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SoCLA - Webinar

Avoiding hammer blows to programming analysis in delay disputes

presented by **Petrina Macpherson, William Kerr, Jeremie Witt, Samuel McCarthy**

Wednesday 15 July 2020 - 12:30 pm AEST

In several recent cases delay expert evidence was found to be unsatisfactory by the court.

This panel discussion traces the common problem areas with delay expert evidence moving through the processes from selection of the expert to cross-examination in arbitration or litigation, and provides strategies to ensure the preparation of persuasive and accessible delay analysis.

Hosted by Sean Brady, SoCLA Director and Chair of our Events Subcommittee.

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Petrina Macpherson

Petrina is a Senior Associate in the MinterEllison Projects, Infrastructure and Construction Team. Although she now specialises in construction and infrastructure disputes, she has a broad and diverse range of experience. Petrina has conducted large and complex Supreme and District Court litigation matters through to smaller Magistrates Court and QCAT matters. She also has extensive experience in alternative dispute resolution methods including arbitration, expert determination, mediation and security of payment adjudications. Petrina is a strong public speaker and is often called upon to give presentations to clients and industry groups on various topics. She is a member of the Queensland Law Society Ethics Committee and is currently completing a Masters in Construction Law at The University of Melbourne.

William Kerr

William is a Principal at HKA and has over 20 years' experience in construction projects within a wide range of sectors, including rail, highways, buildings, mining, stadia, and power. He has provided extensive support to his clients, specialising in areas of programming, project controls and delay analysis. He has been instructed as an independent expert witness on a number of matters, and been called to provide expert testimony in an ICC arbitration in London. He has also represented clients and contractors in the preparation and defence of delay and disruption claims.

Jeremie Witt

Jeremie is a partner in the Energy, Projects and Construction Team at Cameron McKenna, Solicitors and is based in Australia. He has previously been a partner with CMS in the Dubai and Singapore offices and has extensive experience acting on complex and distressed projects across the MENA and APAC regions. Jeremie is admitted in Australia, England and Wales (as a solicitor-advocate) and holds Part II registration with the DIFC Courts in Dubai.

Jeremie advises on contentious and non-contentious construction, energy and infrastructure matters and has extensive experience with major standard forms of contract. Jeremie regularly advises on all types of dispute resolution, specialising in international arbitration (ad hoc & institutional including ICC, LCIA, SCC, SIAC, DIAC and ADCCAC).

Samuel McCarthy

Since his call to the Bar and joining Level Twenty Seven Chambers in 2016, Sam has regularly acted in substantial construction, engineering, energy, and technology related disputes along with professional negligence actions within these areas. Notable matters as junior counsel in these areas of specialisation include: acting for a defendant global engineering firm in a Supreme Court action against for defective design of transport infrastructure; an arbitration concerning delay and extensions of time claims in respect of the construction of two power plants; an arbitration concerning delay and extension of time claims in respect of underground transport infrastructure; and an arbitration concerning contractual disputes between joint venture partners in respect of an LNG project. Sam is recognised as a leading construction and infrastructure junior counsel for Queensland in Doyle's Guide to the Australian Legal Profession. Before his call to the Bar, Sam practiced as a solicitor acting primarily in construction litigation and arbitration.

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