

*PORTER*  
v  
*MULCAHY & CO ACCOUNTING SERVICES PTY LTD (ACN 105 360 325) &*  
*ORS*  
[2026] HCADisp 53  
M99/2025

- 1       The applicant seeks special leave to appeal from part of the judgment of the Court of Appeal of the Supreme Court of Victoria (Kennedy, Orr and Richards JJA), which granted the first and second respondents' application for leave to appeal and allowed an appeal from a decision of the Supreme Court of Victoria (Delany J).
- 2       There is insufficient reason to doubt the correctness of the decision of the Court of Appeal, and the matter is otherwise an unsuitable vehicle to address the issue of the argued differences between the "but for" and "material contribution" tests.
- 3       Special leave to appeal is refused with costs.

Gageler CJ  
Gordon J  
Edelman J  
Steward J  
Gleeson J  
Jagot J  
Beech-Jones J

12 March 2026