

KUNAL SHARMA

Barrister

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Kunal.sharma@banco.net.au

ADMISSIONS

2021

Barrister, New South Wales Bar

2013

Solicitor, Supreme Court of NSW

ACADEMIC

University of Oxford

Bachelor of Civil Law (2015)

MSc (Higher Education) (2016)

University of New South Wales

Bachelor of Laws (Honours Class 1) (2012)

Bachelor of Arts (2012)

Academic achievements

Rhodes Scholarship, University of Oxford (2014–2016)

Associate Editor (2014) and Editor (2015, 2016), *Oxford University Commonwealth Law Journal*

Scientia Scholarship, University of NSW (2007–2012)

Order of Merit (ranked in the top 5 graduating students in Law, 2012)

Faculty of Law Dean's List (2012)

Faculty of Arts Dean's List (2012)

Member of the Editorial Board, *UNSW Law Journal* (2011–2012)

EMPLOYMENT

Since 2021

Barrister

Banco Chambers

2020 - 2021

Corrs Chambers Westgarth

Senior Associate/Associate, Commercial Litigation

2013 - 2020

Herbert Smith Freehills

Solicitor, Dispute Resolution (2016 - 2020)*

Graduate (2013 - 2014)

*includes extended leave in 2018 to complete an associateship

2018 - 2019

Associate to the Hon Justice A Katzmann

The Federal Court of Australia

TEACHING

University of NSW

Teaching Fellow in Principles of Australian Private Law (2014, 2020), Contracts (2016, 2018), Land Law (2016), and Business Associations (2020)

PUBLICATIONS

‘Jumping Back and Forth between Domestic Courts and ISDS: Mixed Signals from Asia-Pacific’ in Hindelang and Krajewski (eds), *Shifting Paradigms in International Investment Law* (Oxford University Press, 2016) 316 (with Leon Trakman).

‘Locating Australia on the Pacific Rim: Trade, Investment and the Asian Century’ (2015) *Transnational Dispute Management* 1 (with Leon Trakman).

‘The Binding Force of Agreements to Negotiate in Good Faith’ (2014) 73 *Cambridge Law Journal* 598–628 (with Leon Trakman).

‘Indonesia’s Termination of the Netherlands–Indonesia BIT: Broader Implications in the Asia-Pacific?’, *Kluwer Arbitration Blog*, 21 August 2014 (with Leon Trakman).

‘Why is Indonesia Terminating Its Bilateral Investment Treaties?’, *East Asia Forum*, 20 September 2014 (with Leon Trakman)

‘BITs and Pieces: Regional Developments in Investor-State Dispute Settlement’, *APEC Currents*, 2014 (with Leon Trakman)

‘A Relational Theory of Property’ (2013) 22 *Australian Property Law Journal* 70–91.

‘The Pursuit of Happiness: Implementing Utopia through the NSW Community Title Legislation’ (2013) 3 *Property Law Review* 51–63.

SELECTED MATTERS

As a solicitor

Veolia Environnement SA v Suez Australia Holding Pty Ltd [2021] FCA 344 (for the plaintiff)

Australian Information Commissioner v Facebook Inc & Facebook Ireland, Federal Court of Australia, NSD 246 of 2020 (for the defendants)

ASIC v Mitchell [2019] FCA 1484 (for the second defendant)

ASIC v Mitchell (No 2) [2020] FCA 1098 (for the second defendant)

BlueScope Steel Limited v Illawarra Coal Holdings Pty Ltd, Supreme Court of NSW, matter settled (for the defendants)

Acted for respondents to investigations by ASIC and the ACCC.

Various confidential matters including:

- advising client on litigation strategy in respect of anticipated legislation
- investigation into client’s compliance with fair work legislation

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- advising clients on potential claims based on breach of contract, consumer law, corporations law and commission of torts (negligence, deceit and conversion)