

Louise Hulmes

Eight Selborne Chambers | 174 Phillip Street | Sydney NSW 2000
Tel: 02 8231 6031 | Email: lhulmes@eightselborne.com.au | Fax: 02 9232 7740 | DX 395 Sydney

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

- Commercial
- Corporations Law
- Competition and Consumer Law
- Employment and Restraint of Trade
- Equity
- Insolvency
- 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)

- ***DIF III Global Co-Investment Fund LP & Anor v Babcock & Brown LP & Ors (Proceeding 2016/285820 in the Supreme Court of NSW)***

Appearing for one of the defendants, a former director, in proceedings alleging breach of duty and misleading and deceptive conduct with respect to an investment (led by R Scruby SC).

- ***Management Services Australia Pty Ltd v PMWorks Pty Ltd & Anor [2017] NSWSC 1743 (Supreme Court of NSW)***

Appeared for the defendants in the successful defence of proceedings alleging breach of a joint venture agreement, misleading and deceptive conduct and unconscionable conduct (led by M Cairns).

- ***RBC Investor Services Australia Nominees Pty Limited v Brickworks Limited [2017] FCA 756 (Federal Court of Australia)***

Appeared for RBC in a shareholder oppression claim (led by AJL Bannon SC and JAC Potts SC).

- ***Sanderson as liquidator of Sakr Nominees Pty Ltd (in liquidation) v Sakr [2017] NSWCA 38 (Supreme Court of NSW Court of Appeal)***

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

- ***In the matter of Sakr Nominees Pty Ltd [2017] NSWSC 668 (Supreme Court of NSW)***

Appeared for a liquidator in a remitted hearing seeking determination of the liquidator's remuneration (unled).

- ***Tenix Holdings Pty Limited v Olis Insurance Pte Ltd & Ors (Proceeding 2013/381728 in the 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).

- ***Global Investments Limited v Babcock & Brown Global Investments Management Pty Ltd; DIF III – Global Co-Investment Fund LP v BBLP LLC [2017] NSWSC 729 & [2017] NSWSC 1202 (Supreme Court of NSW)***

Appeared for one of the defendants in an interlocutory application for further and better discovery, and then with respect to costs (unled).

- ***Ahtram Pty Ltd & Anor v Immaz International Pty Ltd & Ors (District Court of New South Wales)***

Appeared for the defendants (lessees and guarantors) in a claim for unpaid rent and remediation costs. The matter settled on day 3 of the final hearing (unled).

SELECTION OF MATTERS (AS INSTRUCTING SOLICITOR)

- ***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*.