

caroline spencer special counsel



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Caroline is Special Counsel at Tottle Partners, specialising in general commercial litigation.

Caroline commenced her legal career with Allens Arthur Robinson in 2009 after graduating from the University of Western Australia with a Bachelor of Laws (with Honours) and a Bachelor of Arts. She was admitted to practice in December 2009, commenced working for Tottle Partners in April 2010 and was appointed Special Counsel in 2020.

Caroline acts for a broad range of commercial clients ranging from small family-owned businesses through to ASX-listed entities. She has also acted for high net worth individuals and not-for-profit groups. Her clients include mining companies, developers, contractors of all tiers, as well as professional services firms.

Caroline's areas of specialty include:

acting and advising in relation to many types of litigation, including:

- construction and engineering disputes

- insolvency disputes

- debt recovery and enforcement matters including bankruptcy and winding up applications

- misleading and deceptive conduct claims and other consumer law matters

- contract and tort claims

- employee matters (including restraint of trade issues)

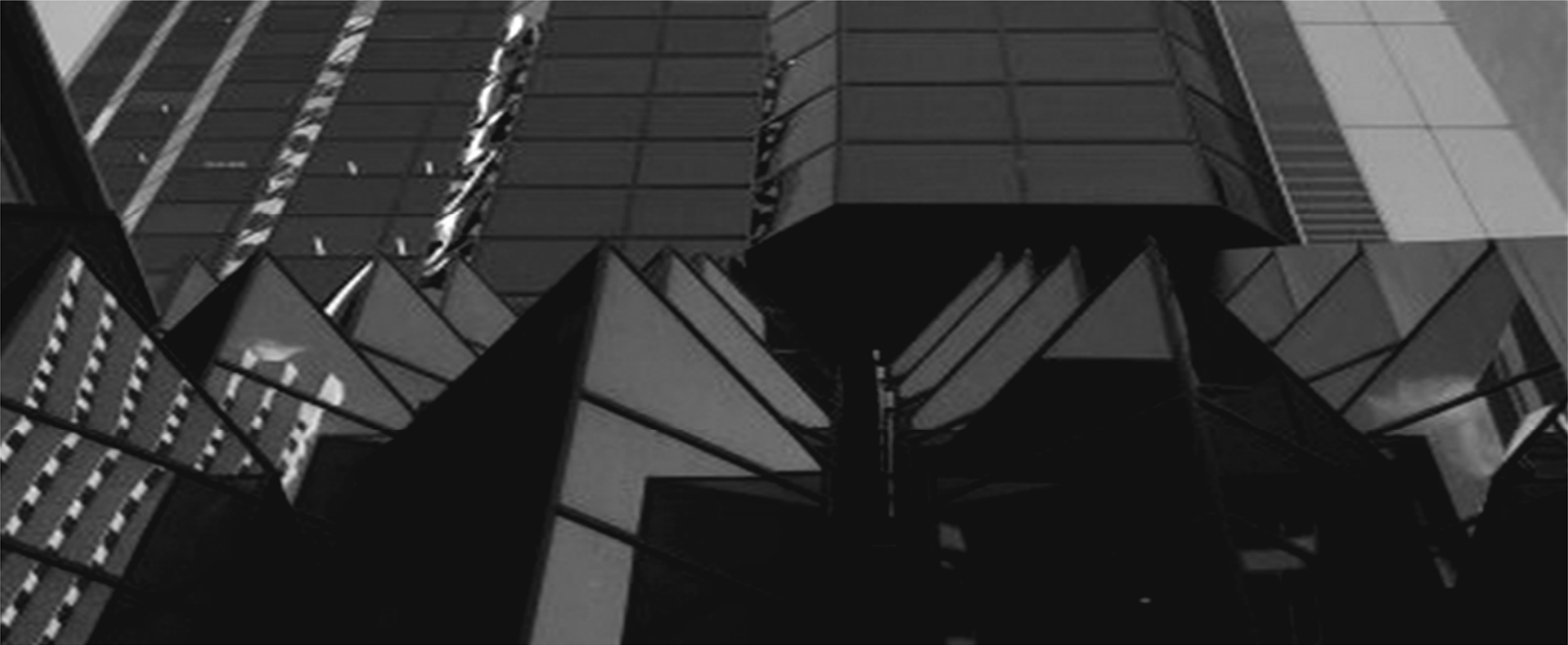
appearing frequently in State and Commonwealth courts in both simple and complex matters, both as instructing solicitor and as counsel (including as junior counsel to external barristers and alone)

alternative dispute resolution proceedings, including mediation (both court-supervised and private) and arbitrations, and negotiating and drafting settlement agreements

non-litigious work, particularly in the construction, engineering and infrastructure sectors, including:

- reviewing and drafting contracts for a wide range of project types, asset owners and contractors (including contracts for major infrastructure work)

- providing advice on and drafting other transaction documents, such as leases, licences and easements



providing advice on joint venture agreements (including disputes between joint venture partners)

performing risk reviews and providing advice on ways to mitigate those risks including through the tender clarifications process

providing advice on contract management including preparing contract management templates

advising on a large range of other commercial matters, such as:

business sale and purchase agreements, including review and drafting

shareholders' agreements

partnership and business issues (including establishment, breakdowns and disputes)

confidentiality and non-disclosure agreements

employment issues, including drafting employment contracts and providing advice on and acting in relation to employee disputes

Caroline prides herself on providing sensible, practical and commercially-focused advice to clients. Her recent successful outcomes for clients include:

helping to end a multi-million dollar fraud by winding up the company involved and obtaining special costs orders against its directors personally, including the enforcement of those orders through the bankruptcy process

advising on multiple issues following the insolvency of a large property management corporate group, including negotiating and drafting deeds of company arrangement

overturning aspects of a deed of company arrangement that adversely affected her client's interests

preparation of a comprehensive suite of contracts for a multi-disciplinary contractor operating throughout Australia and abroad

Caroline is a member of the Law Society of Western Australia.