


254 ROKEBY ROAD

# The Pragma difference.

We take a pragmatic approach to resolving legal issues.





"We resolve disputes  
in the most efficient way  
so our clients can focus  
on what's important  
to them."



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# 1 What we are about.

Pragma was founded in 2014. It offers a more pragmatic approach to law that better aligns with our clients' interests.

In our view, too many lawyers go through the motions rather than identify their client's goals and make a beeline for that outcome as quickly as possible.

During our first five years, we have established ourselves as one of the dispute resolution firms of choice in Western Australia by:

- Helping hundreds of clients resolve disputes on favourable terms so they can focus their time and energy on what's important to them;
- Winning 67% of cases reported in the Supreme and District Courts;
- Growing our staff to 27 team members with 12 lawyers in spacious offices on the corner of Hamersley Road and Rokeby Roads; and
- Contributing to the community with pro bono support for a variety of organisations including Law Access, The Piddington Society and the Subiaco Justice Centre.

We are confident the next five years will be as equally as rewarding as the first. We are excited to see what the future holds.

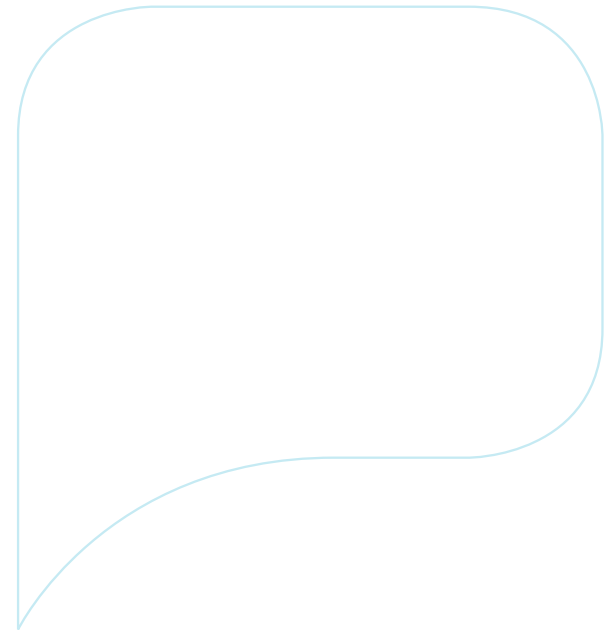
If you have any queries about Pragma, please feel free to contact me on

+61 (0) 401 919 456 or by email on [aaron@pragma.law](mailto:aaron@pragma.law)

Best wishes,

**Aaron McDonald**

Founder & Director





## 2 The Seven Pragma Values.

A firm's values form the foundation of its success.

That's why at the end of 2018, under the guidance of John Poulsen, we went through an extensive self-analysis process to define Pragma's values.

During this process, we developed the following values.

1. Values session with John Poulsen.



## We are:



### ETHICAL

we always adhere to ethical best practice and the paramount duty of administering justice



### LEADERS IN THE COMMUNITY

we provide pro bono support to people within our community (with each lawyer committing a minimum of 35 hours per year)



### SAVVY, PRAGMATIC AND SOLUTIONS FOCUSED

we provide advice that aims to achieve the best outcome for our clients in the most efficient way

we think "outside the square"

we celebrate the "wins"



### OPEN AND TRANSPARENT

with our clients  
within our workplace



### TEAM PLAYERS AND FORWARD THINKING

we work as a team  
we engage with new technologies  
we are always improving our knowledge of the law



### SUPPORTIVE AND MINDFUL OF EACH OTHER

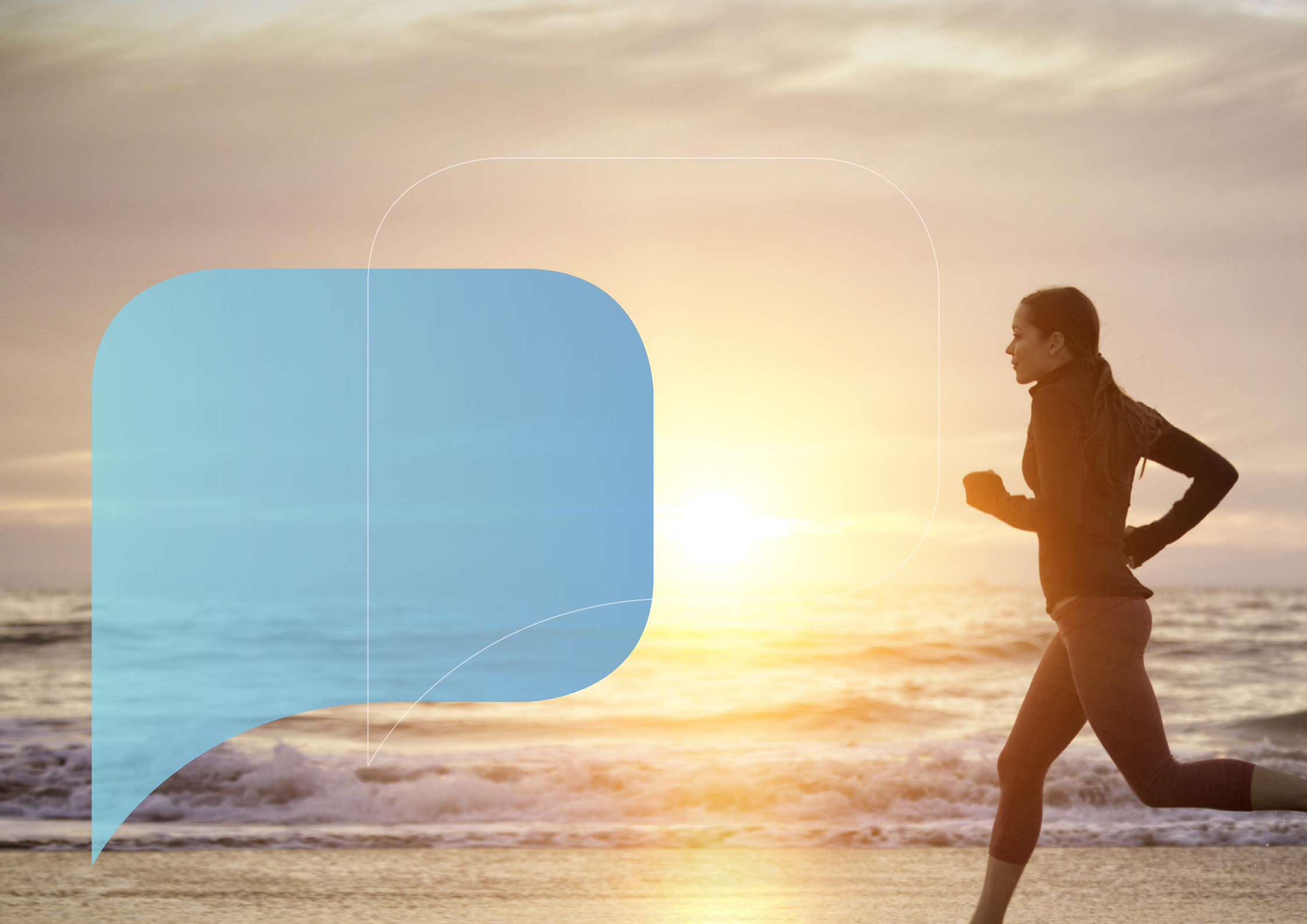
we communicate in a polite and positive way  
we support each other to achieve our goals  
we take the time to fulfill our individual needs  
we foster a caring and friendly atmosphere within our team



### PHYSICALLY AND MENTALLY HEALTHY

we ensure activities and processes are in place to stay mentally and physically healthy








## 3 5 years of innovation.

Pragma celebrated a milestone 5th year on January 2019.

Since inception, Pragma set out to change the status-quo in the legal profession and became an innovator in dispute resolution by offering a fixed-fee structure rather than the traditional billable hours charging model.

Pragma has also been very proactive in early mediation and other methods to create better outcomes for its clients.

At the 5 year celebration, Hon Julie Bishop MP came to share her stories about starting out as a lawyer.



Pragma celebrated  
a milestone 5th year  
on January 2019.







## 4 Things we do differently.



### **We use outcomes based pricing.**

At Pragma we invoice our clients on outcomes rather than time spent. This way there is no uncertainty or “bill shock” when it comes to pricing. We use up-to-date technology to specify prices according to outcomes for all of our clients.



### **We have great lawyers.**

We attract great people. They choose to work with us due to our culture, our innovations, and the pragmatic way we practice law. Our lawyers sit on extra-curricular boards and committees that have objects and purposes related to the betterment of justice.



### **We are a quality assured practice.**

We are Quality Practice Standard (QPS) approved by the Law Society of Western Australia. This means we adhere to internal processes designed to improve client satisfaction and avoid wastage.



### **We take a proportional approach.**

When we act for a party in a dispute, we aim to only take those steps where the time and cost incurred is proportional to the achievement of a fair and just outcome. This assists in keeping legal cost down.



### **We don't charge for the “small stuff”.**

You won't see items such as low scale photocopying or disbursement charges for faxes and phone calls on our invoices.



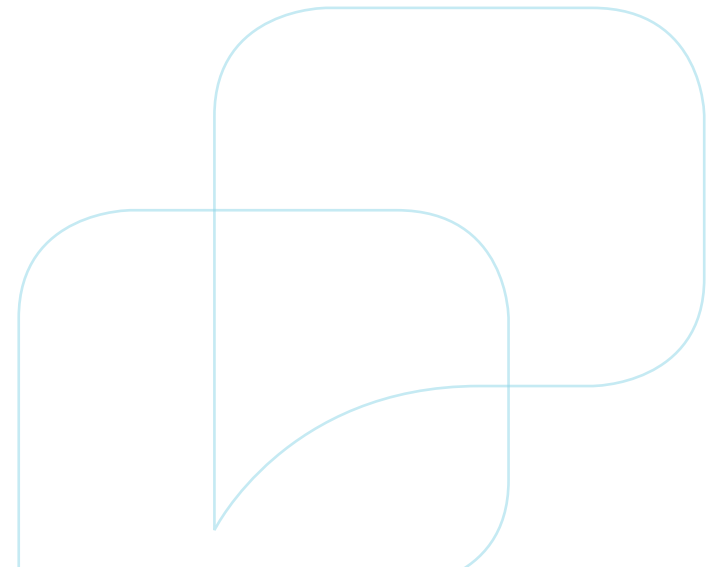
### **We seek alternative dispute resolution.**

More disputes are finalised after mediation than after a trial. Our experience suggest that clients gain from referring cases to mediation or other modes of alternative dispute resolution early.



### **We offer alternative fee arrangements.**

Engaging a lawyer can be expensive. We appreciate that our clients may be interested in a fee structure other than standard hourly billing. These include fixed costs or success-based fees.











## 5 Introducing the Pragma Team.

We have a growing team of professional staff members who are focused on delivering results through our pragmatic approach. We're always looking for positive, motivated people to join our team.

### Professional Staff

- |                                  |                                       |                                      |
|----------------------------------|---------------------------------------|--------------------------------------|
| 1. Aaron McDonald – Director     | 5. Richard Edwards – Senior Associate | 9. Michael Stulic – Associate        |
| 2. Michael Lewis – Consultant    | 6. Eu-Min Teng – Senior Associate     | 10. Nick Malone – Associate          |
| 3. Luke Davies – Special Counsel | 7. Elizabeth Keen – Associate         | 11. Jason O'Meara – Senior Associate |
| 4. Sophia Kailis – Consultant    | 8. Alistair Sullivan – Associate      | 12. Jordie Fienberg – Graduate       |





## Support Staff

1. Sandra Ursino – HR Manager
2. Alex Salmon – Archiver
3. Olivia Shorrock –  
PA to Aaron McDonald
4. Harriet Williams – Marketing  
and Business Development

5. Monique Vincent - Paralegal
6. Elise Read – Paralegal
7. Lauren Italiano – Paralegal
8. Kelsey Houwen – Paralegal
9. Lucy Burns – Paralegal

10. Max Used – Paralegal
11. Gaby Inga – Paralegal

Maisie Muslihi - Financial Accounts. Not pictured.  
Tom Crellin - Paralegal. Not pictured.  
Olivia Tate - Paralegal. Not pictured.

## 6 Outcomes based pricing.

**We offer our clients pricing based on outcomes rather than time spent.**

A recent study of some of the most sophisticated law firm clients has shown that a clear majority of clients (84 per cent) want fixed price billing from their lawyer.

Despite this, resistance to change and innovation in the legal profession is deeply entrenched, and time-based billing remains the preferred choice for most law firms.

*"Clients truly despise a system of 6 minute units...If you think clients do not sometimes feel like this, I think you need to get out more. Clients should not have to pay like this for process, and they should not do so. What they should be prepared to pay for, and what they do not begrudge, is paying for real skill and experience."*

Chief Justice James Allsop AO,  
Chief Justice of the Federal Court Australia



### **The Problem.**

The majority of law firms use the "6-minute unit" to charge their clients to complete particular tasks. However, the benefits to clients of using this system have since disappeared. With no gauge for intangibles such as productivity, creativity, knowledge or technological advancements, the billable hours model is a counterintuitive measure of value.

The much-publicised criticisms of this existing model include:

- Rewarding inefficiency and dilatory practices
- Uncertainty and 'bill-shock'
- Discouraging innovation and time-efficient solutions to clients' needs.


An authority on the future of the legal profession has said:

*"No longer will the law be meted out occasionally on the basis of billing by the hour."*

### **The Solution.**

One solution to this problem is to offer billing based on the outcomes rather than the time spent. Pragma is willing to offer this model of pricing to all of its clients. We use up-to-date technology that allows us to send our clients proposals that specify prices according to outcomes rather than time spent.



A group of four business professionals are gathered around a wooden table in an office. In the foreground, a woman with long dark hair, wearing a white button-down shirt, is looking down at a document. To her right, another woman with long brown hair, wearing a red top, is also looking at the document. In the background, a man with short dark hair, wearing a dark suit and tie, is looking at the document. To his left, a woman with glasses and brown hair, wearing a black top, is also looking at the document. The scene is brightly lit, and the overall atmosphere is professional and collaborative.

"Pragma provided clear and concise information on what our risks and obligations were in regard to our requirements. I would certainly use Pragma Lawyers in the future if required."

*Roger Gregory*

# 7 Fixed-fee early mediation.

**Pragma was nominated as a finalist in the Australian Law Awards in the Innovation Category for our fixed-fee mediation service.**

## Why fixed-fee early mediation?

### 1. *The majority of disputes are resolved by consensus.*

For example, less than 3% of lodgements in the District and Supreme Courts of Western Australia are finalised by trial. The Hon. Chief Justice Wayne Martin AC has said: "... I do not see any particular advantage in reserving mediation until the case is about to be tried. To the contrary, experience suggests that much is to be gained by referring cases to mediation **early...**"

### 2. *It provides transparency on what our clients will be charged for the service we provide.*

The concept of clients being charged an open-ended amount at continuous 6 minute intervals is losing favour with the market. Fixed cost legal services are gaining widespread popularity. However, very few firms (with the exception of Pragma) offer fixed fees in dispute resolution and litigation.

### 3. *It reduces the amount our clients spend on legal fees.*

With over 95% of legal fees during litigation being time billing, the longer a dispute lasts, the more costly it will be. The strategy of an early mediation:

- (a) increases the prospects of the dispute resolving at an early stage;
- (b) reduces the likelihood of a lengthy legal proceeding; and thereby
- (c) reduces the risk of spending more money for legal advice and representation.

The strategy of an early mediation is almost always appropriate where the sum in dispute is small. In those sorts of cases, legal fees can become disproportionate to the sum in dispute. There are rarely any "winners" when this occurs.

### 4. *It allows our clients to spend their time on more important things.*

A dispute can drain a client's resources by diverting their attention away from things that are more important such as their core business and their family time. Implementing an early mediation strategy reduces the prospect of this occurring.

### 5. *A mediation is more flexible.*

Parties can reach solutions that would not be possible at trial. Because parties can reach their own solutions, they are likely to be more satisfied with the outcome.

## What are the risks?

Litigation is inherently risky. One of the major risks in the early mediation strategy we wish to make clear is that if a party is capable of commencing or defending a legal proceeding and bringing it to an early mediation and the dispute does not resolve, the legal proceeding does not come to an end. It will be programmed towards a trial. This results in additional legal expense that is not included in the costs set out on the graph above. However, we advise our clients on what those legal fees are likely to be before they engage us. The parties will have additional opportunities to reach a consensus and we will normally encourage them to do so.

Other risks include other interlocutory applications being brought by a client's opponent in the litigation prior to the early mediation.



### **Our fixed-fee service for claimants.**

1. You get an experienced lawyer meeting with you, taking your instructions and reviewing relevant documents that support your claim
2. A letter of demand (or Notice of Default or Notice of Termination if appropriate) issued to the debtor
3. If this fails to result in an outcome satisfactory to you, the commencement of a legal proceeding in the appropriate Court
4. Where necessary, the preparation of a Statement of Claim
5. Assuming the proceeding is defended, an early mediation attended by you and your lawyer
6. If the dispute resolves, a Deed of Settlement and Consent Order dismissing the Action prepared by our firm
7. If the dispute does not resolve, a costs protective written offer prepared by our firm
8. All Court fees are included

### **Our fixed-fee service for defendants.**

1. You get an experienced lawyer meeting with you, taking your instructions and reviewing relevant documents that support your defence
2. A letter in response to any creditor setting out any defence available and making any offer of settlement
3. Where necessary, the preparation of a Defence
4. If the letter fails to resolve in the resolution of the claim and a legal proceeding is commenced, the preparation of a Defence where necessary
5. An early mediation attended by you and your lawyer
6. If the dispute resolves, a Deed of Settlement and Consent Order dismissing the Action prepared by our firm
7. If the dispute does not resolve, a costs protective written offer prepared by our firm
8. There are likely to be less or no Court fees payable



“Outstanding lawyers who understand that providing sound legal advice is not all about charging in 6 minute increments. Their fixed-fee mediation service is a brilliant idea.”

*Cam Sinclair*

## 8 Industries we assist.

### Recovery and Insolvency.

Pragma advises and represents companies, creditors and insolvency practitioners in a broad range of Corporations Act matters.

#### Insolvency practitioners.

We act for administrators, receivers and liquidators providing efficient legal representation on special applications and clear advice on statutory obligations. Our team effectively assists insolvency practitioners with the recovery of monies from creditors, including negotiations with creditors, company officers and shareholders, and prepares effective restructuring documentation including Deeds of Company Arrangement and Creditors Trusts. We advise our clients in relation to recovery actions including voidable transactions and unfair preferences, plus assist with securing litigation funding to commence recovery proceedings.

#### Creditors.

Pragma provides advice and representation to individual and corporate creditors of insolvent companies. We act on behalf of creditors against whom voidable transaction or unfair preference proceedings have been commenced or foreshadowed, and negotiate in our clients' best interests.

We also provide companies and individuals with proficient debt recovery services, including the issue of statutory demands and institution of winding up proceedings. We negotiate on behalf of our clients to deliver pragmatic and cost-effective results.

#### Company officers.

Pragma provides advice and representation to company officers with respect to their duties in the context of ongoing compliance or litigation. We act for directors in examinations conducted by insolvency practitioners and ASIC, in contested winding-up proceedings or setting aside of statutory demands, in the defence of claims of insolvent trading, and in other disputed corporations claims.



"I've been totally overwhelmed by the support and professionalism of Pragma Lawyers. With Pragma's expertise we were able to negotiate a great result. Thanks once again to all the team at Pragma."

*Neil Randall, President*

*Australian Hotels Association*



## Mining and Resources

Pragma provides advice and representation to clients in the mining and resources sector. We assist ASX listed companies, private companies, and high net-worth individuals with:

- The acquisition of assets
- Corporate governance matters including compliance with the Corporations Act, ASIC Act and ASX Listing Rules
- Risk management and insurance



"Pragma Lawyers are thorough, practical and cost effective legal advisers. We value our relationship with Pragma"

*Hilary Macdonald*

*Northern Star Resources Ltd*



"Pragma Lawyers deliver on the promise of timely and professional service."

*Gino Terriaca*

## Building and construction.

Our firm assists ASX listed and private companies with corporate governance, asset acquisition, risk management, insurance, duty advice, and mining rehabilitation fund work.

Our building and construction team has acted for a wide range of building and construction clients, including owners, developers, builders, contractors, sub-contractors, suppliers, architects, engineers, project managers, plant and equipment hirers, and consultants.

Our experienced team provides advisory and dispute resolution services on building and construction matters, including:

- Risk management and dispute prevention advice
- Claims advice, preparing claims, responses and contract notices, and managing the construction dispute resolution process

Representation in all aspects of building and construction disputes, including by negotiation, mediation, Court litigation, arbitration, expert determination and adjudication under the Construction Contracts Act 2004 (WA).

## Hospitality.

Pragma provides specialist services to the hospitality sector. Our team advises and acts for clients operating hotels, restaurants, cafés, bars/nightclubs, food trucks and other related hospitality industries.

We assist in a multitude of operational, day-to-day and contentious matters including planning, leasing, food safety regulation, liquor licensing, music and performance rights, noise complaints, and employee matters. We also provide strategic advice for the hospitality businesses in all stages including:

- Advice on new business structures and the purchase of existing businesses
- Advice on business expansion, franchising, licensing, systemisation, operating additional locations and tax implications

Advice on the sale of the business, exit strategies, succession planning, reverse due diligence and settlement.



"Aaron and his team at Pragma have made tough situations as easy and seamless as possible for myself and my business. I have dealt with Aaron for 5 years now, and cannot thank them enough for all their assistance and guidance throughout this time. Always professional and approachable, I couldn't think of anyone else to handle our legal matters – thanks Pragma!"

*Ben Randall*



"Pragma was extremely knowledgeable, professional and achieved a quick economic settlement."

*Phil Coulson*

## Government and Public Sector.

Pragma provides commercial and litigation services to Local and State Government and the Public Sector. We act for various statutory bodies and governmental arms providing strategic advice including statutory interpretation, policy reviews, planning matters and contractual reviews.



## Professional services.

Pragma handles matters involving the performance and delivery of professional services. Our lawyers have considerable experience acting for insurers in matters concerning professional advice and negligence.

We have provided insurance and litigation advice and representation to a range of domestic and international insurers, including in the context of indemnification, coverage and disputes arising under applicable policies.

Additionally, our team has successfully assisted clients in recovering losses from a wide range of professional negligence claims, including and notably with respect to the delivery of financial services.

Pragma is committed to pursuing just outcomes for our clients and ensuring professional service-providers remain accountable.

"After recently engaging Pragma Lawyers for advice I was extremely impressed by their high attention to detail, straight talking manner and ability to achieve an expedient resolution. In particular the work completed by Aaron McDonald was exceptional. I extend my highest regards."

*Leon Warburton*



## Transport and marine.

The Australian transport industry is the link between the imports and exports that drive the Australian economy.

Mining and agriculture are key industries that rely on the transport of specialised equipment and goods to remote locations to allow for the production of exports that are then transported to Australian ports and to markets around the world. Increasing regulation, low commodity prices and a highly competitive industry mean challenging business conditions for those in the transport industry.

Pragma provides a full service on all commercial, corporate, insurance, employment, finance, operational and regulatory requirements of the transport industry.

Our team advises a range of stakeholders including transport operators, owners, freight forwarders and their insurers. We provide advice on claims issues, commercial drafting, debt recovery, regulatory advice, management of losses and emergency response services.

Our specialist areas include:

- Land based logistics and project cargos
- Freight forwarding and warehousing
- Port and terminal operators
- Insurance

"Pragma's advice and stewardship was tremendous. Well done to all!"

*Philip Neil Elwood*



## Not-for-profits.

Pragma regularly assists not-for-profit organisations with advisory services.

Our lawyers assist with the preparation, review and amendment of constitutions for incorporated associations and provide corporate governance advice. Where necessary, we provide advice on contentious matters including the removal of officeholders, member disputes, and other matters.

Our lawyers represent various not-for-profit organisations and associations across a range of sectors including health and medical, legal, sporting, social and leisure.

"We hope we don't need your services too often but I would certainly not deal with any other legal firm but yours."

*Colin Bahn*

*Global Care Group Inc.*



## 9 Pragma Regional Roadtrip

Pragma helps its clients throughout Australia avoid and resolve disputes so they can focus on what is important to them.

This means focusing on clients in the regions too. The Pragma Regional Roadtrip was designed to assist our clients living in regional areas. In 2019, we kicked it off by visiting the following regions to meet with our clients: Carnarvon, Broome, Derby, Wyndham, Geraldton, Mandurah, Busselton, Margaret River, Kalgoorlie, Esperance, Albany and Denmark. We seek to build long term relationships with our clients so the frequency of these trips will grow.

We want to provide the Pragma difference experience to those clients, and go 'the extra mile' to personally deliver what we do best (as set out in this booklet).

<https://pragma.law/roadtrip/>



## 10 Our services.

**We solve problems with pragmatic and cost-effective legal advice.**

### Dispute resolution and litigation.

Court processes are costly (both financially and non-financially) and protracted. Often, the most strategic way in which to resolve a dispute is to avoid litigation altogether.

Pragma supports this strategy wherever possible through informal negotiations and alternate dispute resolution.

However, where it is necessary to commence or defend legal proceedings, Pragma will develop a strategy that is in accordance with our client's goals.

#### *The areas where we accept instruction include:*

- Building and construction disputes
- Claims of misleading or deceptive conduct
- Debt recovery
- Disputes arising from commercial contracts
- Financial services claims
- Property-based disputes
- Bankruptcy proceedings and insolvency-related matters (including claims against directors of insolvent entities)
- Disputes arising from alleged infringement of intellectual property rights

- Defamation
- Claims arising from alleged breaches of franchising and partnership agreements
- Administrative and public law proceedings including judicial review, tribunal proceedings and disciplinary proceedings involving public bodies
- Insurance-related disputes
- Claims of professional negligence

We have experience in appearing on behalf of our clients in all jurisdictions, including: the Magistrates Court of Western Australia, the District Court of Western Australia, the Supreme Court of Western Australia, the Federal Court of Australia and the Federal Circuit Court of Australia.

We also provide commercial legal advice to our clients and prepare documents to benefit our clients:

- Shareholder agreements.
- Partnership agreements.
- Commercial and retail leases.



“Sophia and Aaron’s advice was sound and well received. Your office will be my first port of call if I have any more legal work. Thanks again for all your help.”

*Hector George*



## Commercial advice.

Pragma provides a suite of services for commercial transactions. Our lawyers are experienced in preparing both standard and bespoke commercial documents, plus reviewing and advising on commercial contracts and transactions.

### *Pragma efficiently handles:*

- Sale of business, assets or shares
- New business documentation (including shareholders agreements, unit holders agreements, partnership agreements, etc.)
- Employment and independent contractor agreements
- Intellectual property (including licensing, registration, protection, and disputes)
- Financial transactions (including loan agreements, guarantees and securities)
- Franchise agreement review and advice
- Other general commercial documentation and advice

Our Pragma Paper online legal document service additionally delivers cost-effective and comprehensive solutions for standard commercial documents.

"When faced with a serious contract dispute, I was reassured to be recommended by a knowledgeable colleague to consult Pragma Lawyers. On the first consultation (at no cost) my predicament was clearly outlined and options canvased. Tina McAulay worked to expedite an effective solution which quickly resolved the issue while ensuring minimal costs. Overall, a great level of service that deserved high recommendation. Thanks, Pragma!"

*David Hults*



## Business sales & acquisitions.

Pragma acts for both vendors and purchasers in the sale of businesses. Our lawyers are experienced in the sale of businesses across various industries and trades, and our firm takes a commercial, pragmatic and detailed approach to the completion of all transactions. We provide strategic advice from the early stages through to completion on the sale or acquisition of business assets or shares.

## Employment disputes.

Pragma assists businesses and employers with employment and industrial relations matters. Our lawyers provide clear legal advice to businesses and employers with respect to the engagement of contractors or hiring of staff, including the preparation of bespoke agreements across of range of industries. We can also assist with the preparation of internal policies and procedures, plus provide risk-management advice on managing employee issues and disputes. As dispute resolution lawyers, we can also assist employers in the prompt and efficient handling of employee disputes.



"If you want your legal issue or problem resolved, call Pragma. You won't be disappointed!"

*Marta Hill*

"I operate a boutique Perth firm and regularly refer work to Pragma Lawyers. Aaron and his team are extremely capable and have never let us down. They are easy to deal with, client focused, efficient and have a unique ability to focus in on the things that really matter. I have no hesitation referring matters to Pragma and consider them to be market leaders in their field."

*Lachlan Palmos*



# Wills, estates, and inheritance claims.

Pragma provides a suite of documents including simple and complex wills, testamentary trusts, enduring powers of attorney and enduring powers of guardianship. Pragma's experienced lawyers can also assist with asset protection and succession planning advice to ensure that your assets and estate are protected from claims or challenges under the Family Provision Act.

Our lawyers also act in relation to disputed deceased estates.

## **For individuals:**

We provide advice and representation in relation to inheritance claims and family provision applications. Where a family member has passed, disputes of this kind are typically an emotionally-straining exercise for our clients and litigation can be inherently complex if interpretation of the deceased's wishes is required.

## **For executors/administrators:**

We can assist with the administration and distribution of estates, and act for you in relation to inheritance claims and family provision applications. Our lawyers are pragmatic and commercial, plus strive to achieve timely and cost-effective outcomes for the preservation of the deceased's estate.

"I was pleasantly surprised by the generosity of Pragma in assisting us with developing key documents and also the ease and expediency the team afforded us. Without doubt I would choose to work with Pragma in the future. A great team and great service.

*Carly Barrett*



# Property.

## **Leases, mortgages and caveats.**

Pragma acts for both landlords and lessees in relation to commercial property matters and disputes. We provide clear and effective leasing documentation to protect the interests of our clients. Our lawyers act and advise potential lessees in relation to proposed leases and securities (including mortgages and caveats), including negotiating on their behalf to secure favourable terms of lease and mitigate risks associated with tenancy. We advise our clients on the Property Law Act, Commercial Tenancy (Retail Shops) Agreements Act, Strata Titles Act and associated legislation.

## **Sale and purchase of property.**

Our lawyers act for both vendors and purchasers in relation to the sale of private and commercial properties. We provide advice and assistance in relation to the lodgment or removal of encumbrances and interests.

## **Property disputes.**

Our firm has an established client base of property owners for whom we act in relation to property disputes. We act for our clients in relation to compliance with leases, recovery or mitigation of monies due under leases, contested securities including caveats and mortgages, and other associated matters.

Pragma also acts for residential and commercial tenants in relation to property disputes, whose interests may be adversely affected by the actions of landlords.







"We have found Pragma's approach to be realistic, honest and efficient ensuring that all parties know exactly where they stand. Having a local, reliable firm assist in representing us and our clients promotes efficiencies and save time and money. We are happy to continue to recommend Aaron and the team at Pragma.

*Justin Manolikos*

*Hall Chadwick*

## Human rights.

Pragma provides representation for individuals in human rights matters. Our lawyers act in claims conducted by the Australian Human Rights Commission and subsequent Federal Court proceedings. Our lawyers regularly appear in the State Tribunals and Courts, and are passionate advocates for the rights of all individuals in our community.

We handle claims in harassment, abuse, discrimination, employee rights and other practice areas.

## Pro bono.

Pragma and its lawyers provide legal assistance and advice to certain members of the community who would not ordinarily have access to it. By providing pro bono services to persons and organisations who are unable to afford legal representation, our firm is able to contribute meaningfully to the public and community.

Pragma provides in kind and financial support of at least \$10,000 per annum to the Subiaco Justice Centre. Our lawyers volunteer their time at the Centre's drop in-clinic each week to provide legal assistance, guidance and support to disadvantaged members of the local community.

"I regularly refer my clients and my personal legal work to Aaron and his team. They are very much at the forefront of the industry with fixed fees and the quality of service. I would highly recommend Aaron and his team at Pragma Lawyers without reservation."

*Mitchell Walmsley*

"I have personally used Pragma for legal advice and referred friends and family who have used them also. The feedback is always positive with a fair price and good advice. I appreciate the pragmatic approach of an accurate estimate of legal costs up front before the legal work or advice starts. Thank you to Aaron and the team and keep up the good work."

*Pragma Client*



# Intellectual property & technology.

Pragma provides advice and representation in a wide range of intellectual property matters, from commercial advice to dispute resolution. We prepare bespoke documentation dealing with intellectual property rights including sale and purchase agreements, licensing agreements, assignments, non-disclosure agreements, and other commercial documentation.

## **Trade marks.**

Our lawyers can assist with the timely and cost-effective application and registration of trade marks. We also provide representation in contentious applications, acting for both applicants and registrants, and assist parties in overcoming objections at examination level.

## **Copyright.**

Pragma acts for clients to assist with the protection of copyright. We provide cost-effective and efficient documentation to enable the commercial development and confidentiality of our clients' valuable assets.

## **Patents.**

Pragma works alongside patent attorneys to assist our clients with applications for the registration of patents. We also provide strategic advice to ensure the protection of our clients' inventions domestically and internationally.

"I would highly recommend Aaron and his team for their efficient and professional service and legal advice. I would not hesitate to contact Pragma Lawyers again as I have received an excellent experience with the Team, working through and dealing with a tough legal issue that concluded with a good outcome."

*Jeremy Walden*



# Professional negligence claims.

Professional advisors (including lawyers, financial advisors, architects and other professionals) have a duty to advise their clients with reasonable care and skill. When you engage a professional advisor, you are entitled to rely on their expertise.

A failure to act with due care and skill may give rise to a professional negligence claim against an advisor, particularly where monetary or other loss has been suffered as a result. Professional negligence claims are complex, and the standards of reasonable care and skill will vary as between professions and the particular circumstances of your case.

## Recovering losses.

The team at Pragma has considerable experience in assisting clients in recovering losses from a wide range of professional negligence claims. If you believe you have been provided with negligent professional advice, please get in touch with us today to discuss your options.

## Minimising impact.

We understand that poor professional advice can deeply impact upon your business and/or personal life, and we aim to advance and resolve claims as quickly as possible to minimise this impact where possible.





A low-angle, upward-looking photograph of two modern skyscrapers. The building on the left is a concrete structure with a grid of windows, while the one on the right is a glass-clad tower. The sky is a clear, vibrant blue. A white line connects a quote bubble on the left to a specific window on the right building.

"Great service with  
genuine care and effort  
towards our case."

*Michael Stirling*

## Intestacy disputes.

Intestacy is where a person dies without leaving a will, or having revoked an earlier will without making a new one. The emotional burden of losing a loved one can be worsened with the stress and uncertainty around what happens with their estate, including an application to the court to seek the appointment of an administrator.

The administrator must distribute the assets in accordance with the laws of intestacy, but what happens if these rules do not provide adequately for one of the deceased's dependents? Family provision applications can be brought by eligible persons to seek a larger portion of the deceased's estate.

Pragma's experienced team is here to help to advise you, and can make these kind of applications on your behalf.

"I found the Pragma team easy to communicate with and the whole process was seamless."

*Pragma Client*





# Defamation claims.

Defamation is the publication of words that harm a person's reputation in the eyes of others. "Publication" may be by words spoken or written (including online, in print, or even in an email or text message). In some cases, it is possible for a small business to be defamed.

Claims in defamation can be brought where the person defamed has suffered a loss as a result of the publication. Defamation is a complex area of law and very strict timeframes apply to both persons claiming and people responding to claims in defamation. In addition, there are a wide range of defences available to the publication of defamatory material which all impact upon the prospects of success in these kinds of claims.

## Legal advice.

If you consider you have been defamed, or allegations of defamation have been made against you, it is important to seek legal advice as soon as possible to understand your rights and obligations.

## Defence.

The team at Pragma Legal has considerable experience in acting for both plaintiffs in defendants in defamation cases and can help you determine the best way forward. Please get in touch with us today to discuss your options.

"Pragma wrote a commanding letter of rebuttal that prevented further bullying for me. I would recommend Pragma to my friends, family and colleagues."

*Michael King*



# 11 We support our community.

*In addition to our Corporate Social Responsibility, many of our staff members volunteer their time to a number of causes.*

## The Piddington Society.

Aaron is also a committee member of The Piddington Society, a not-for-profit association of WA-based lawyers that hosts a variety of events each year and its own PLT course. Aaron has led several presentations to members of the legal profession with The Piddington Society.

Nick Malone has been the Convener of The Piddington Society since July 2017. *"Being part of Piddington allows me to meet plenty of new people, who are all trying to make the legal industry more collegiate as well as hear from some of the very best legal minds from across the country and overseas."*

## Subiaco Justice Centre.

In 2017, Aaron McDonald founded the Subiaco Justice Centre (SJC) which provides legal advice and representation to disadvantaged people while seeking to improve access to justice in new and innovative ways. Aaron sits on the Centre's Board as Chair, assisted by Gaby Inga.

## The Business Station.

Elizabeth Keen joined the Board of Business Station in December 2018. Business Station is a not-for-profit organisation that assists small businesses across Australia and aims to facilitate, encourage and promote economic development. As a board member, Elizabeth assists in decision making that supports the establishment, growth and success of all businesses in Australia.

## Camp Quality.

Sandra Ursino and Monique Vincent both volunteer for Camp Quality, a non-for-profit foundation that supports and strengthens the well-being of children living with cancer.

Sandra joined the Strategic Revenue Committee for Camp Quality WA in November 2016. In early 2017, she became a trained Camp Companion and attended the Camp Quality Mini Camp at the Perth Zoo dressed as a Lion.

Monique feels that volunteering for Camp Quality has made her a better person. *"I love volunteering there, I have learnt so much about resilience. I also love jumping around on the bouncy castles with Sandra."*





1. The Piddington Society  
Team photo.

2. SJC Committee  
outside the building.

3. SJC Committee.

4. Nick Malone, Anna Courtman  
and the Honourable  
Justice James Edelman.



## 12 We're here to help.

We hope you've enjoyed reading about our pragmatic approach to resolving legal issues. We work to minimise disruption and expense so you can get back to focusing on your business, and the things that matter to you.

To find out more,  
visit our website  
[www.pragma.law](http://www.pragma.law) or call  
(08) 6188 3340 to speak  
to one of our lawyers.







# Get in touch.

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