

Stuart Miller

Special Counsel

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Stuart Miller is a Special Counsel in our Construction & Projects group, practising exclusively in contentious and non-contentious matters for the construction and engineering industries.

With over 20 years of experience, Stuart provides advice on project delivery strategies, negotiating and drafting of contracts and other project documentation, risk management and regulatory compliance, early dispute resolution, security of payment remedies and litigation, arbitration, and alternative dispute resolution.

Stuart acts for principals and developers, owners and owners' corporations, contractors, consultants and building practitioners, superintendents, and private clients.

Expertise

Construction & Projects

Property

Significant experience

Stuart's experience includes:

- Acting for an ASX listed leading structural engineering contractor in litigation and alternative dispute resolution proceedings against top tier and mid-tier contractors arising from mixed retail and residential developments and in relation to disputes under a \$15 million contract with a major shopping centre developer.
- Acting for an architectural firm in Supreme Court proceedings in relation to its retainer by a developer for the design and contract administration of a \$40 million Melbourne inner city mixed residential and retail development.
- Advising an Australian subsidiary of a Japanese multi-national, as head contractor, in the resolution of claims for \$12 million by a subcontractor relating to a \$18 million subcontract for the manufacture and installation of an industrial plant.
- Acting for a group of seven defendants comprising development and principal entities in Supreme Court litigation relating to a \$60 million residential and commercial development in inner city Melbourne.
- Acting in Supreme Court proceedings on behalf of a Victorian regional contractor in relation to the design and construction of a \$10 million aged care facility.
- Acting in Supreme Court proceedings for an aged care facility proprietor against an architect and a head contractor in relation to a \$4.5 million design & construction contract for the refurbishment of the premises.
- Acting for an Australian energy industry services subcontractor in the defence of \$2 million in claims made by a head contractor in relation to the installation of generator sets at the data centre of a major information technology group.
- Negotiating and drafting contracts for an ASX listed leading structural engineering contractor including supply & procurement agreements and standard forms for its construction division.

Qualifications

Bachelor of Laws,
The University of Melbourne

Bachelor of Arts,
The University of Melbourne

Memberships

Australian Institute
of Building (MAIB
& Chartered Building
Professional)

Society of Construction Law

Significant experience, cont.

- Negotiating and drafting \$16 million aggregate supply agreements for a market leading special purpose pumping equipment manufacturer against the chemicals division of a top tier mining and chemical process contractor and against the engineering services division of a top tier engineering, infrastructure and power services contractor.
- Advising on project structuring and tendering as well as negotiating and drafting a \$11 million contract for the construction of new offices on behalf of a motor vehicle industry information technology company.
- Negotiating and drafting of a \$5 million contract for a landlord's development premises to house a combustion processing technology company involved in the design, manufacture and installation of heat transfer and combustion products.
- Acting for insurers and owners' corporations in a range of dispute resolution proceedings.
- Acting for local government, building practitioners and local and trade associations across a range of regulatory and compliance matters.
- Acted as General Counsel in house for a number of years with a well-established Victorian mid-tier construction and property development group.

Note: The experience above includes matters handled prior to joining Rigby Cooke Lawyers.