

**IN THE FEDERAL COURT OF AUSTRALIA
VICTORIA DISTRICT REGISTRY
DIVISION: GENERAL
ON APPEAL FROM THE FEDERAL COURT**

VID 627 of 2009

ROBERT FOWLER

Applicant

**JOHN ROSS LINDHOLM, ADRIAN LAWRENCE BROWN
AND PETER DAMIEN MCCLUSKEY**

Respondents

RESPONDENTS' LIST OF AUTHORITIES

TAB	LIST A
AUTHORITIES	
1	<i>Bridges v Hershon</i> [1968] 3 NSW 47
2	<i>Daewoo Singapore Pte Ltd v CEL Tractors Pte Ltd</i> [2001] 4 SLR
3	<i>Re Boral Johns Perry Industries Pty Ltd v Kurt and Gerlinde Piccardi; Dick & Dons Pty Limited; Fire Fighting Sprinkler Co Limited and George Gregory Grivas</i> [1989] FCA 227 (23 June 1989)
4	<i>Re Buildmat (Australia) Pty Ltd</i> (1981) 5 ACLR 689
5	<i>Re Citect Corporation</i> (2006) 225 ALR 137
6	<i>Re HIH Casualty and General Insurance Ltd & Ors</i> (2005) 53 ACSR 12
7	<i>Re HIH Casualty and General Insurance Ltd & Ors</i> (2006) 200 FLR 243
8	<i>Re Metcalf & Mansfield Alternative Investments II Corp</i> [2008] ONCA 587
9	<i>Re T & N (No. 3)</i> [2007] 1 All E.R 851 (Ch.)
TAB	LEGISLATION
10	<i>Corporations Act 2001</i> (Cth), sections 411, 501, 555, 556 - 563AAA

TAB	LIST B
AUTHORITIES	
1	<i>American Hardwoods Inc v Deutsche Credit Corporation (In re American Hardwoods)</i> 885 F2d 621 (9th Cir 1989)
2	<i>Australian Securities Commission v Malborough Gold Mines Limited</i> (1993) 177 CLR 485
3	<i>Lancedale Holdings Pty Ltd v Heath Group Australia Pty Ltd</i> [1999] NSWSC 609
4	<i>Landsing Diversified Properties-II v The First National Bank and Trust Company of Tulsa (In re Western Real Estate Fund Inc)</i> 922 F2d 592, 601-602 (10th Cir 1990)
5	<i>Mercantile Investment & General Trust Company v International Company of Mexico</i> [1893] 1 Ch 491n
6	<i>Re Alabama, New Orleans, Texas and Pacific Junction Railway Company</i> [1891] 1 Ch 213
7	<i>Re Anglo American Insurance Ltd</i> [2001] 1 BCLC 755
8	<i>Re Bank of Adelaide Ltd</i> (1979) 4 ACLR 393
9	<i>Re Cooper, Cooper & Johnson, Limited</i> [1902] WN 199
10	<i>Re Guardian Assurance Company</i> [1917] 1 Ch 431
11	<i>Re International Harvester Co of Australia Pty Ltd</i> [1953] VLR 669
12	<i>Isles v The Daily Mail Newspaper Limited</i> (1912) 14 CLR 193
13	<i>Re NFU Development Trust Ltd</i> [1972] 1 WLR 1548
14	<i>Re Oceanic Steam Navigation Company Limited</i> [1939] Ch 41
15	<i>Re St James' Court Estate Limited</i> [1944] Ch 6
16	<i>Shaw v Royce Limited</i> [1911] 1 Ch 138 at 148
17	<i>Underhill v Royal</i> 769 F2d 1426, 1432 (9th Cir 1985)
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18	Joshua Silverstein, "Hiding in Plain View: A Neglected Supreme Court Decision Resolves the Debate Over Non-Debtor Releases in Chapter 11 Reorganizations" (2006) 23 <i>Emory Banker Dev J</i> 13