negligence of town planners
- Claims involving the alleged negligence of accountants
- Claims against investment advisors including financial planners

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- Employment disputes
- Claims involving restraints of trade
- Building disputes
- Claims involving damages for personal injury
- Shareholder disputes
- Succession claims
- Planning disputes
- Building and construction claims
- Property disputes
- Sports disputes

Arbitration

Anthony is an accredited arbitrator.

Having regard to his experience in international arbitration, in June 2016, Anthony was appointed a Fellow of the Australian Centre for International Commercial Arbitration (ACICA) and was also appointed to its panel of arbitrators.

In recognition of his specialist knowledge of arbitration and sports law, in January 2016, Anthony was appointed by the International Council of Arbitration for Sport (ICAS) as an arbitrator of the Court of Arbitration for Sport (CAS) and his name appears on both the general list and the football list. In February 2019, Anthony was appointed to the Sports Resolutions (UK) International Panel of Arbitrators.

He has been appointed to the arbitration panels of the AIAC, the THAC, the District Court of NSW and the Local Court of NSW.

He has sat as both a sole and panel arbitrator in commercial and disciplinary disputes especially involving sport.

CAS Arbitral Appointments

In January 2018, Anthony presided over a hearing of a CAS Appeal Panel in Lausanne, Switzerland.

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In April 2018, he was appointed to the CAS ad hoc panel for the Commonwealth Games, Gold Coast, Australia.

In May 2018, Anthony was appointed to the CAS ad hoc panel for the Asian Games, Jakarta, Indonesia in August/September 2018.

In September 2018, Anthony was appointed as a sole arbitrator of an appeal to CAS from a determination of a single judge of the FIFA Players' Status Committee which was heard in Shanghai.

In December 2018, Anthony presided over a hearing of a CAS Appeal Panel in a disciplinary matter arising in Asia.

In February 2019, Anthony was appointed by a party in a commercial dispute.

FFA Arbitral Appointments

As a member of the FFA Appeals Committee since 2008, Anthony has determined both disciplinary and non-disciplinary disputes that have arisen between the FFA, Member Federations, Clubs, and Players mostly involving players and coaches of international repute.

As a member of the FFA Dispute Resolution Chamber since 2008, Anthony has determined commercial disputes and appeals that have arisen between the FFA, Member Federations, Clubs, and Players under the FFA Grievance Resolution Regulations, some of which have involved players and coaches of international repute.

As a member of the FFA Disciplinary and Ethics Committee also since 2008, he has determined disciplinary issues arising from on-field incidents involving players and coaches of international repute competing in Australia's Premier National football league (Hyundai A-League).

Football NSW Arbitral Appointments

As the Chairman of the Football NSW Appeals Tribunal since 2012, Anthony has determined appeals involving both disciplinary and non-disciplinary disputes that have arisen between FNSW, Members of FNSW, Clubs and Players under the FNSW Grievance and Disciplinary Regulations.

Expert Determiner

Anthony is accredited as an expert determiner.

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Academic

General Editor, *Banking and Finance Law of Australia* (LexisNexis) (2014 -)
 Editorial Panel of the *Insolvency Law Bulletin* (LexisNexis Butterworths) (1992 -)
 Editorial Panel of the *Australian Banking & Finance Law Bulletin* (LexisNexis Butterworths) (1990-2013) (2016-)
 Editorial Panel of the *Australian Civil Liability Bulletin* (LexisNexis Butterworths 2008 -)

Quasi-Judicial Bodies

Court of Arbitration for Sport – Arbitrator and Mediator
 Acting Racing Appeals Tribunal, NSW
 FFA Appeals Committee - Member
 FFA Disciplinary and Ethics Committee – Deputy Chairman
 Appeals Tribunal of Football NSW – Chair
 Appeals Board, AFL NSW/ACT - Member
 National Rugby League (NRL) – Judiciary Counsel

Other

Manly Warringah Football Referees Association
 Vice-President, Football Operations, Mosman Swans Junior Australian Rules Football Club (2011-2013)

Professional Memberships

NSW Bar Association
 Victorian Bar Association
 Queensland Bar Association
 International Mediation Institute
 Resolution Institute
 Australian Centre for International Commercial Arbitration (ACICA)
 Australian and New Zealand Sports Law Association (ANZSLA)
 Chartered Institute of Arbitrators (CIArb)
 Former Member of the NSW Bar Association ADR, Bar News, Equal Opportunity, Health, Sport and Recreation Committees

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Significant Cases and Publications

A selection of significant cases and publications will be provided upon request.

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