

# ANDREW STUMER KC

**Barrister-at-Law**

Level 16 Quay Central  
95 North Quay  
Brisbane QLD 4000

T | +61 7 3360 3383  
E | [astumer@qldbar.asn.au](mailto:astumer@qldbar.asn.au)  
[www.16quaycentral.com.au](http://www.16quaycentral.com.au)



## PRACTICE

Mr Stumer KC was admitted as a legal practitioner in the Supreme Court of Queensland and the Federal and High Courts in February 2003. He was admitted to the Queensland Bar in March 2010 and was appointed King's Counsel in 2023. He has a practice in commercial litigation and arbitration, having acted in disputes relating to mining, construction, insolvency, insurance, professional negligence, breaches of fiduciary duty, banking, directors' duties and charitable associations.

## RECENT NOTABLE APPEARANCES

- Acting for Rio Tinto in a Federal Court appeal concerning international sanctions against a contractual counterparty (2024)
- Acting for a solar power company in proceedings against a construction contractor, in the Supreme Court of Queensland and Court of Appeal (2023-2024)
- Acting for Santos Limited in a multi-billion dollar claim against a construction contractor, including a referral hearing and Supreme Court of Queensland hearings (2021 to 2024)
- Acting for the Receivers of the Presbyterian Church of Queensland in Supreme Court proceedings against a financier (2023-2024)

## PREVIOUS WORK HISTORY

Prior to his call to the Bar, Mr Stumer KC was a Lawyer/Senior Associate at Allens Arthur Robinson (now Allens), Brisbane.

Mr Stumer KC studied for a masters and doctorate at the University of Oxford between 2005 and 2007. During that time, he held the position of Lecturer in Law at Magdalen College, Oxford and taught Contract Law.

## AREAS OF EXPERTISE

- General Civil and Commercial
- Construction
- Insolvency
- Professional Negligence
- Resources and Infrastructure
- Equity
- Administrative law

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## PROFESSIONAL QUALIFICATIONS

- Bachelor of Arts (UQ)
  - Bachelor of Laws (Hons 1) (UQ)
  - Bachelor of Civil Law (Oxon)
  - Master of Philosophy (Law) (Oxon)
  - Doctor of Philosophy (Law) (Oxon)
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## SELECTED DECIDED CASES

- **Taxation** – *Century Mining Pty Ltd v Commissioner of Revenue* [\[2024\] QSC 143](#)
- **Construction** – *Karam Group Pty Ltd v HCA Queensland Pty Ltd* [\[2023\] QSC 245](#), [\[2024\] QSC 34](#)
- **Construction** – *Canadian Solar Construction (Australia) Pty Ltd v Re Oakey Pty Ltd* [\[2023\] QSC 288](#)
- **Construction** – *Thallon Mole Group Pty Ltd v Morton* [\[2023\] QCA 250](#)
- **Security for Costs** – *McMahon Services Australia Pty Ltd v Pinkenba Quarrying & Recycling Pty Ltd* [\[2023\] FCA 360](#)
- **Human Rights** – *Pavlou v Xu Jie* [\[2023\] QDC 38](#)
- **Civil Procedure** – *Quinlan v ERM Power Limited* [\[2023\] QSC 80](#)
- **Construction** – *Karam Group Pty Ltd v HCA Queensland Pty Ltd* [\[2022\] QSC 290](#)
- **Superannuation** – *HEST Australia Ltd v Attorney General (Qld)* [\[2022\] QSC 221](#)
- **Unconscionable Conduct** – *Lake Vermont Resources Pty Ltd v Adani Abbot Point Terminal Pty Ltd* [\[2022\] HCATrans 110](#)
- **Civil Procedure** – *Santos Ltd v Fluor Australia Pty Ltd (No 4)* [\[2021\] QSC 296](#)
- **Class Actions** – *Gladstone Ports Corporation Limited v Murphy Operator Pty Ltd* [\[2021\] HCA Trans 114](#)
- **Contract** – *Glencore Coal Queensland Pty Ltd v Aurizon Network Pty Ltd; Yarrabee Coal Company Pty Ltd v Aurizon Network Pty Ltd* [\[2020\] QCA 182](#) (appeal); [\[2019\] QSC 163](#) (trial)
- **Civil Procedure** – *Cherwell Creek Coal Pty Ltd v BHP Queensland Coal Investments Pty Ltd (No 27)* [\[2020\] QLC 32](#)
- **Civil Procedure** – *Sanrus Pty Ltd v Monto Coal 2 Pty Ltd* [\[2019\] QCA 160](#) (appeal), [\[2019\] QSC 162](#) (first instance)
- **Security for Costs** – *Monto Coal 2 Pty Ltd v Sanrus Pty Ltd* [\[2019\] 3 Qd R 143](#); [\[2018\] QCA 309](#)
- **Administrative Law** – *Kemppi v Adani Mining Pty Ltd (No 4)* [\[2018\] FCA 1245](#)
- **Arrest Warrant** – *Mensink v Parbery* (2018) 264 FCR 265; [\[2018\] FCAFC 101](#) (appeal); [\[2017\] FCA 1248](#) (first instance)
- **Insolvency** – *Childcare Providers Pty Ltd v Bright Horizons Australia Childcare Pty Ltd* [\(2017\) 327 FLR 363](#); [\[2017\] QSC 307](#)
- **Civil Procedure** – *Tri-Star Petroleum Company v Australia Pacific LNG Pty Ltd* [\[2017\] QSC 136](#)
- **Contract/Insolvency** – *QNI Resources Pty Ltd v Queensland Nickel Sales Pty Ltd (in liq)* [\[2017\] QCA 167](#)
- **Administrative Law** – *Burragebba v State of Queensland* (2017) 254 FCR 175; [\[2017\] FCAFC 133](#) (appeal); (2016) 151 ALD 471; [\[2016\] FCA 984](#) (trial)
- **Administrative Law** – *Ngan Aak-Kunch Aboriginal Corporation RNTBC v Glencore Bauxite Resources Pty Ltd* [\[2017\] FCA 265](#)
- **Constitutional Law** – *Palmer v Ayres* [\(2017\) 259 CLR 478](#); [\[2017\] HCA 5](#)
- **Professional Negligence** – *Christian Community Ministries Ltd v Intelara Pty Ltd* [\[2016\] QSC 288](#)
- **Construction** – *RCR O'Donnell Griffin Pty Ltd v Forge Group Power Pty Ltd (Receivers and Managers Appointed) (in liq)* [\[2016\] QCA 214](#) (appeal); [\[2015\] QSC 186](#) (trial)
- **Negligence** – *Kinsella v Gold Coast City Council (No 3)* [\[2016\] QSC 14](#)
- **Negligence/Trade Practices** – *IBM Australia Pty Ltd v State of Queensland* [\[2015\] QSC 342](#)

- **Administrative Law** - *BHP Billiton Mitsui Coal Pty Ltd v Isdale* [\[2015\] QSC 107](#)
  - **Taxation** - *Sojitz Coal Resources Pty Ltd v Commissioner of State Revenue* [\[2016\] 1 Qd R 75](#) (appeal); [\[2015\] QSC 9](#) (trial)
  - **Restraint of Solicitor** - *PDP Group Pty Ltd v Bennett & Philp* [\[2013\] QSC 231](#)
  - **Equity/Fraud** - *Groves v Groves* [\[2013\] QSC 277](#)
  - **Civil Procedure** - *AMCI Pty Ltd v Corcoal Management Pty Ltd* [\[2013\] QSC 50](#)
  - **Costs/Appeal** - *Queensland Timber Wholesalers (Production) Pty Ltd v Hatton* [\[2012\] QCA 128](#)
  - **Statutory Compensation** - *Securities Exchange Guarantee Corporation Ltd v Samuel Holdings Pty Ltd* [\[2012\] 1 Qd R 377](#) (appeal); [\[2010\] QSC 450](#) (trial)
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## DOYLE'S GUIDE RANKINGS

### Commercial Litigation and Dispute Resolution, Junior Counsel (Queensland)

- Leading – 2020, 2022, 2023
- Preeminent – 2017, 2018
- Recommended – 2015, 2016, 2019, 2021

