

# Manu Jaireth

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## Areas of practice

Advocacy and advice in:

- Commercial law, corporations law and insolvency
- Directors' duties, shareholder oppression, class-actions
- State and Commonwealth criminal matters
- Sports law, anti-doping and selection disputes
- Regulatory proceedings and examinations
- Equity and real property

## Professional history

Barrister (since 2017)

- Best Lawyers Australia "One to Watch", Commercial Law and Sports Law (2023)

Lawyer, Allens, Sydney (2014 – 2017)

Tipstaff, Hammerschlag J, Supreme Court of New South Wales, (2013)

Teaching

- Teaching Fellow, Civil Disputes, UNSW, (Since 2018)
- Teaching Fellow, Evidence, UNSW, (2017)
- Tutor, Foundations of Law, University of Sydney (2016)

Law reports

- Australian Corporations and Securities Reports (Since 2015)

## Education

Bachelor of Laws, First Class Honours, University of Canberra (2012):

- Dean's Excellence Award
- 1<sup>st</sup> place in Corporations Law
- 1<sup>st</sup> place in Introduction to Taxation Law

## Memberships / Panels

Professional and volunteer:

- CDDP External Junior Counsel Panel
- Australian and New Zealand Sports Law Association (ANZSLA)
- National Sports Tribunal Legal Assistance Panel (NSTLAP)
- Australian Olympic Committee Pro Bono Referral List
- Patrolling member of Coogee Surf Life Saving Club

## RECENT CASES<sup>1</sup>

Area	Matter name	Court	Description	Counsel / instructing solicitors
<b>Class actions</b>	<i>Kathryn Gill &amp; Ors v Ethicon Sarl &amp; Ors (No 5)</i> [2019] FCA 1905	Federal Court of Australia	Product liability class action – Medical devices used to treat pelvic organ prolapse and stress urinary incontinence	Led by S Finch SC, K Morgan SC, C Gleeson and D Wong. Instructed by Clayton Utz
<b>Commercial matters</b>	<i>Anchorage Capital Master Offshore Ltd v Sparkes (No 3)</i> [2021] NSWSC 1025	Supreme Court of New South Wales	Proceedings brought against directors and officers of Arrium Ltd and its subsidiaries – Negligence – Negligent misrepresentation – Misleading or deceptive conduct – Assignment of causes of action	Led by A Bannon SC, C Colquhoun SC and M Ellicott. Instructed by Gilbert + Tobin
	<i>Anchorage Capital Master Offshore Ltd v Sparkes (No 4)</i> [2021] NSWSC 1625	New South Wales Court of Appeal		
	<i>Anchorage Capital Master Offshore Ltd v Sparkes</i> [2023] NSWCA 88			
	<i>Gideon Isaac Rathner v AAPC Management Limited</i> [2019] NSWSC 125	Supreme Court of New South Wales	Proceedings brought by liquidator – Payment by mistake – Money had and received – Misleading or deceptive conduct – Conventional estoppel	Unled. Instructed by Webb Henderson
<b>Regulatory investigations &amp; proceedings</b>	<i>ASIC v Westpac Banking Corporation</i> [2018] FCA 751	Federal Court of Australia	Regulatory investigation and enforcement proceeding concerning manipulation of the Bank Bill Swap Rate (BBSW) – Misleading or deceptive conduct – Unconscionable conduct – Breach of AFSL obligations	Solicitor instructing M J Darke SC, P A Neskovic QC and J Williams

<sup>1</sup> Also known as “list of great wins and very narrow losses”.

<b>Corporations and insolvency</b>	<i>Mudgee Dolomite &amp; Lime Pty Ltd v Robert Francis Murdoch; In the matter of Mudgee Dolomite &amp; Lime Pty Ltd</i> [2020] NSWSC 1510	Supreme Court of New South Wales	Shareholder oppression – Breach of directors’ duties and fiduciary duties – Winding up on the just and equitable ground	Led by V Bedrossian SC. Instructed by McPhee Kelshaw
	<i>Murdoch v Mudgee Dolomite &amp; Lime Pty Ltd (in liq)</i> [2022] NSWCA 12	New South Wales Court of Appeal		
	<i>Re Estate Soulos &amp; Associated Proceedings</i> [2022] NSWSC 1507	Supreme Court of New South Wales	Shareholder oppression – Breach of directors’ duties and fiduciary duties – Family provision	Led by V Bedrossian SC and N Bilinsky. Instructed by McPhee Kelshaw
	<i>Dixon, in the matter of Pearson Contracting Pty Ltd as Trustee for Pearson Family Trust (Administrator Appointed)</i> [2020] FCA 1505	Federal Court of Australia	Application for extension of convening period for second meeting of creditors under s 439A of the <i>Corporations Act 2001</i> (Cth)	Unled. Instructed by Law Squared
	<i>In the matter of Tasmanian Botanics Pty Limited</i> [2019] NSWSC 885	Supreme Court of New South Wales	Shareholder oppression – Directors’ duties – Application to transfer proceedings under s 1337H of the <i>Corporations Act 2001</i> (Cth) to Supreme Court of Tasmania	Led by C Colquhoun SC. Instructed by Thomson Geer
	<i>In the matter of ACN 004 410 833 Limited (formerly Arrium Limited) &amp; Ors</i> [2018] NSWSC 1536; [2018] NSWSC 747	Supreme Court of New South Wales	Public examination of Arrium Limited’s former directors, officers and advisors – Application to access written records of examination of directors and officers	Led by D Studdy SC and C Colquhoun SC. Instructed by Gilbert + Tobin
<b>Equity / real property</b>	<i>Sukkar v Sukkar</i> [2019] NSWSC 691	Supreme Court of New South Wales	Section 66G of the <i>Conveyancing Act 1919</i> (NSW) – Unconscionable conduct – Undue influence – Duress – Relief under the <i>Contracts Review Act 1980</i> (NSW)	Led by A Bannon SC. Instructed by Clayton Utz

<b>Criminal law</b>	<i>Commissioner of Police v Amoun &amp; Anor</i> [2020] NSWSC 1810	Supreme Court of New South Wales	Application for serious crime prevention orders under s 5(1) of the <i>Crimes (Serious Crimes Prevent Orders) Act 2016</i> (NSW)	Led by L Gyles SC. Instructed by Makinson d'Apice
	<i>Commissioner of Police v Alameddine</i> [2020] NSWSC 1919			
	<i>Anon v The Commissioner of Police, New South Wales Police Force</i>	Supreme Court of New South Wales	Access to documents seized by search warrant – Legal professional privilege – Pending criminal proceedings	Unled. Instructed by Makinson d'Apice
	<i>R v BA</i>	District Court of New South Wales	Offences under s 61M(2), 66C(4), 66EB(2), 66DB(a) of the <i>Crimes Act 1900</i> (NSW)	Unled. Instructed by John R De Mattia & Company
	<i>R v Lovell</i>	District Court of New South Wales	Offences under s 474.27 and 474.27A of the <i>Criminal Code Act 1995</i> (Cth)	Unled. Instructed by John R De Mattia & Company
	<i>R v Scollie</i>	District Court of New South Wales	Offences under 93C of the <i>Crimes Act 1900</i> (NSW)	Unled. Instructed by John R De Mattia & Company
<b>Sports law</b>	<i>McClusky v Triathlon Australia</i> NST-E22-138143	National Sports Tribunal	Athlete not selected for 2022 Commonwealth Games – Appeal to National Sports Tribunal	Unled. Instructed by Addisons
<b>Administrative law</b>	<i>AB v Law Society of New South Wales</i> [2018] NSWSC 1975	Supreme Court of New South Wales	Unsatisfactory professional conduct – Judicial review of a decision of the Council of Law Society of New South Wales	Led by K Morgan SC. Instructed by Law Society of New South Wales