

DAVID SULAN SC

Barrister

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ADMISSIONS

2007	Barrister, New South Wales Bar (Senior Counsel 2021)
2004	Solicitor Advocate, High Court of England & Wales
2001	Solicitor, New South Wales

EDUCATION

2003	BCL (postgraduate law), Oxford University, Distinction
2000	Bachelor of Laws, University of Sydney, First Class Honours
1999	Bachelor of Commerce, University of Sydney

PROFESSIONAL EXPERIENCE

2005 – 2007	Associate, Advocacy Unit, Herbert Smith, London	
2003 – 2005	Associate, Commercial Litigation, Herbert Smith, London	
2001 – 2002	Legal Researcher/Tipstaff , the Hon. Justice Beazley AC (Now Governor of NSW), NSW Court of Appeal	
2000 - 2001	Associate, Mallesons Stephen Jaques (Now King & Wood Mallesons), Sydney	

SELECTED CASES Recent trials and contested first instance hearings

Arrium Proceedings [2021] NSWSC 1695; [2021] NSWSC 1025

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

Virgin Australia (in admin)

Acting for the administrators of Virgin Australia.

Moriah College v Nosti [2020] NSWSC

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

DIF III Global Co-Investment Fund v Babcock & Brown International [2019] NSWSC 527

Acting for an individual in a multi-party dispute involving alleged breaches of fiduciary duty and misleading or deceptive conduct in relation to the collapse of an investment fund.

The Bell Litigation – Distribution Proceedings

Acting for Insurance Commission of Western Australia (ICWA) in various proceedings concerning the distribution of proceeds from the earlier Bell bank litigation.



SELECTED CASES Recent Appeal matters

Australian Executor Trustees (SA) v Kerr [2021] NSWCA 5 \$75 million claim for equitable compensation concerning breach of trust

Stewart v Uber Technologies Incorporated [2020] NSWCA 208 Stated case arising from multiple class actions filed against Uber.

TX Australia Pty Ltd v Network Ten Pty Ltd; Network Ten v TX Australia Pty Ltd [2018] NSWCA 312 Dispute concerning the administration of Channel 10 and whether that event triggered a buyout clause in a joint venture agreement providing for the ownership of telecommunications infrastructure.

SELECTED CASES Current representative proceedings

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 various class actions.

Murray Darling class action

Acting for the lead plaintiffs in a class action against the Murray Darling Basin Authority.

Beach Petroleum class action

Acting for a plaintiff in a contested carriage application.

Nuix class action

Acting for a plaintiff in proceedings the subject of a contested carriage application and possible consolidation.

Boral class action

Acting as Court appointed contradictor regarding class closure.

SELECTED CASES Royal Commissions & Inquiries

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.