



Shane Murphy

Partner

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Shane Murphy specialises in pre-empting and resolving complex, high-value disputes in the energy, mining and infrastructure sectors.

He has advised clients on a broad range of corporate, commercial and insolvency disputes. Predominantly, Shane advises on contentious transactions and contracts, including:

- share, asset and product sales;
- royalties and streams;
- financing, services, logistics, joint ventures, farmins and mergers;

and on disputes under the Australian Consumer Law, the *Corporations Act 2001* (Cth) and the ASX Listing Rules; and under extractives and environmental regulation.

Having worked in-house at two ASX top 20 companies, Shane knows the ever-increasing time, cost and results pressures challenging boards, management and in-house counsel. To meet these head-on, Shane collaborates with clients, counsel and experts to deliver:

- effective advocacy and negotiation;
- strategic planning and project management; and
- advice that is clear, practical and commercial.

- Litigation, Arbitration and Investigations
- Projects, Energy and Infrastructure
- Corporate
- Restructuring
- Regulatory and Government Affairs

- Energy and Natural Resources
- Infrastructure, Construction and Transport
- Industrials
- Financial Services
- Real Estate

- Acting for Saracen Mineral Holdings Limited in its AUD16 billion merger of equals with Northern Star Resources Limited by scheme of arrangement, to create the world's sixth biggest gold miner.
- Acting for a substantial creditor in the long-running Bell Group litigation in the Supreme Court of Western Australia – a corporate insolvency in which AUD1.7 billion in clawed-back funds were at stake – securing a confidential settlement ahead of a 5-month trial.
- Advising joint venture parties on joint operating agreement terms and strategy relating to significant and controversial modifications to gathering, processing and transportation facilities for LNG, natural gas and condensates.
- Acting for a global mining and metals company in prosecuting and settling AUD50 million claims against an EPC contractor relating

to a critical failure of underground mining infrastructure.

- Advising on contentious issues arising out of the sale and purchase of interests in producing offshore oil fields and associated infrastructure, including an FPSO, and the related winding-up of a long-term joint venture.
- Acting for Santos, a leading Australian oil and gas producer, in several joint venture disputes, successfully:
 - removing an operator for material breach (*Apache v Santos* [2015] WASC 318); and
 - enforcing pre-emptive rights engaged by a demerger (*Santos v Apache* [2015] WASC 242).
- Acting for a mid-cap iron ore miner in several significant international arbitrations and related litigation concerning breach and termination of offtake agreements, allegations of misleading and deceptive conduct and alleged breach of duties to act in good faith. Conducted and managed multi-jurisdictional review and enforcement litigation, spanning Western Australia (see *Rizhao Steel Holding v Koolan Iron Ore* (2012) 43 WAR 91), New York, Hong Kong and mainland China. The miner's claims were successfully resolved by arbitral awards and settlements exceeding USD160 million in value.

CREDENTIALS

Professional Qualifications

- Barrister and Solicitor of the Supreme Court of Western Australia, 2003
- Barrister and Solicitor of the High Court of Australia, 2003
- Solicitor of the Senior Courts of England and Wales, 2008
- Solicitor of the Supreme Court of Victoria, 2012

Recognitions

- Recommended in Dispute Resolution: Litigation, *Legal 500 Asia Pacific 2021*

Education

- Murdoch University, Bachelor of Laws, 2001

Memberships

- AMPLA, the peak body for energy, resources and renewables law
- Law Society of Western Australia