



GREENWAY CHAMBERS

Sam Sykes

Solicitor 2011 / Barister 2015

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Background

Sam Sykes was called to the bar in 2015. He accepts briefs in all areas of commercial law and equity, including in corporations/insolvency, real property, construction and professional negligence.

Sam's clients range from individuals to small and large companies, liquidators, professionals, builders, lenders and insurers, meaning he knows that clients' needs come in different shapes and sizes. Sam understands that litigation can be daunting for inexperienced litigants. He focuses on providing pragmatic advice and solutions tailored to the client's specific requirements.

Outside of the law, Sam tries to juggle time between his obsessions for cricket, golf (or at least staring longingly at his golf clubs) and footy with his wife, son, 2 daughters and neurotic spoodle

Areas of Practice

- Commercial and Equity (partnership disputes; rectification of contracts, equitable fraud, misuse of confidential information, contract disputes)
- Real Property (relief against forfeiture, specific performance, contract for sale of land disputes)
- Corporations and Insolvency (statutory derivative claims, director disputes, shareholder disputes, unfair preference claims and insolvent trading)
- Professional Negligence (professional advisor claims including solicitor negligence)

Specialisations

Equity

Bankruptcy

Real Property

Commercial

Insurance

Corporations and Insolvency

Building and Construction

Professional Negligence

Sahid v Brydens Lawyers [2025] NSWDC 335

Summary dismissal and strike-out application in professional negligence (solicitor) proceedings.

Azad v Avant Insurance Ltd (No 2) [2025] FCA 853

Summary dismissal and strike-out application in professional indemnity insurance coverage proceedings.

Lewington v Dulyakarn (No 2) [2025] NSWSC 808

Costs application where there has been a mixed outcome in principal proceedings.

Lewington v Dulyakarn [2025] NSWSC 635

Dispute about a failed contract for the sale of land, including: construction of the agreement, repudiation, termination and relief against forfeiture of deposit.

Inspector-General in Bankruptcy v Hartnett & Ors [2025] FCA 111

Appeared for successful cross-claimant in an application to have a personal insolvency agreement set aside and for a trustee in bankruptcy to be appointed.

Laith & Fadi Investments Pty Ltd & Ors v Fogo Brazilia Holdings Pty Ltd & Ors [2024] NSWSC 1508

Representative proceedings – appeared for a defendant in obtaining an order for security for costs in representative proceedings.

Copeland in his capacity as liquidator of Skyworkers Pty Ltd (In Liq) v Murace (No 2) [2024] FCA 957

Insolvent trading – acted for the successful liquidator in a case where the court considered the defences in section 588H(2) and (3) of the Corporations Act 2001 (CTH).

Coulter v Bush; Coulter v Domain Residential Northern Beaches Pty Ltd [2024] NSWSC 267.

Negligence

State of New South Wales v Torronen [2023] NSWCA 319

Leave to appeal – intentional torts – led by R Cheney SC

Hartnett t/as Hartnett Lawyers v Bell as Executor of Estate of Late Deakin-Bell (No 2) [2023] NSWCA 311.

Fixed sum costs – statutory construction of rule 36.16

Bell v Hartnett Lawyers (No 4) [2023] NSWSC 1592.

Fixed sum costs and construction and interpretation of Court orders.

Hartnett t/as Hartnett Lawyers v Bell as Executor of Estate of Late Deakin-Bell [2023] 112 NSWLR 463; [2023] NSWCA 244

Consideration and application of the Court's inherent supervisory jurisdiction over solicitors in the context of exorbitantly charged legal fees

In the Matter of Premier Energy Resources Pty Ltd [2023] NSWSC 1185.

Corporations - Validation of an administrator's appointment.

Cool-off Pty Ltd v Thomas Foods International Pty Ltd [2023] NSWSC 1183

Interlocutory and mandatory injunction about construction and enforcement of contracts.

Greyhound Welfare and Integrity Commission v Verhagen [2023] NSWSC 1140.

Administrative law - construction of Greyhound Racing Rules and related legislative instruments.

Breedon v Oosthuizen [2023] NSWSC 859.

Restraint of trade and non-solicitation.

Copeland in his capacity as liquidator of Skyworkers Pty Ltd (in Liq) v Murace [2023] FCA 14.

Insolvent trading summary dismissal application.

Bell v Hartnett Lawyers (No 3) [2022] NSWSC 1204

The Court's inherent supervisory jurisdiction over solicitors. Restitution. Construction of costs disclosures.

Volkswagen Financial Services Australia Pty Ltd v Atlas CTL Pty Ltd (Recs and Mgrs Apptd) (In Liq) [2022] 414 ALR 453; [2022] NSWSC 573.

Consideration of the scope of an equitable, Universal Distributing Co Ltd (in liq) lien for an administrator and the necessity to create a pool of funds - led by J Evans KC.

Metro Finance Pty Ltd v Mohen [2021] FCCA 413.

Bankruptcy - application to appoint trustee to control estate prior to the making of sequestration order.

Moustapha v Nelson (No 3) [2020] NSWSC 1263.

Freezing order application.

Bell v Beau Timothy John Harnett [2021] NSWSC 202.

Effect of Service and Execution of Process Act and discretion under Uniform Civil Procedure Rules to allow proceedings commenced irregularly

Allianz Australia Ltd v Certain Underwriters at Lloyd's of London Subscribing to Policy Number B105809GCOM0430 [2019] NSWCA 271

Double insurance and contribution between insurers – led by S Donaldson SC

RE Yinsanity Pty Ltd [2019] NSWSC 1290

Statutory derivative action by director of company

Forest Coach Lines Pty Ltd v Commissioner for Vocational Training [2019] NSWCATAD 181.

Administrative law – consideration of the interplay between the Apprenticeship and Traineeship Act 2001, Fair Work Act 2009 and an employer's rights to terminate employment.

Ritossa v Rutland [2019] FCCA 1219

Bankruptcy, penalty provisions in contract and third party payer costs considerations.

Allianz Australia Ltd v Certain Underwriters at Lloyd's of London Subscribing to Policy Number B105809GCOM0430 [2019] NSWSC 453

Double insurance and contribution between insurers – led by S Donaldson SC.

Foster v QBE European Underwriting Services (Australia) Pty Ltd as Managing Agent for Lloyd's Syndicate 386 [2018] NSWSC 440.

Double insurance and equitable contribution – led by S Donaldson SC

Edwards & Anor v CohenHandler Pty Ltd [2017] NSWCATAP 52

NCAT jurisdictional question and costs.

In the Matter of Link Constructions (NSW) Pty Ltd (in Liquidation) [2016] NSWSC 684.

Contested application to proceed against a company in liquidation nunc pro tunc to preserve limitation period.

Lyndon John Kube v Dominelli Grou Pty Ltd T/A Rockdale Nissan [2016] FWC 8933.

Unfair dismissal – costs.

Lyndon John Kube v Dominelli Group Pty Ltd T/A Rockdale Nissan [2016] FWC 7697.

Unfair dismissal.

Alzawy v Coptic Orthodox Church Diocese of Sydney, St Mary and St Merkorious Church (No.2) [2016] NSWSC 1123.

Public liability – serious brain injury and consideration of issues surrounding serious medical causation – led by R Cheney SC.

Alzawy v Coptic Orthodox Church Diocese of Sydney, St Mary and St Merkorious Church [2016] NSWSC 1122J

Public liability – serious brain injury – led by R Cheney SC.

Auzcare Pty Ltd v Idameneo (No 123) Pty Ltd [2015] NSWCA 412.

Penalties in contract – led by J Hyde Page.