



**DAVID
SULAN**
Barrister

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ADMISSIONS AND
QUALIFICATIONS

2007

Barrister

2004

Solicitor Advocate (High Court of England & Wales)

2001

Solicitor (NSW)

2003

BCL (postgraduate law), Oxford University, Distinction

2000

Bachelor of Laws, University of Sydney, First Class Honours

1999

Bachelor of Commerce, University of Sydney

AWARDS / RANKINGS

2015-2020

Doyles Guide (NSW) – Currently ranked as “Preeminent” Commercial Litigation and Dispute Resolution Junior Counsel

2015 - 2020

Doyles Guide (NSW) – Currently ranked as “Preeminent” Insolvency and Restructuring Junior Counsel

2018 – 2020

Chambers & Partners– Band 1 Insolvency and Restructuring Junior Counsel, described as “*of the juniors, probably the best around,*” an “*extremely well prepared and a strong advocate,*” and “*On his feet in court David exudes a reassuring calmness and is an effective advocate.*”

PROFESSIONAL EXPERIENCE

Aug 2005 – Feb 2007

Associate, Advocacy Unit, Herbert Smith, London

Sep 2003 - Aug 2005

Associate, Commercial Litigation, Herbert Smith (now Herbert Smith Freehills), London

July 2001 - June 2002

Legal Researcher/Tipstaff to Beazley JA (now Governor of NSW), NSW Court of Appeal

June 2000 - July 2001

Associate, Mallesons Stephen Jacques, Sydney

SELECTED CURRENT AND RECENT CASES

In addition to the below, David has appeared in numerous applications for urgent interlocutory relief (including freezing orders, and applications in insolvency proceedings), injunctions, schemes of arrangement, and various other short hearings. A full list is available on request.

Uber class action – acting for Uber entities in a class action commenced by taxi industry participants.

Superannuation class actions – acting for Colonial First State Investment Limited and Commonwealth Bank in three separate class actions concerning various matters.

Murray Darling class action – acting for the lead plaintiffs in the Murray Darling Basin Authority class action.

Arrium Proceedings – acting for a major international law firm in proceedings arising from its role in advising the now insolvent mining company Arrium.

Moriah College v Nosti – Acting for Moriah College in proceedings against its former financial controller.

DIFF III Global Co-Investment Fund v Babcock & Brown International [2019] NSWSC 527 – appeal proceedings concerning multi-party dispute involving alleged breaches of fiduciary duty and misleading or deceptive conduct in relation to the collapse of an investment fund.

Kerr v Australian Executor Trustee [2019] NSWSC 1279 – breach of trust dispute in relation to the sale of assets by a trustee.

Hui v Champion [2019] FCA 1111 – joint venture and shareholders dispute.

The Bell Litigation – Distribution Proceedings, now settled - acting for ICWA in various proceedings concerning the distribution of proceeds from the earlier Bell bank litigation.

Network Ten Pty Ltd v TX Australia Pty Ltd [2019] NSWCA 51 -commercial contract dispute - acting for Seven Network Operations Ltd.

Royal Commission into Misconduct in the Banking, Superannuation and Financial Services - acting for Macquarie Bank Ltd.

Public Inquiry Under the Charitable Fundraising Act (the RSL NSW Inquiry) – acting for RSL NSW.

Mighty River International Ltd v Hughes [2018] HCA 38
- deed of company arrangement.