

CHARLES COLQUHOUN

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Education

Master of Law (First Class Honours), University of Cambridge 2000-2001
British Chevening and Inner Temple Pegasus Scholarships

Bachelor of Arts/Laws (First Class Honours), University of Sydney 1994-1998

Experience

10th Floor Selborne Wentworth Chambers (Sydney) 2007-present
Barrister specialising in commercial and regulatory disputes

Herbert Smith (London) (now Herbert Smith Freehills) 2004-2007
Solicitor and senior associate in litigation and arbitration group

Mallesons Stephen Jaques (Sydney) (now King & Wood Mallesons) 2000-2004
Solicitor in the dispute resolution and competition law groups

Federal Court of Australia (Sydney) 1999-2000
Associate to Federal Court judge

Selected cases by practice areas

Competition and consumer law

ACCC v Ramsay Health Care Australia Pty Ltd, Federal Court proceeding
NSD628/2017
*Appearing for Ramsay Health Care in Federal Court proceedings brought by the ACCC for
misuse of market power*

Application by Sea Swift Pty Limited [2016] ACompT 9
*Appearing for Toll Holdings in an application to the Competition Tribunal for the authorisation
of the acquisition of a marine freight business*

Rivercity Motorway Finance Pty Ltd v AECOM Australia Pty Ltd [2014] FCA 713
*Appearing for Parsons Brinckerhoff in Federal Court proceedings in relation to traffic forecasts
for the Clem 7 tunnel*

AMP Capital Investors Ltd v Parsons Brinckerhoff Australia Pty Ltd [2013] NSWSC 1633
*Appearing for Parsons Brinckerhoff in Supreme Court proceedings in relation to traffic forecasts
for the Lane Cove Tunnel*

Firstmac Fiduciary Services Pty Ltd v HSBC Bank of Australia Ltd [2012] NSWSC 1122
*Appearing for HSBC in Supreme Court proceedings to enforce contractual limitation under the
Trade Practices Act 1974 (Cth)*

Class actions

Findlay v DSHE Holdings, Supreme Court of NSW proceeding 294069/2017
Appearing for liquidators of Dick Smith in Supreme Court class action in relation to collapse of Dick Smith

Lloyd v Belconnen Lakeview Pty Ltd, Federal Court proceeding NSD 1417/2017
Appearing for applicant in Federal Court class action in relation to the imposition of GST on the purchase of off the plan units in the ACT

Gill v Ethicon Sárl, Federal Court proceeding NSD1590 of 2012
Appearing for applicants in Federal Court class action in relation to pelvic mesh implants

Santa Trade Concerns Pty Ltd v Robinson [2016] FCA 1510
Appearing for former directors in Federal Court class action in relation to Kagara Ltd

De Brett Seafood Pty Ltd v Qantas Airways Ltd [2013] FCA 591, [2011] FCA 1426, [2011] FCA 1059, [2010] FCA 1302
Appearing for Qantas in Federal Court class action in relation to an international air cargo cartel

Mercedes Holdings Pty Ltd v Waters [2012] FCA 1412, [2011] FCA 236, [2011] FCA 1428, (2010) 78 ACSR 118
Appearing for former directors in Federal Court class in relation to a managed investment scheme

Corporations law and insolvency

In the matter of ACN 004 410 833 Limited (formerly Arrium Limited) [2018] NSWSC 747
Appearing for creditor in Supreme Court public examinations of former directors and officers of Arrium Limited

Rinehart atf The Hope Margaret Hancock Trust v Rinehart [2017] NSWSC 803, [2017] FCA 520
Appearing for Hancock Prospecting in Supreme Court proceedings in relation to a shareholder's oppression claim

In re MF Global Australia Ltd (in liq) [2012] NSWSC 994
Appearing for creditors in application by liquidator for orders under Corporations Act 2001 (Cth)

Australian Securities and Investments Commission v McDonald (2009) 259 ALR 116, (2009) 256 ALR 199, [2009] NSWSC 53, [2009] NSWSC 13, [2009] NSWSC 12, [2008] NSWSC 1367, [2008] NSWSC 1175, [2008] NSWSC 1169, [2008] NSWSC 1101, [2008] NSWSC 1099, [2008] NSWSC 102.
Appearing for non-executive directors of James Hardie in Supreme Court proceedings brought by ASIC

Arbitration and private international law

Lahoud v The Democratic Republic of Congo (No 2) [2018] FCA 478
Appearing for a mining company in Federal Court proceedings in relation to the enforcement of a foreign arbitral award

Hancock Prospecting Pty Ltd v Rinehart [2018] HCATrans 90, [2017] FCAFC 208 [2017] FCAFC 170, [2017] NSWSC 803, [2016] FCA 539, [2015] FCA 339, (2014) 320 ALR 195; Wright Prospecting Pty Ltd v Hancock Prospecting Pty Ltd [2018] WASC 122, [2016] WASC 305

Appearing for Hancock Prospecting in Federal Court proceedings and related Supreme Court of Western Australia proceedings on applications to stay proceedings in favour of arbitration

First Property Holdings Pte Ltd v Nyunt [2017] NSWSC 217

Appearing for Singapore company in Supreme Court proceedings to set aside foreign judgment registered under Foreign Judgments Act 1991

International commercial arbitration under UNCITRAL arbitration rules in Singapore

Acting for French company in arbitration against New Zealand company in relation to the supply of dairy products

Coeclerici Asia (Pte) Ltd v Gujarat NRE Coke Ltd [2015] FCA 809, (2014) 312 ALR 389, [2013] FCA 1395, (2013) 304 ALR 468, [2013] FCA 918

Appearing for Singaporean shipping company in Federal Court proceedings to enforce arbitral award obtained in LMAA arbitration

Severstal Export GmbH v Bhushan Steel Ltd (2013) 84 NSWLR 141, [2012] NSWSC 583, (2011) NSWSC 1063

Appearing for Swiss steel company in Supreme Court proceedings in relation to the enforcement of a foreign judgment and associated freezing order relief

Banking and financial services

National Australia Bank Ltd v Charlton [2018] NSWSC 970, [2018] NSWSC 969, [2018] NSWSC 311, [2018] NSWSC 157

Appearing for National Australia Bank in Supreme Court proceedings involving a claim for debt and possession, and a cross-claim for misleading or deceptive and unconscionable conduct

National Australia Bank Ltd v Clowes [2013] NSWCA 179, [2012] NSWSC 80

Appearing for National Australia Bank in Supreme Court proceedings to enforce equitable mortgage over shares

Professional negligence

Brewer, Innes v AAL Aviation Ltd [2017] FCAFC 202, [2016] FCA 93

Appearing for AAL Aviation (Qantas) in Federal Court proceedings brought by former employees in relation to their superannuation entitlements

Hughes v Fong [2016] NSWSC 1468, [2016] NSWSC 1451

Appearing for accountant in Supreme Court proceedings brought by trustees of superannuation funds

Permanent Custodians Ltd v Nobilo [2012] NSWSC 109, [2012] NSWSC 39

Appearing for solicitor in Supreme Court proceedings for professional negligence

Other

Sharp v National Rugby League Ltd [2016] NSWSC 777, [2016] NSWSC 730

Appearing for the NRL in Supreme Court proceedings brought by directors of the Parramatta Eels

Rural Funds Management Limited v The Minister Administering The Water Management Act 2000 [2016] NSWLEC 19

Appearing for Harvard Management Company in appeal brought under the Water Management Act 2000

Hancock v Rinehart [2015] NSWSC 788, (2015) 106 ACSR 207, [2014] NSWSC 932, [2014] NSWSC 860, [2014] NSWSC 844, [2014] NSWSC 658, [2014] NSWSC 156, [2013] NSWSC 1998, [2013] NSWSC 1981, [2013] NSWSC 1980, [2013] NSWSC 1979, [2013] NSWSC 1978, [2013] NSWCA 326, (2013) 96 ACSR 76, [2013] WASC 290, [2012] NSWCA 104, [2011] NSWSC 1636, [2011] NSWSC 1238

Appearing for Hancock Prospecting in Supreme Court proceedings in relation to an application to remove the trustee of a trust

Admissions

Supreme Court of England and Wales 2005

Federal Court of Australia, High Court of Australia 2004

Supreme Court of New South Wales 2000

Professional memberships

NSW Bar Association

Australian Centre for International Commercial Arbitration