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PAPERS ON SECURITY OF COSTS IN NEW SOUTH WALES AND QUEENSLAND

All litigation practitioners, at some time or another, will be required to consider security for costs issues which may arise during the course of all civil litigation. Security for costs is quite often argued. This is unsurprising because of the crucial role security for costs plays in the conduct of many litigated matters, especially its ability to stay (and in effect prematurely end) the course of civil litigation. It can transpire that a successful stay of proceedings based on security for costs orders can completely stall litigation which might otherwise have proceeded to trial and generated a successful result for the plaintiff bringing the action.

These papers aim to provide litigation practitioners in New South Wales and Queensland with a clear and easy to understand guide to security for costs. It is written by a practitioner for fellow practitioners, with direct reference and application to the Uniform Civil Procedure Rules relevant to security for costs.

written by:

David Topp Barrister, Brisbane

David Topp is a Barrister at the private bar in Brisbane. Admitted as a solicitor in 2002 and having commenced practice as a barrister during February 2006, David has many years of practical experience in all aspects of property, commercial, insolvency and debt recovery litigation and dispute resolution.

In addition his specific areas of expertise include:

- ▶ Applications for security for costs;
- ▶ Enforcement of judgments;
- ▶ Jurisdictional venue arguments;
- ▶ Setting aside default judgments;
- ▶ Building & Construction Industry Payments Act disputes and summary applications;
- ▶ Ending proceedings early, ie summary judgments/summary dismissals and dismissals for want of prosecution;
- ▶ Other practice and procedure related applications and advices.

David is an accomplished speaker, having presented seminars on many prior occasions for Legalwise, Lexis Nexis, the Qld Law Society and Pippa Colman & Associates, and has had written work published by CCH Online, Lawyers Weekly and the Law Council of Australia's @LCA monthly web based newsletter.

David is also treasurer of Queensland Young Lawyers Inc and a regular contributor to both its online newsletter and that of the Law Council of Australia's Australian Young Lawyers Committee.

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