

Louise Hulmes

Eight Selborne Chambers | 174 Phillip Street | Sydney NSW 2000
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ADMISSIONS

- 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
- Civil penalty proceedings
- Corporations law
- Employment and restraint of trade
- Insolvency
- Class actions
- Commercial
- Competition and consumer law
- Equity
- Insurance

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

MEMBERSHIPS

- New South Wales Bar Association
- Australia and New Zealand Sports Law Association (ANZSLA)

SELECTED CASES

Appeals

- *Hancock Prospecting Pty Ltd & Ors v DFD Rhodes Pty Ltd; Rinehart & Anor v Rinehart & Ors* (P42/2020 and P42/2020) – defending application for special leave to appeal to the High Court from order refusing a stay of proceedings; special leave refused (led by J Stoljar SC).
- *Management Services Australia Pty Ltd v PMWorks Pty Ltd & Anor* [2019] NSWCA 107 – breach of contract; termination (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 Court of Appeal (led by V Whittaker SC).

Federal Court

- *Our Jim & Felicia Superfund Pty Ltd v Batchfire Pty Ltd & Ors* – alleged shareholder oppression claim; ongoing (led by A Cheshire SC).
- *ASIC v McPherson’s* – appearing for ASIC in proceedings alleging contraventions of the Corporations Act; ongoing (led by J Giles SC).
- *RBC Investor Services v Brickworks Limited* [2017] FCA 756 – shareholder oppression claim (led by A Bannon SC and J Potts SC).
- *Thakran v TD Pty Ltd* [2019] FCA 829 – application to for reinstatement of company registration and winding up (unled).

Supreme Courts

- *DFD Rhodes Pty Ltd v Hancock Prospecting Pty Ltd* – appearing for Rhodes in claim with respect to mining royalties; liability judgment reserved in December 2023 following 60+ day trial in WASC (led by J Stoljar SC and K Lendich SC, with S Taylor and B Tomasi). See also interlocutory hearings: [2020] WASC 214; [2020] WASC 268; [2020] WASC 307.
- *In the matter of Mediation & Online Dispute Resolution Operating Network* [2022] NSWSC 5 – appeared for successful plaintiffs in claim for damages for misleading conduct (unled).

- *An Application by the City of Sydney (No. 4)* [2022] NSWSC 143 – application for payment of costs out of funds paid into court (unled).
- *CIMIC Group Limited v AIG Group Limited* [2022] NSWSC 999 – appeared for Liberty Mutual Insurance Company in directors & officers indemnity claim by CIMIC (formerly Leighton Holdings) (led by M Elliott SC).
- *Molopo Energy Limited v Johal & Ors* (S ECI 2018/120 VSC) – breach of directors’ duty claim; professional indemnity insurance claim (settled) (led by R Scruby SC and T Mitchell).
- *In the matter of Hardy Bros Equipment* [2021] NSWSC 372 – application for disclosure orders (unled).
- *S & D Cambridge Management Services Pty Ltd v Couriers Please Pty Ltd* (2018/307440 NSWSC) - breach of contract claim; settled in 2021, 1st day of final hearing (unled).
- *In the matter of Parker Logan* [2021] NSWSC 792 – urgent application on behalf of liquidators to extend the convening period for second creditors meeting (unled).
- *In the matter of Courtenay House Capital Trading Group Pty Ltd (in liq)* [2021] NSWSC 256 – application on behalf of liquidators for directions as to distribution of funds (unled).
- *In the matter of Courtenay House Capital Trading Group Pty Limited (in liq) & Courtenay House Pty Limited (in liq)* [2020] NSWSC 780 – application on behalf of liquidators for directions as to application of doctrine of hotchpot (led by R Scruby SC).
- *In the matter of Courtenay House Capital Trading Group Pty Limited (in liq) & Courtenay House Pty Limited (in liq)* [2019] NSWSC 1113 – application for orders and directions as to whether funds deposited by investors are held on trust (led by R Scruby 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).
- *DIF III Global Co-Investment Fund LP & Anor v Babcock & Brown LP & Ors* [2019] NSWSC 527 – breach of fiduciary duty claim; 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 – breach of contract claim; termination; estoppel (led by J Potts SC).

- *In the matter of Sakr Nominees Pty Ltd (in liq)* [2017] NSWSC 668 – remitted hearing; application for approval of liquidator’s remuneration (unled).
- *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).

District Court

- *Williams v Williams* [2023] NSWDC 10 – appeared for plaintiff in successful restitution claim (unled).
- *Millennium Charters Pty Ltd v Macarthur Jet Charter Pty Ltd* (2019/353758 in the NSWDC) – breach of contract claim; settled in 2021 (led by Y Shariff SC).
- *Ahtram Pty Ltd & Anor v Immaz International Pty Ltd & Ors* (2016/318073 NSWDC) – breach of commercial lease; settled in 2017, 3rd day of final hearing (unled).

Other

- *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 Z Hillman).
- Appearing for and advising ASIC in regulatory investigations and civil penalty proceedings.