

## Selected recent and current matters

Class Actions	With	Instructors
<i>(FX Class Action) - Wisbey v UBS &amp; Ors</i> (FCA): retained for UBS AG. Class action involving allegations of cartel conduct in the foreign exchange market ( <a href="#">[2021] FCA 36</a> ; <a href="#">(No 2) [2024] FCA 147</a> )	Wendy Harris KC, M Borsky KC, J Kirkwood SC	Herbert Smith Freehills
<i>(CCI Class Action) - Reilly v Australia and New Zealand Banking Group Limited &amp; Ors</i> <a href="#">(No 5) [2023] FCA 896</a> : retained for ANZ Bank, consumer credit insurance class action, settlement approval application	Unled on application	Herbert Smith Freehills
<i>Buch / Gehrke v Noumi (formerly Freedom Foods)</i> (SCV): for the defendant, shareholder class action, interlocutory carriage motion application, acting for auditor of Freedom Foods (Deloitte)	Wendy Harris KC	Corrs Chambers Westgarth
<i>Nelson v Beach Energy Ltd</i> (SCV): shareholder class action, GCO and carriage motion applications	David Sulan SC	Shine
<i>Clime Capital v UGL Limited</i> (SCV): shareholder class action arising out of the construction of the Ichthys LNG facility	Oren Bigos KC	Phi Finney McDonald
<i>Otto Dann &amp; Anor v CEO (Housing)</i> (FCA): class action relating to allegations of breach of contract, unconscionable conduct and consumer guarantees	Lachlan Armstrong KC	Phi Finney McDonald
<b>Regulatory (Civil penalty proceedings, Competition &amp; Inquiries)</b>		
<i>ASIC v ANZ Banking Group Ltd</i> (FCA): retained for ANZ Bank, civil penalty proceedings arising from retail banking matters (s 912A of the Corporations Act, and s 12DA of the ASIC Act)	Michael Rush KC	Allens
<i>ASIC v CBA &amp; Colonial First State</i> <a href="#">(2023) 299 FCR 604</a> : retained for CBA, civil penalty proceedings concerning allegations of conflicted remuneration	Neil Young KC	Clayton Utz
<i>ACCC v H.J. Heinz Company Australia Limited</i> (FCA): acting for Heinz Australia, misleading or deceptive conduct claims	Rowena Orr KC, Nick De Young KC	Minter Ellison
Appeared for and advised various company directors and employees in regulatory investigations, including s 19 examinations and responding to notices	Unled	Herbert Smith Freehills

Application for merger authorisation clearance by BP Petroleum in proposed acquisition of Woolworths petrol stations, acting for the ACCC	N O'Bryan SC & A Barraclough	AGS
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<i>ASIC ats Allegra Financial Services</i> <a href="#">[2020] AATA 6008</a> : appeared for ASIC, review of decision to refuse an Australian Financial Services Licence application	Unled	ASIC
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<i>ASIC ats Erhardt</i> <a href="#">[2018] AATA 4785</a> : appeared for ASIC in application regarding a director disqualification ban	Unled	ASIC
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<i>ASIC ats Evans</i> (settled): appeared for ASIC in review of a banning order pursuant to s 920 of the <i>Corporations Act</i> 2001 (Cth)	Unled	ASIC
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Royal Commission into Misconduct in the Banking, Superannuation and Financial Services Industry (2018) - Acted for an industry superannuation fund

## Commercial

<i>QIC Werribee Pty Ltd &amp; Ors v Wadren Pty Ltd &amp; Ors</i> (SCV) <a href="#">[2024] VSC 724</a> : briefed for QIC, a fund manager in sale of business case. Claims in contract, tort and misleading or deceptive conduct	Noel Hutley SC David Sulan SC Ryan May	Gilbert + Tobin
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<i>Royal Express Pty Ltd (Receivers and Managers Appointed) (In Liq) v Huang, in the matter of Royal Express Pty Ltd</i> (No 7) <a href="#">[2023] FCA 1648</a> : acting for Receivers in an equitable fraud claim against former company directors	Sam Rosewarne KC	Allens
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<i>Pirmax Pty Ltd v Kingspan Insulation Pty Ltd</i> (FCA): acting for a manufacturer in a misleading or deceptive conduct and negligence case	Chris Archibald KC	Herbert Smith Freehills
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<i>NAB Limited v Nautilus Insurance Pte Ltd &amp; Ors</i> <a href="#">[2019] FCA 899</a> ; (No 3) <a href="#">[2019] FCA 2139</a> : acting for NAB's captive insurer, in a claim by NAB in respect of losses incurred in selling interest rate hedging products in the UK	Vanessa Whittaker SC	King & Wood Malleons
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<i>Moulden v Ford Australia</i> : acting for Ford Australia in claim involving allegations of misleading or deceptive conduct	Unled	Allens
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<i>High St Ashburton Pty Ltd v Perpetual Corporate Trust</i> (S ECI 2024 06214) (settled): claim in respect of validity of	Unled	Dentons
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default notices under loan agreements and penalties

<i>Tripod Farmers Pty Ltd v QBE Insurance &amp; Calabro</i> (SCV, settled): acting for an insurance agent, in a case involving claims of misleading or deceptive conduct, tort and contract	J Delany QC (now Delany J), then M Rush KC	Clyde & Co
<i>Fonterra Brands v Bega Cheese</i> (No 2) [2019] VSC 209; (No 3) [2019] VSC 391: acting for Fonterra, sale of business dispute, included allegations of misleading or deceptive conduct	G Dalton KC, P Creighton-Selvay	Arnold Bloch Leibler
<i>Certain Underwriters at Lloyds &amp; Anor ats Mercury Walch</i> (SCV, settled): acting for underwriters, dispute regarding construction of insurance policy and a rectification claim	Chris Caleo KC	Gilchrist Connell
<i>Index Traders Pty Limited and Ors v Juwai Holdings</i> (SCV): application for interlocutory injunction in Supreme Court of Victoria	Michael Rush KC	Holman Fenwick Willan
<i>Bates Smart Architects Pty Ltd v Jacobs Group (Australia) Pty Ltd</i> (SCV, settled): breach of contract, quantum meruit	Unled	Holding Redlich
<i>Slea Pty Ltd v Connective Services Pty Ltd &amp; Ors; Mortgage Results Pty Ltd v Millsave Holdings Pty Ltd</i> [2017] VSC 327; [2017] VSC 704: various interlocutory applications in oppression proceedings	Bernie Quinn KC, Dan Crennan KC	Quinn Emanuel
<i>Harriet Springs v Teachers Mutual Bank</i> (FCA): acting for Teachers Mutual Bank in a Federal Court proceeding, claims in contract, tort and breach of implied warranty pursuant to s 12ED of the ASIC Act	Paul Liondas KC	Gilchrist Connell
<i>Eustice v State of Victoria &amp; Ors</i> : appearing for defendant in tort claim	Unled	Gilchrist Connell