

# 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

- Banking & Financial Services
- 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 (Hons I)

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

## SELECTED APPEARANCES

### Commercial

- ***S & D Cambridge Management Services Pty Ltd v Couriers Please Pty Limited*** [2019] NSWSC 1418  
Defence of an application for leave to amend a pleading (unled).
- ***DIF III – Global Co-Investment Fund LP v Babcock & Brown International Pty Ltd (No 2)*** [2019] NSWSC 1578  
Costs; application for order that plaintiffs pay the costs of an unsuccessful cross-claim (unled).
- ***DIF III Global Co-Investment Fund LP & Anor v Babcock & Brown LP & Ors*** [2019] NSWSC 527  
Alleged breach of fiduciary duty; negligence; misleading or deceptive conduct; professional indemnity insurance claim; directors' & officers' insurance claim (led by R Scruby SC).
- ***Dimmi v RestaurantDiary.com*** [2018] NSWSC 846  
Alleged breach of contract; termination; estoppel (led by JAC Potts SC).
- ***DIF III Global Co-Investment Fund LP & Anor v Babcock & Brown LP & Ors (Proceeding 2016/285820 in the Supreme Court of NSW)***  
Alleged negligence; misleading or deceptive conduct; professional indemnity insurance claim; directors' and officers' insurance claim. Settled first week of final hearing (led by R Scruby SC).
- ***Management Services Australia Pty Ltd v PMWorks Pty Ltd & Anor*** [2017] NSWSC 1743 (*Supreme Court of NSW*)  
Alleged joint venture; breach of fiduciary duty; misleading or deceptive conduct; unconscionable conduct; estoppel (led by M Cairns).
- ***RBC Investor Services Australia Nominees Pty Limited v Brickworks Limited*** [2017] FCA 756  
Shareholder oppression (led by AJL Bannon SC and JAC Potts SC).
- ***Vella v Medallist Golf Holdings Pty Limited*** [2017] NSWSC 211  
Alleged breach of a development agreement (led by IM Jackman SC and JAC Potts).
- ***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  
Interlocutory application; further and better discovery (unled).
- ***Ahtram Pty Ltd & Anor v Immaz International Pty Ltd & Ors (District Court of NSW)***  
Breach of a commercial lease. Settled day 3 of final hearing (unled)

## Insolvency

- ***In the matter of Courtenay House Capital Trading Group Pty Limited (in liquidation) & Courtenay House Pty Limited (in liquidation)*** [2019] NSWSC 1113

Application for orders and directions as to whether funds deposited by investors are held on trust (led by R Scruby SC)

- ***Thakran v TD TD Pty Ltd*** [2019] FCA 829

Application for reinstatement of registration and winding up (unled).

- ***In the matter of Gondon Five Pty Limited and Cui Family Asset Management Pty Limited*** [2019] NSWSC 469

Receiver's remuneration (led by V Whittaker SC).

- ***In the matter of Courtenay House Capital Trading Group Pty Limited (in liquidation) and Courtenay House Pty Limited (in liquidation)*** [2018] NSWSC 404

Separate question; trust law (led by V Whittaker SC).

- ***In the matter of Sakr Nominees Pty Ltd (in liq)*** [2017] NSWSC 668

Remitted hearing; liquidators' remuneration (unled).

## Royal Commissions

- ***Royal Commission into Misconduct in the Banking, Superannuation and Financial Services Industry, 2018***

Appeared for the Commonwealth Bank of Australia (led by C Scerri QC and with Z Hillman).

## Insurance

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

Professional indemnity insurance claim. Settled just prior to commencement of eight week hearing (led by M Jones SC and K Williams SC).

## Appeals

- ***Caron v Said Jahani and John McInerney as joint and several liquidators of Courtenay House Capital Trading Group Pty Ltd (In liq) and Courtenay House Pty Ltd (In liq)*** [2019] NSWCA 293

Application for directions on behalf of liquidators in relation to the defence of an appeal (led by R Scruby SC).

- ***Management Services Australia Pty Ltd v PMWorks Pty Ltd & Anor*** [2019] NSWCA 107

Breach of contract; termination (led by M Cairns).

- ***PMWorks Pty Ltd v Management Services Australia Pty Ltd (2018) NSWCA 168***

Non-party costs orders (led by M Cairns).

- ***Sanderson as liquidator of Sakr Nominees Pty Ltd (in liq) v Sakr* [2017] NSWCA 38**

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 SC).