



**ADAM
HOCHROTH**
Barrister

+61 2 9376 0624
adam.hochroth@banco.net.au

PROFILE

I am an experienced junior counsel with a broad civil practice. I accept briefs in all areas of law. My main areas of practice are equity & commercial, trade practices, employment, administrative law, class actions and corporations & insolvency.

I am recognised as a recommended commercial litigation junior counsel in NSW by Doyle's Guide (2019).

EDUCATION

Master of Laws (Columbia Law School 2010, ranked 1st in class of 275)

Bachelor of Laws (University of NSW 2004)

Bachelor of Arts (University of NSW 2002, Hons Class I, University Medal (Philosophy))

Graduate Certificate in Applied Finance (Kaplan Education)

ADMISSIONS

2005

Supreme Court of NSW

2011

New York State Bar

April 2012,

NSW Bar (ranked 1st in NSW Bar Exams)

RECENT MATTERS

Acted for Bianca Rinehart and John Hancock in family trust proceedings against Gina Rinehart

Hancock Prospecting Pty Ltd v Rinehart (2017) 257 FCR 442; [2017] FCAFC 170; below (2016) 257 FCR 310

Hancock v Rinehart (2015) 106 ACSR 207; [2015] NSWSC 646

Acted for Rugby Australia and NSW Rugby in tribunal and court proceedings brought by Israel Folau

Folau v Rugby Australia Ltd (Federal Circuit Court proceedings MLG2486/2019)

Acted for consumers against Volkswagen in the diesel emissions cheating class action

Cantor v Audi Australia Pty Limited (No 2) [2017] FCA 1042

Acted for the producers of the film *Mad Max: Fury Road* in a contract dispute with Warner Bros

Warner Bros Feature Productions Pty Ltd v Kennedy Miller Mitchell Films Pty Ltd (2018) 130 IPR 527; [2018] NSWCA 81

Acted for the deed administrators of a mining company in proceedings for breach of directors' and officers' duties

Re Kupang Resources Ltd (2018) ACSR 548; [2018] NSWSC 1872

Acted for electricity distributors in judicial and merits review proceedings against the Australian Energy Regulator
Australian Energy Regulator v Australian Competition Tribunal (No 2) 155 ALD 474; [2017] FCAFC 79
Application by ActewAGL Distribution [2017] ACompT 2
Applications by Public Interest Advocacy Service Ltd and Ausgrid [2016] ACompT 1

Acted for Airservices Australia [in successfully resisting an employment class action regarding enterprise agreement coverage
Duck v Airservices Australia (No 2) [2019] FCA 1148

Acted for the NSW Attorney General in a charitable trust dispute over a split in the Serbian Orthodox Church
Free Serbian Orthodox Church Diocese for Australia and New Zealand Property Trust v Bishop Irinej Dobrijevic (2017) 94 NSWLR 340; [2017] NSWCA 28

Acted for plaintiffs in a number of class action “carriage disputes”
Wigmans v AMP Ltd (2019) 373 ALR 323; [2019] NSWCA 243
Perera v GetSwift Ltd (2018) 263 FCR 92; [2018] FCAFC 102

Acted for BHP in an industrial dispute concerning rights of entry under the *Fair Work Act*
CFMMEU v BHP Billiton Nickel West Pty Ltd (2018) 263 FCR 558; [2018] FCAFC 107

Acted for Network Ten in a shareholders’ dispute
Network Ten Pty Ltd v TX Australia Pty Ltd [2018] NSWCA 312

Acted for the NSW Attorney General in a dispute over the interpretation of the will of the artist Martin Sharp
Sharp v Attorney General of NSW [2015] NSWSC 1580

PRO BONO

I am a strong believer in the Bar’s obligation to contribute to the provision of *pro bono* legal services. I participate in the Duty Barrister scheme and I have acted either *pro bono* or briefed by Legal Aid in a range of matters including migration, housing and mental health. These include the following matters in the High Court of Australia and the Federal Court of Australia:

Minister for Immigration and Border Protection v SZSSJ (2016) 259 CLR 180; below (2015) 234 FCR 1; [2015] FCAFC 125

DOB18 v Minister for Home Affairs [2019] FCAFC 63

Minister for Immigration and Border Protection v BHA17 (2018) 260 FCR 523; [2018] FCAFC 523; below [2017] FCA 1288

SZSSJ v Minister for Immigration and Border Protection (2014) 231 FCR 285; [2014] FCAFC 143

Ikupu v Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs [2020] FCA 74

DOB18 v Ng (Registrar) [2019] FCA 1575

AMK16 v Assistant Minister for Immigration and Border Protection [2016] FCA 1557

PROFESSIONAL EXPERIENCE

Freehills

Senior Associate (2009–2012)
Solicitor (2004–2009)

Practised in the Employee Relations and Commercial Litigation groups. Matters included the C7 proceedings, one of Australia's largest pieces of commercial litigation, both at first instance and on appeal (*Seven Network Ltd v News Ltd* (2009) 182 FCR 160; [2009] FCAFC 166; below [2007] FCA 1062).

From October 2006 to April 2007, on secondment to the Shopfront Youth Legal Centre, a *pro bono* legal service for homeless and disadvantaged young people. Represented clients in contested trials and pleas in mitigation in the NSW District Court and Local Courts on a daily basis.

Columbia University School of Law

Research Assistant to Professor Kent Greenawalt (2010–2011)

Provided research and editorial assistance for a project on legal interpretation, comprising the following publications:

Legal Interpretation: Perspectives from Other Disciplines and Private Texts (Oxford University Press, New York 2010)

Statutory and Common Law Interpretation (Oxford University Press, New York 2013)