



MADELINE E HALL

Barrister

+61 2 9376 0674

Madeline.hall@banco.net.au

ADMISSIONS

2016

Barrister, New South Wales Bar

2014

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

PROFESSIONAL

Since 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 mooting 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

Selected Appearances – Trial (all appearances are unled unless otherwise stated)

Commercial, corporations and insolvency

<i>In the matter of Taegutec Tools Pty Ltd</i> NSWSC 2022/205761, ongoing	Application for expedited hearing of shareholder buy-out in context of deadlock – for the plaintiff
<i>ORIX Australia Corporation Limited v Carter & Anor</i> , Federal Court of Australia NSD448/2022, ongoing	Claim for damages arising from alleged breach of fiduciary and equitable duties – for the second defendant, led by S Golledge SC
<i>Maurtray Pty Ltd v Pillemer Pty Ltd & Ors</i> [2022] NSWSC 1181	Claim for damages arising from alleged representations and non-disclosures in breach of loan agreement – for the defendants, led by R Newlinds SC
<i>Goo v Sim</i> [2022] NSWSC 420	Claim for equitable relief arising from breach of trust – for the plaintiff
<i>Motor Yacht Sales Australia Pty Ltd t/as The Boutique Boat Company v Cheng</i> [2021] NSWSC 1141	Claim for damages arising from breach of contract – for the plaintiff
<i>In the matter of Half Price Enterprises Pty Ltd (in liq)</i> [2021] FCA 805	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>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>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>In the matter of Taegutec Tools Pty Ltd</i> NSWSC 2022/205761, ongoing	Application for expedited hearing of shareholder buy-out in context of deadlock – for the plaintiff
<i>ORIX Australia Corporation Limited v Carter & Anor</i> , Federal Court of Australia NSD448/2022, ongoing	Claim for damages arising from alleged breach of fiduciary and equitable duties – for the second defendant, led by S Golledge SC

Administrative law/Judicial Review

<i>Kaye & Ors v The Owners Strata Plan No 4350</i> , NSWSC 2022/174374, ongoing	Appeal from NCAT Appeal Panel refusing to find rejection of by-law by owner's corporation was unreasonable – for the appellants, led by R Newlinds SC
<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

Regulatory/Competition

<i>ASIC v Loke</i> CADB 16/NSW20, settled	Disciplinary proceedings against auditor – for the respondent, led by R Newlinds SC
<i>Section 155 Examinations relating to employees of Bingo Industries</i> 2021	ACCC Investigation into allegations of cartel conduct – for various employees

Defamation

<i>Zimmermann v Perkiss</i> NSWDC 2022/70757, ongoing	Hearing on serious harm – for the plaintiff
---	---

Class Actions

<i>Moussa v Camden Council & Ors</i> NSWSC 2020/359004; <i>Cornish Group Spring Farm Pty Ltd v Camden Council</i> NSWSC 2019/147031, ongoing	Class action and related proceeding concerning compaction of land in Spring Farm suburb – for the defendant to class action/plaintiff in related action, led by R Newlinds SC
<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>Perpetual Corporate Trust Ltd v Owners Corporation SP 6534 NSWSC 2022/98817; El-Khoury v Owners Corporation SP 6534 NSWSC 2018/93444, ongoing</i>	Claim by-law is unjust unreasonable in context of related proceedings concerning damages claim arising from failure to rectify common property subject of a by-law – for the plaintiff
<i>Poulos v ANZ [2021] NSWSC 971; (No 2) [2021] NSWSC 1620</i>	Summary dismissal application brought by defendant against claim by plaintiff for forms of unidentified proprietary relief – for the defendant

Insurance/Professional negligence

<i>Maalouf atf Maalouf Family Trust v Haddad & Ors NSWSC 2019/168365, ongoing</i>	Claim for specific performance and damages relating to alleged deficient building work – for the third and fourth defendant
<i>Palmer & Anor v Gayler & Ors NSWSC 2021/133241, ongoing</i>	Claim for damages arising from alleged breach of professional negligence in provision of pest and building report – for the third defendant
<i>Kennerley v Ironhill Management Pty Ltd t/as Bonville International Golf Resort NSWSC 2018/227636, settled</i>	Claim for personal injury – for the defendant, led by A Cheshire SC
<i>Wu v Chatswood West Bowling and Tennis Club Limited & Ors NSWSC 2017/366173, settled</i>	Claim for personal injury – for the first defendant
<i>Papas v Hansen Yuncken Pty Ltd CAN 063 384 056, NSWLC 283074/2016, unreported</i>	Claim for compensation regarding damage done by construction site – for the plaintiff

Employment and Crime

<i>Naulty v Shoalhaven City Council [2021] NSWIRComm 1012</i>	Application for summary dismissal on basis claim did not involve an unfair dismissal – for the defendant/applicant
<i>R v Georgiou NSWDC 2015/95955, prosecution withdrawn</i>	Prosecution for allegations of corruption, bribery, fraud and money laundering – for the defendant, led by P English

Urgent relief

<i>Young v Beck [2022] FedCFamC1F 553</i>	Application for interlocutory injunctive relief to preserve matrimonial pool of assets prior to hearing – for the applicant, led by R Newlinds SC
<i>Employsure Pty Ltd v Whaite NSWSC 2021/78279, settled</i>	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

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

Mammoth Investments Pty Ltd & Ors v Donaldson, WASCA 2021/99, ongoing

Appeal from decision of Master that a client did not have standing to request itemized invoices from barrister directly – for the appellants, led by J Redwood SC

Poulos v ANZ NSWCA, 15 August 2022, unreported (Brereton and Mitchelmore JJA)

Appeal from summary dismissal claim – for the respondent

Fuller v Albert [2021] NSWCA 88; (No 2) [2021] NSWCA 183; (No 3) [2021] NSWCA 226

Appeal from unsuccessful claim for specific performance of contract in relation to land and claim for equity of redemption of shares in company – for the respondent, led by R Newlinds SC

Nobarani v Mariconte [2021] FCAFC 96

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