

# AMELIA SMITH

Tenth Floor Chambers, Level 10, 174 Phillip Street, Sydney, NSW, 2000  
Tel: (02) 8915 2380      Mobile: 0400 851 684      Email: smith@tenthfloor.org

## PROFESSIONAL EXPERIENCE

### Barrister – Tenth Floor Chambers (2017)

Selected matters:

- **In the matter of Woodings (as liquidator of The Bell Group Limited and Bell Group Finance) and Totterdell (as liquidator of The Bell Group Limited) (COR 146 of 2014) and Insurance Commission of Western Australia v Woodings (as liquidator of The Bell Group Limited) and others (CIV 2666 of 2016)** (for the Insurance Commission of Western Australia, led by Garry Rich and David Sulan, continuing).
- **Mastoris v DSHE Holdings Limited (receivers and managers appointed) (in liquidation) ACN 166 237 841 and Findlay v DSHE Holdings Limited (receivers and managers appointed) (in liquidation) ACN 166 237 841** (for company in liquidation in respect of two shareholder class actions, led by Matthew Darke SC and Charles Colquhoun, continuing).
- **In the matter of ACN 004 410 833 Limited (Formerly Arrium Limited) (Subject to Deed of Company Arrangement) ACN 004 410 833** (for deed administrators).
- **In the matter of OrotonGroup Limited (subject to Deed of Company Arrangement)** (for deed administrators, led by Michael Henry SC, application under s 444GA of the *Corporations Act 2001* (Cth)).
- **Royal Commission into Misconduct in the Banking, Superannuation and Financial Services Industry** (for Westpac Banking Corporation, led by Penny Neskovein QC and John Sheahan SC).
- **David Scott Hopkins (as trustee of the David Hopkins Super Fund) v Macmahon Holdings Limited NSD 1346/2015** (for the defendant, shareholder class action, led by Adam Hochroth).
- **Blair-Ret Pty Ltd & Anor v James Tonge - Supreme Court of NSW proceedings no. 2017/292755** (for the plaintiffs, breach of trustee duties, unled).
- **Jandson Pty Limited (ACN 003 144 330 v Syed Ahmad Shoaib Ali Pty Limited (as trustee for Syed Family Trust) and Ali - NCAT proceedings no. HB16/51048** (for the defendants, breach of contract and statutory construction, unled).
- **Pensacola Pty Ltd (ACN 010 127 376) v Varnum Pty Ltd (ACN 608 737 015) & Ors – Supreme Court of Queensland proceedings no. 8689/2017** (for the defendants, breach of contract and misleading and deceptive conduct, unled).
- **Michael Triguboff v Bruce Rexstraw as Executor of the estate of Ruth Sarah Kandel – Supreme Court proceedings no 2017/284588** (for the plaintiff, application for disclosure by executor, unled).

**Foreign Pupil at Outer Temple Chambers, London (2016 – 2017)**

Assisted Andrew Spink QC and Michael Bowes QC in civil and criminal matters, including in relation to foreign bribery and economic torts.

**Research Assistant to Professor Sir Roy Goode CBE QC, Emeritus Professor of Law, University of Oxford (2016 – 2017)**

Research on various aspects of the global harmonisation of commercial law.

**Senior Associate and Lawyer (Litigation) - Arnold Bloch Leibler, Sydney (2011 – 2016)**

General commercial litigation, with particular experience in:

- **Directors duties:** Representing company directors and officers in defence of claims brought by receivers, liquidators and ASIC in respect of breaches of duties.
- **White collar crime:** Representing executives of Australian and offshore companies in relation to civil and criminal investigations, including concerning fraud, corruption and foreign bribery.
- **Insolvency:** Representing individuals and companies (including foreign representatives) in various domestic and international insolvency proceedings.
- **Class actions:** Representing individual executives in long running *Great Southern Limited* class actions in Victoria and Western Australia.
- **Competition:** Representing individuals in dispute with global conglomerate in relation to breaches of Australian competition law.
- **Sale of goods:** Representing large listed clothing retailer in a dispute with its international suppliers relating to breaches of domestic and international sale of goods legislation.

**Associate to Hon Justice McKerracher - Federal Court of Australia (2010 - 2011)**

**Research Assistant - Anthony Mason Chambers (2009-2010)**

**Law Clerk - Attorney-General's Department, Canberra - Intercountry Adoption Branch (2008-2009)**

**EDUCATION**

- |             |   |
|-------------|---|
| <b>2018</b> | LLM, University of Sydney (High Distinction).   |
| <b>2009</b> | BIntStudies, LLB/LP (Hons I), DipLang (Span), Flinders University (Adelaide, South Australia) and University of Valencia (Valencia, Spain). |

**PUBLICATIONS, PAPERS, AND PRESENTATIONS**

- With Jonathan Milner, “Duties of directors in related party transactions” in Australian Institute of Company Directors, Vol 13, Iss 21: <http://www.companydirectors.com.au/director-resource-centre/publications/the->

boardroom-report/back-volumes/volume-13-2015/volume-13-issue-21/duties-of-directors-in-related-party-transactions.

- “Gherebi v Obama” 16 AILJ (2009) 271.
- “ACCC v Channel Seven Pty Ltd (Brisbane) & Ors” in 31:5 *Law Society Bulletin* (June 2009) 10.

## **PROFESSIONAL MEMBERSHIPS**

- Member of the New South Wales Bar Association.
- Committee Member – International Law Association, Committee on the Use of Force.