

## MADELINE ELIZABETH HALL

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### Admissions

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- 2016** Barrister, New South Wales Bar
- 2014** Solicitor, Supreme Court of New South Wales and High Court of Australia

### Professional

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- 2016** Barrister – Banco Chambers  
Corrs Chambers Westgarth – Litigation
- 2014-2015** Supreme Court of NSW – Tipstaff and Research Director to the Honourable 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

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- 2009-2013** University of New South Wales: BA LLB (1<sup>st</sup> 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

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- 2016-2017** Lecturer for “Resolving Civil Disputes” at the University of New South Wales

## Selected Appearances-Trial

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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 &amp; 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 &amp; 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 &amp; Co v Fuller</i> [2018] NSWDC 254	Claim for enforcement of settlement as binding agreement – for the plaintiff

### Administrative Law/Judicial Review

<i>Kaye &amp; Ors v The Owners Strata Plan No 4350</i> [2022] NSWSC 1386	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 &amp; 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 2021</i>	ACCC Investigation into allegations of cartel conduct – for various employees

### Defamation

<i>Zimmermann v Perkiss</i> [2022] NSWDC 448	Hearing on serious harm – for the plaintiff
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### Class actions

<i>Moussa v Camden Council &amp; 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 &amp; Anor</i> FCA NSD 1018/2014; <i>Coffs Harbour City Council v McGraw-Hill Financial &amp; Anor</i> FCA NSD 1020/2014; <i>Coffs Harbour City Council v ANZ</i> FCA NSD 1021/2014; <i>Clurname Pty Ltd &amp; Ors v McGraw-Hill Financial &amp; Anor</i> FCA NSD 957/2015; and <i>MDA National Insurance Pty Ltd &amp; Anor v McGraw-Hill Financial &amp; 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</i> NSWSC 2022/98817; <i>El-Khouri v Owners Corporation SP 6534</i> NSWSC 2018/93444, ongoing	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</i> [2021] NSWSC 971; (No 2) [2021] NSWSC 1620	Summary dismissal application brought by defendant against claim by plaintiff for forms of unidentified proprietary relief – for the defendant

*Comlin Holdings Pty Ltd v Metlej Developments Pty Ltd* [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

### Insurance/ Professional negligence

*Maalouf attf 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

*Palmer & Anor v Gayler & Ors* NSWSC 2021/133241, ongoing

Claim for damages arising from alleged breach of professional negligence in provision of pest and building report – for the third defendant

*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

*Young v Beck* [2022] FedCFamC1F 553

Application for interlocutory injunctive relief to preserve matrimonial pool of assets prior to hearing – for the applicant, led by R Newlinds SC

*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-Appeal

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### All appearances are unled unless otherwise stated

*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