



**LUCA MORETTI**  
*Barrister*

+61 2 8239 0295  
luca.moretti@banco.net.au

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## ADMISSIONS

- 2022** Barrister, New South Wales Bar
- 2018** Solicitor, Supreme Court of New South Wales

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## ACADEMIC

- 2018 - 2019** **University of Oxford**  
*BCL (Distinction)*  
Vinerian Scholarship for Best Performance in the BCL (aeq)  
Law Faculty Prize for Law and Society in Medieval England  
Peter Birks Prize for Restitution of Unjust Enrichment  
Myers Scholarship (awarded by Christ Church, Oxford)  
Hannah Fullerton and Charles Herbert Currey Memorial Scholarships (awarded by University of Sydney)
- 2012 - 2017** **University of Sydney**  
*LLB (First Class Honours) (2017); BA (History) (2014)*  
Nancy Gordon Smith Prize for Honours at Graduation – awarded to top five LLB graduates  
ED Roper Memorial Prize No 2 for Equity and Corporations Law  
University of Sydney Academic Merit Prizes for law and history  
LexisNexis Book Prize No 3 for Most Proficient in Combined Law III  
George and Matilda Harris Scholarship No IIB for Third Year of Combined Law

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## EXPERIENCE

- Since 2022** **Barrister**, Banco Chambers
- 2021 - 2022** **Counsel Assisting the Solicitor-General of the Commonwealth**  
Assisted Dr Stephen Donaghue QC with the provision of advice to the Commonwealth government and preparation of litigation on its behalf. Appeared as junior counsel in the High Court in *Delil Alexander (by his litigation guardian Berivan Alexander) v Minister for Home Affairs* S103/2021 led by SP Donaghue QC, PD Herzfeld SC and JD Watson (instructed by Australian Government Solicitor).
- 2020 - 2021** **Associate to the Hon Justice Virginia Bell AC**, High Court of Australia
- 2020** **Tutor**, ANU College of Law (torts, constitutional law)  
Awarded ANU College of Law Excellence in Education Award.

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**2017 - 2020**    **Solicitor**, Herbert Smith Freehills

Practice groups: disputes (commercial litigation, regulatory proceedings and class actions); corporate (equity capital markets and mergers and acquisitions)

## **SELECTED MATTERS**

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### **Assisting the Solicitor-General**

*Australian Building and Construction Commissioner v Pattinson* [2022] HCA 13 – civil penalties, principles for determining appropriate penalties, for the appellant

*Minister for the Environment v Sharma* [2022] FCAFC 35 – negligence, novel duty of care, whether Minister owed a duty of care to the children of Australia when exercising power under ss 130 and 133 of the *Environment Protection and Biodiversity Conservation Act 1999* (Cth) to approve or not approve the extension of a coal mine, for the appellant

*Deputy Commissioner of Taxation v Huang* (2021) 96 ALJR 43; [2021] HCA 43 – practice and procedure, power of Federal Court of Australia to make a worldwide freezing order pursuant to r 7.32 of *Federal Court Rules 2011* (Cth), for the appellant

### **As a solicitor**

*Australian Energy Regulator v AGL HP 1 Pty Ltd & Ors* SAD 170/2019 (Federal Court of Australia) – proceedings commenced by the Australian Energy Regulator against four wind farm operators in connection with the Black System Event in South Australia on 28 September 2016, for the respondents

*Angelis as trustee for the Angelis Family Trust v Pemba Capital Partners Fund I Partnership, LP (No 3)* [2019] NSWSC 1759 – corporations/contract, for the first defendant

*Crowley v WorleyParsons Limited* NSD 1292 of 2015 (Federal Court of Australia) – shareholder class action, for the respondent

*Zonia Holdings Pty Ltd v Commonwealth Bank of Australia* VID 1085 of 2017 (Federal Court of Australia) – shareholder class action, for the respondent

## **PUBLICATIONS & OTHER EXPERIENCE**

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"Book review: M Barnes QC, *The Law of Estoppel* (Hart Publishing, 2020)" (2020) 36 *Journal of Contract Law* 292

"Certainty and Promissory Estoppel after *Crown Melbourne Ltd v Cosmopolitan Hotel (Vic) Pty Ltd*" (2017) 31(3) *Commercial Law Quarterly* 3

"Determining pecuniary penalties under the National Credit Act and Code: *Make it Mine Finance Pty Ltd, in the matter of Make it Mine Finance Pty Ltd (No 2)* [2015] FCA 1255", *Corporate Law Bulletin*, Bulletin No. 220 (17 December 2015)

Assisted Professor Emeritus John Carter and Professor Luke Nottage on various books and articles

Refugee Advisory Case Service, volunteer (2017 - 2019)