

MANU JAIRETH

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Liability limited by a scheme approved under Professional Standards Legislation

Overview

- Practice** Class Actions, Commercial, Corporate Insolvency, Corporations Law, Corporate Criminal Law, Criminal Law, Equity, Professional Liability, Trade Practices and Competition, Trusts
- Admission** Barrister, New South Wales Bar: 2017
Solicitor of the High Court of Australia and Supreme Court of New South Wales: 2014

Education

- 2013** Graduate Diploma in Legal Practice, Australian National University, Canberra
- 2012** Bachelor of Laws with First Class Honours, University of Canberra, Canberra
- Dean's Excellence Award
 - 1st in Corporations Law
 - 1st in Introduction to Taxation Law
- 2011** International Student Exchange, Brock University, St. Catharines, Ontario, Canada

Employment

- Presently** Barrister, Tenth Floor Selborne Wentworth Chambers
- Teaching Fellow (Court Process, Evidence & Proof), University of New South Wales
- Headnoter, LexisNexis (Australian Corporations and Securities Reports, Australian Law Reports, Intellectual Property Reports)
- 2014 – 2017** Associate, Commercial Litigation and Dispute Resolution, Allens, Sydney
- Regulatory investigations and proceedings
 - Commercial, insolvency and restructuring disputes in the Federal Court of Australia and Supreme Court of New South Wales
 - Court of Arbitration for Sport
- 2016** Tutor (Foundations of Law), University of Sydney
- 2013** Tipstaff to the Hon. Justice D.J. Hammerschlag, Supreme Court of New South Wales

Publications

- 2016** "Full Court says no to revolution by resolution", Focus, Allens (Online)
- "Are super funds and managed investment schemes the next frontier for shareholders with activist agendas?", Unravelling, Allens (Online)
- 2015** "The Essendon Football Club Doping Saga", Journal of Sports Law Administration and Practice, United Kingdom
- "Decision confirms limits on general meeting shareholder activism", Focus, Allens (Online)
- 2011** "Proposed Reforms to Judge-Along Trials in the Australian Capital Territory", Canberra Law Review (2011), Volume 10

Selected matters

Federal Court of Australia

1. ***Kathryn Gill & Ors v Ethicon Sarl & Ors* (NSD1590/2012) (Ongoing) (Led by S G Finch SC, K C Morgan SC, C O Gleeson and D T W Wong)**
Acting for defendants in a class action brought in respect of the manufacture of medical devices used to treat pelvic organ prolapse and stress urinary incontinence.
2. ***ASIC v Westpac Banking Corporation* (VID282/2016)****
Acted for defendant in proceedings brought by ASIC alleging market manipulation, misleading or deceptive conduct, unconscionable conduct and breach of AFSL obligations.
3. ***Resource Capital Fund IV and V v Commissioner of Taxation* (NSD 276 & 277/2014)****
Acted for a third party responding to subpoenas, protection of confidential and commercially sensitive information.

Supreme Court of New South Wales

4. ***Anchorage Capital Master Offshore Ltd v Delia Sparkes & Ors* (2018/00104383) (Led by A J L Bannon SC and C Colquhoun)**
Acting for plaintiff in proceedings brought against directors and officers of Arrium Limited for, *inter alia*, negligent misstatement.
5. ***Maria Bramley-O'Connor & Anor v Marina Therese Wiggins & Anor* (2018/00120130) (Unled)**
Acting for plaintiff seeking, *inter alia*, specific performance of a contract for the sale of a parcel of land.
6. ***AB v Law Society of New South Wales* (2018/00088700) (Led by K Morgan SC)**
Acting for Law Society in review of a decision to institute proceedings against a solicitor.
7. ***Rose Sukkar ats Marc Sukkar* (2017/00360003) (Led by A J L Bannon SC)**
Acting for defendant in proceedings brought by plaintiff seeking orders under s. 66G of the *Conveyancing Act 1919* (NSW) and cross claim alleging, *inter alia*, unconscionable conduct and undue influence.
8. ***In the matter of ACN 004 410 800 Limited (formerly Arrium Limited) & Ors* (Led by C Colquhoun)**
Acted for applicant in application for access to written records of deed administrators' examination.
9. ***Canada Bay Pty Limited & Ors v Canada Bay Hardware Superstore Pty Limited* (2016/383491) (Ongoing) (Led by B Curtin)**
Acting for defendant following the sale of a hardware business. Allegations of misleading or deceptive conduct, breach of contract and warranty claim under business sale agreement.
10. ***Ambulance Service of New South Wales ats Harry Gatt* (2017/331668) (Led by K Morgan SC)**
Acted for respondent in application for judicial review of a decision of the Appeal Panel of the Workers Compensation Commission of New South Wales.
11. ***Tanilba Beach Pty Limited v JR & JB Pty Limited* (2012/195040) (Unled)**
Acted for applicant on motion for leave to issue a writ of execution where applicant the assignee of a judgment debt.

12. ***Burrell Solicitors Pty Ltd (in liquidation) v Reavill Farm Pty Ltd & Ors (2013/255030 & 2013/255045) (Unled)***
Acted for applicant on motion seeking payment of judgment debts by way of instalments. Acted for respondent on motion to be joined as a party to proceedings, assignment of debt in equity and law and leave to proceed against company in liquidation.
13. ***NAC Australia Pty Ltd v Accord Property Services Pty Ltd & According Building and Facilities Management Pty Ltd (2017/00257718) (Settled) (With S Hartford-Davis)***
Acted for defendant company and director in proceedings involving allegations of shareholder oppression, the appointment of provisional liquidator and winding up on the just & equitable ground.
14. ***Buildum Construction Pty Limited v Pile & Bucket Pty Ltd [2017] NSWSC 1260 (Unled)***
Acted for respondent on motion for declaration that settlement deed binding in proceedings arising out of claim under *Building & Construction Industry Security of Payment Act 1999* (NSW)
15. ***Clifford Quarries Pty Limited v Stoneco Pty Limited (2017/00114583) (Unled)***
Acted for respondent on application to set aside a statutory demand.
16. ***Milton v Milton (2017/157701) (Unled)***
Acted for respondent on urgent interlocutory application in proceedings concerning action in debt.
17. ***Skyscanner Limited v Hotels Combined Pty Ltd (2014/345793)*****
Acted for defendant/cross-claimant in dispute involving allegations breach of contract, repudiation, breach of implied terms, equitable rectification.
18. ***Skyscanner Limited v Hotels Combined Pty Ltd [2016] NSWSC 183 & (No. 2) [2016] NSWSC 326*****
Acted for defendant/cross-claimant in appeal from a Registrar's decision regarding pre-evidence discovery and application for the protection of confidential information in discovery provided to trade rival.

District Court of New South Wales

19. ***BMW Australia Finance Ltd v Afram Hanna (Unled)***
Acted for plaintiff in proceedings alleging breach of contract and action in debt.

Local Court of New South Wales

20. ***Ferngrove Pharmaceutical Australia Pty Ltd v Health Sharing Group Pty Ltd & Anor (2017/151054) (Unled)***
Acted for plaintiff in breach of contract dispute arising out of the supply of certain pharmaceutical products.
21. ***Nafisa Naomi ats Tony Elias (2016/172680) (Unled)***
Acted for respondent on application for magistrate to recuse herself on basis of apprehended bias.
22. ***R v PM (2017/00114583) (Unled)***
Acted for defendant charged with various offences under *Crimes Act 1900* (NSW) including intentional or reckless damage to property and unlawful entry.

Note: ** Denote matters in which I acted as a solicitor and not counsel.