Louise Hulmes

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ADMISSIONS

May 2016 **Barrister**, New South Wales & High Court of Australia

2006 **Solicitor**, High Court of Australia

2005 **Solicitor**, Supreme Court of New South Wales

PRINCIPAL AREAS OF PRACTICE

- Equity
- Corporations
- Commercial
- Competition and Consumer Law
- Employment and Restraint of Trade
- Banking and Finance
- Insurance
- Professional Negligence

PROFESSIONAL EXPERIENCE

2006 - 2015 **Clayton Utz**, Lawyer (2006-2009) and Senior Associate (2009-2015), Commercial Litigation

2004 - 2006 **DLA Phillips Fox** (now DLA Piper), Graduate-at-Law and Lawyer, Insurance Litigation

EDUCATION

2013 **University of Sydney**, Master of Laws

2004 **University of Sydney**, Bachelor of Laws (First Class Honours)

2001 **University of Sydney**, Bachelor of Commerce

SELECTION OF MATTERS (AS COUNSEL)

- ***Tenix Holdings Pty Limited v Olis Insurance Pte Ltd & Ors (Supreme Court of NSW)***

  Appeared for Tenix in a professional indemnity insurance claim, in respect of a project for the design and construction of naval ships for the New Zealand Navy. The matter was listed for hearing in the Commercial List for eight weeks in October 2016 and settled immediately prior to the hearing (led by M Jones SC and K Williams SC).

- ***Clifford Sanderson as liquidator of Sakr Nominees Pty Ltd v Marie Sakr & Ors (Supreme Court of NSW Court of Appeal)***

  Appeared for a liquidator in an appeal against a determination of liquidator's remuneration, before a five-member bench of the New South Wales Court of Appeal. Judgment reserved (led by V Whittaker).

SELECTION OF MATTERS (AS INSTRUCTING SOLICTOR)

- ***Idameneo (No 789) Ltd & Anor v Brownlow & Ors; Idameneo (No 789) Ltd & Anor v Davenport & Anor (Supreme Court of NSW)***

  Acted for Healthscope group subsidiaries and key personnel in defence of two related proceedings concerning allegations of breach of fiduciary duty, breach of employment restraints and misuse of confidential information. Settled prior to judgment, following a six week hearing on liability.

- ***AMP Capital Investors Ltd as responsible entity for the KSC Trust v Westfield Management Limited as trustee for the WestArt Trust (Supreme Court of NSW)***

  Acted for AMP Capital Investors in its capacity as responsible entity of a unit trust which owned one of Perth's major shopping centres, in a dispute with Westfield concerning a proposed expansion. Proceeding involved allegations of breach of trust and breach of duty as responsible entity. Also acted in related proceedings involving applications for judicial advice: *Re AMP Capital Investors Ltd as responsible entity for the KSC Trust* [2010] NSWSC 1259 & [2012] NSWSC 67.

- ***Westfield Management Limited as trustee for the WestArt Trust v AMP Capital Investors Ltd as responsible entity for the KSC Trust (Supreme Court of NSW)***

  Acted for AMP Capital Investors in its capacity as responsible entity of a unit trust, seeking declarations as to the validity of unitholders' resolutions.

- ***AMP Capital Investors Limited v AMP Capital Meridien Lifestyle Operations Pty Limited & Ors (Supreme Court of NSW)***

  Acted for AMP Capital Investors in an expedited proceeding arising from a dispute relating to the management of a joint venture which owned and managed a portfolio of 19 retirement villages.

- ***Ahrens Engineering Pty Limited v WorleyParsons Services Pty Limited (Supreme Court of South Australia)***

  Acted for WorleyParsons in litigation concerning the collapse of a grain silo. Proceeding involved allegations of professional negligence, breach of contract and misleading and deceptive conduct, and issues of contribution between defendants.

- ***Forster & Anor v Hillross Financial Services Limited & Ors; Ferguson v Hillross Financial Services Limited; Stafford & Anor v Hillross Financial Services Ltd & Anor (Supreme Court of Queensland)***

  Acted for Hillross in 3 separate proceedings commenced by individuals seeking relief in respect of financial advice concerning investments in agrischemes in Queensland. Proceedings involved allegations of breach of fiduciary duty, breach of contract, misleading and deceptive conduct and breach of financial services disclosure provisions of the *Corporations Act*.

- ***Confidential expert determination re adjustment dispute***

  Acted in a confidential, long-running expert determination concerning a dispute in relation to a purchase price adjustment, worth more than $30 million.

- ***Ram v Trivedi & Anor* [2015] FCCA 389**

  Acted for Mr Ram pro bono in a claim for unpaid wages and entitlements, against his former employer. Awarded judgment in the sum of $125,431 plus interest.