



MADELINE E HALL

Barrister

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ADMISSIONS

2016

Barrister, New South Wales Bar

2014

Solicitor, Supreme Court of New South Wales and High Court of Australia

PROFESSIONAL

Since September 2016

Barrister, Banco Chambers

2016

Corrs Chambers Westgarth - Litigation

2014 – 2015

Supreme Court of NSW, Tipstaff and Research Director to the Hon. T F Bathurst AC, Chief Justice

2011 – 2014

Banki Haddock Fiora – Defamation

2012 – 2013

Allen & Overy – Litigation and Tax

2010 – 2012

Kemp Strang – Dispute Resolution, Insolvency, and litigation

EDUCATION

2009 – 2013

University of New South Wales: BA LLB (1st class Hons)

Awarded Order of Merit Certificate for Law

UNSW Prize winner for Litigation 1 and Financial Economics and Law

Best speaker and winner of the UNSW Senior Mooting Competition

UNSW mootng representative at Gibbs Constitutional Moot and ALSA

Faculty of Arts and Social Sciences Dean's List for academic achievement

TEACHING

2016 – 2017

Lecturer for "Resolving Civil Disputes" at the University of New South Wales

PUBLICATIONS

2018 – Present

Author for Robson's Annotate Corporation Legislation (Thomson Reuters)

Selected Appearances - Trial

Commercial, corporations and insolvency

<i>Motor Yacht Sales Australia Pty Ltd t/as The Boutique Boat Company v Cheng</i> , NSWSC 2018/356960, ongoing	Claim for damages arising from breach of contract – for the plaintiff
<i>Maurtray Pty Ltd v Pillemer Pty Ltd & Ors</i> NSWSC 2020/68897, ongoing	Claim for damages arising from alleged representations and non-disclosures in breach of loan agreement – for the defendants, led by R Newlinds SC
<i>In the matter of Half Price Enterprises Pty Ltd (in liq)</i> NSD323/2021, ongoing	Application for extension of time under s 588FF(3)(b) of the <i>Corporations Act</i> and approval of funding agreement – for the plaintiff
<i>Goo v Sim</i> NSWSC 2017/300411, ongoing	Claim for equitable relief arising from breach of trust – for the plaintiff
<i>ORIX Australia Corporation Limited v Carter & Anor</i> , NSWSC 2020/174863, ongoing	Claim for damages arising from alleged breach of fiduciary and equitable duties – for the second defendant, led by S Gollledge SC
<i>In the matter of Matcove Pty Limited</i> [2020] NSWSC 625	Claim for specific performance of contract in relation to land and claim for equity of redemption of shares in company – for the defendant, led by R Newlinds SC
<i>Coshott v Commonwealth Bank of Australia</i> [2020] NSWSC 503	Application for summary dismissal – for the defendant
<i>Motor Yacht Sales Australia Pty Ltd t/as Boat Boutique Co v Blann</i> [2019] NSWDC 558	Claim for debt recovery or damages for breach of contract – for the plaintiff
<i>Biyelta Pty Ltd atf Coleman Family Super Fund v Southern Cross Olive Group Pty Ltd</i> NSWDC 2019/155551, Balla J, 30 August 2019, unreported	Application for preliminary discovery and resisting application for stay or dismissal – for the plaintiff
<i>Kerry Albert Pty Ltd t/as Kerry Albert & Co v Fuller</i> [2018] NSWDC 254	Claim for enforcement of settlement as binding agreement – for the plaintiff
<i>K4 Pty Ltd v Silver Chef Rentals Pty Ltd</i> NSWSC 2018/99437, Brereton J, unreported	Application to set aside statutory demand – for the defendant
<i>ASIC v Hutchings</i> [2017] FCCA 1163	Application to adjourn creditor’s petition – for the respondent

Administrative law/Judicial Review

<i>Kelly v Szatow & Ors</i> NSWSC [2020] NSWSC 407	Appeal from various NCAT decisions concerning provisions of <i>Local Government Act 1993</i> , application for summary judgment by the defendants – for the defendants
<i>Pharmacy Council of NSW v Ibrahim</i> [2020] NSWSC 708	Appeal from NCAT decision not suspending registration of pharmacist – for the appellant, led by K Richardson SC
<i>Waverley Council v Infrastructure NSW</i> [2019] NSWLEC 18	Judicial review of Minister’s decision to approve development of the Allianz Stadium - for the applicant, led by P Clay SC
<i>Ibrahim v Pharmacy Council of NSW</i> [2019] NSWCATOD 187	Application to appeal Pharmacy Council’s decision to suspend pharmacist’s licence – for the respondent
<i>Byron Pty Ltd (a pseudonym) v Commissioner of Taxation</i> AAT 2016/3546, 17 July 2019, unreported	Application for review of Commissioner’s decision – for the applicant
<i>DDL v Mid-Western Regional Council</i> [2018] NSWCATAD 2	Review of GIPA access application – for the applicant, led by K Richardson SC

Regulatory/Competition

<i>ASIC v Loke</i> CADB 16/NSW20, ongoing	Disciplinary proceedings against auditor – for the respondent, led by R Newlinds SC
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Class Actions

<i>The Owners- Strata Plan No 91086 v Fairview Arichtectural Pty Ltd</i> FCA NSD 940/2019, ongoing	Alleged breach of the Australian Consumer Law by manufacturer of aluminium cladding – for the defendant, led by P Zappia QC
<i>Liverpool City Council v McGraw-Hill Financial & Anor</i> FCA NSD 1018/2014; <i>Coffs Harbour City Council v McGraw-Hill Financial & Anor</i> FCA NSD 1020/2014; <i>Coffs Harbour City Council v ANZ</i> FCA NSD 1021/2014; <i>Clurname Pty Ltd & Ors v McGraw-Hill Financial & Anor</i> FCA NSD 957/2015; and <i>MDA National Insurance Pty Ltd & Anor v McGraw-Hill Financial & Anor</i> FCA NSD 414/2016, settled	Alleged misleading or deceptive conduct concerning representations made with respect to financial products, including the use of “S&P AAA” ratings – for the plaintiffs, led by A Stewart SC, N Hutley SC and C Withers

Real Property

<i>Comlin Holdings Pty Ltd v Metlej Developments Pty Ltd</i> [2018] NSWSC 761	Claim for title to property as party of partnership, joint venture or trust – for the third and fourth defendants, led by A d’Arville
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Amit Laundry Pty Ltd v Jain [2017] NSWSC 1495

Claim for title to property held on trust – for the plaintiff, led by J Thomson

Blackwattle Bay Marina Pty Ltd ACN 142 409 783 & Anor v Roads and Maritime Services ABN 76 236 371 088, NSWSC 177898/2015, settled

Claim for specific performance of agreement to lease – for the plaintiff, led by J Stoljar SC and Z Hillman

Ma v Kim, NSWSC 226061/2017, settled

Claim for title held on resulting trust – for the plaintiff

Insurance

Maalouf atf Maalouf Family Trust v Haddad & Ors NSWSC 2019/168365, ongoing

Claim for specific performance and damages relating to alleged deficient building work – for the third and fourth defendant

Butcherine v Stanley, NSW Supreme Court 2019/384734, 3 March 2021, unreported

Application for discovery of legal file and claim of issue waiver in negligence claim against former solicitors – for the applicant

Kennerley v Ironhill Management Pty Ltd t/as Bonville International Golf Resort NSWSC 2018/227636, settled

Claim for personal injury – for the defendant, led by A Cheshire SC

Wu v Chatswood West Bowling and Tennis Club Limited & Ors NSWSC 2017/366173, settled

Claim for personal injury - for the first defendant

Papas v Hansen Yuncken Pty Ltd ACN 063 384 056, NSWLC 283074/2016, unreported

Claim for compensation regarding damage done by construction site – for the plaintiff

Employment and Crime

Naulty v Shoalhaven City Council [2021] NSWIRComm 1012

Application for summary dismissal on basis claim did not involve an unfair dismissal – for the defendant/applicant

R v Georgiou NSWDC 2015/95955, prosecution withdrawn

Prosecution for allegations of corruption, bribery, fraud and money laundering - for the defendant, led by P English

Urgent relief

Employsure Pty Ltd v Whaite NSWSC 2021/78279, settled

Application for interlocutory injunctive relief for restraint of trade in contract of employment – for the applicant

Clear Choice Nationwide Pty Ltd v Rodger & Ors NSWSC 2019/31850, settled

Application for injunctive relief arising out of alleged breach of obligation of confidence – for the applicant

Community Work Pty Limited (in liquidation) and Ors v Bijkerk & Ors NSWSC 2019/287075, December 2019, Ball J, unreported

Application opposing continuation of interlocutory injunction – for the applicant

Oxford Street Property Holdings Pty Ltd & Ors v Acumen Finance Pty Ltd NSWSC, 19 June 2019, Darke J, unreported

Application for removal of caveat – for the applicant

Wills and Estates

Re Iris McLaren (No 2) [2019] NSWSC 1894

Application for restitution of money paid under judgment since set aside – for the plaintiff

Mekhail v Hana; In the Estate of Nadia Mekhail (No 4) [2018] NSWSC 1788

Claim of undue influence, lack of knowledge and approval and for family provision – for the plaintiff, led by J Thomson

Petkovic v Koutlianos [2016] NSWSC 1817

Claim for family provision – for the defendant, led by J Brown

Selected Appearances - Appeals

Nobarani v Mariconte, NSD 1227/2020, ongoing

Appeal from application to set aside bankruptcy notice – for the appellant

Coshott v Commonwealth Bank of Australia [2020] NSWCA 279

Appeal from summary dismissal of proceedings seeking declaration – for the appellant

Motor Yacht Sales Australia Pty Ltd v Blann [2020] NSWCA 349

Appeal from District Court, claim for debt recovery or damages for breach of contract – for the appellant, led by D Sulan

Jain v Amit Laundry Pty Ltd [2019] NSWCA 20; (2019) 19 BPR 39127

Appeal regarding principles of resulting trust – for the respondent/cross-appellant, led by J Thomson

Nobarani v Mariconte (No 2) [2018] HCA 49; (2018) 360 ALR 390

Appeal regarding circumstances when despite denial of procedural fairness, a new trial is not ordered – for the appellant, led by M Windsor SC and J Brown

Bayside Council v Karimbla Properties (No 3) Pty Ltd [2018] NSWCA 257; (2018) 99 NSWLR 66

Appeal from Land & Environment Court regarding statutory interpretation of council rates – for the appellants, led by Justin Gleeson SC

Nobarani v Mariconte (No 2) [2017] NSWCA 124

Appeal regarding denial of procedural fairness – for the appellant, led by J Brown

Hutchings v ASIC [2017] FCA 858

Appeal from Federal Circuit Court regarding creditor's petition - for the appellant, led by J Stoljar SC