

Emma Bathurst

Barrister

Sixth Floor Selborne/Wentworth Chambers
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Employment History

- 2010-2015 Senior Associate, King & Wood Mallesons (Dispute Resolution and Intellectual Property teams and secondment to Refugee Advice & Casework Service)
- 2009-2010 Associate to Hon. Justice Jagot, Federal Court of Australia

Education

- 2012-2015 University of New South Wales – Masters of Law
- Dean's List Prizes for best overall performance in: Law of the World Trade Organization, International and Comparative Intellectual Property Law and Defamation and the Media
- 2004-2009 University of New South Wales – B Art Theory/B Laws (Honours Class 1)
- Dean's List Prize for best performance in Public International Law
 - NSW Bar Association Prize for best performance in Law, Lawyers and Society
 - Speranza Prize for best performance in Torts

Memberships

- 2015-2016 New South Wales Bar Association
- Member of Professional Conduct Committee 5 and Human Rights Committee 2016
- 2015-2016 Panellist – University of New South Wales Law Masters Review Panel

Selected Appearances

High Court of Australia

<i>M68-2015 v Minister for Immigration & Border Protection</i> [2016] HCA 1	Constitutional/migration (2 days) – for plaintiff	Led by R Merkel QC and C Lenehan (instructed by Human Rights Law Centre)
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Federal Court of Australia

<i>ASIC v State One Stockbroking Ltd</i> – WAD 540/2016	Corporations/market manipulation – for plaintiff	Led by J Halley SC (instructed by ASIC)
<i>ACCC v Woolworths Ltd</i> [2016] FCA 1462	Competition – for respondent (preparation of evidence only)	Led by C Moore SC and R Higgins (instructed by Ashurst)
<i>Ceramic Fuel Cells Ltd (in liq) v McGraw-Hill Financial, Inc & Anor</i> NSD 1126/2015 (and eight other related class actions)	Class actions (ongoing) – for applicants	Led by N Hutley SC and C Withers (instructed by Squire Patton Boggs)
<i>Energizer Australia Pty Ltd v Procter & Gamble Australia Pty Ltd</i> [2016] FCA 347	Civil contempt (2 days) – for respondent	Led by B Walker SC (instructed by King & Wood Mallesons)
<i>Energizer Australia Pty Ltd v Procter & Gamble Australia Pty Ltd</i> NSD 1636/2015	Consumer law (interlocutory injunction 1 day) – for respondent	Led by M Hall SC (instructed by King & Wood Mallesons)

<i>Commissioner of Police, New South Wales v Guo</i> [2016] FCAFC 62	Public interest immunity appeal (1 day) – for appellant	Led by N Sharp (instructed by Crown Solicitor NSW)
<i>Hopkins & Anor v AECOM Australia Pty Ltd</i> NSD 757/ 2012	Class action (settled) – for 10 th respondent	Led by P Jopling SC and J Williams (instructed by Colin Biggers & Paisley)
<i>IPC Global Pty Ltd v Pavetest Pty Ltd</i> [2016] FCA 500; [2016] FCA 1332; [2017] FCA 82	Intellectual property – for the applicant	Led by R Cobden SC (instructed by Bird & Bird)
<i>John Todd v Alterra at Lloyds Ltd (on Behalf of Underwriting Members of Syndicate 1400) & Ors</i> [2016] FCAFC 15	Insurance appeal (1 day) – for respondent	Led by G Rich SC (instructed by Norton Rose Fulbright)
<i>McGraw-Hill Financial, Inc v Mitsub Pty Ltd</i> [2017] FCAFC 11	Interlocutory appeal (1 day) – for respondent	Led by N Hutley SC (instructed by Squire Patton Boggs)
<i>Reckitt Benckiser (Australia Pty Limited v Procter & Gamble Australia Pty Limited</i> [2015] FCA 753	Consumer law (interlocutory injunction 1 day) – for respondent	Led by R Cobden SC (instructed by King & Wood Mallesons)
<i>Uber BV v Commissioner of Taxation</i> [2017] FCA 110	Taxation (2 days) – for respondent	Led by J Hmelnitsky SC and D Thomas (instructed by AGS)
<i>Walker v NSW Bar Association</i> [2016] FCA 799	Corporations/oppression (2 days) – for 2 nd and 3 rd respondents	Led by N Owens (instructed by Colin Biggers & Paisley)

Supreme Court of New South Wales

<i>Admark Property Group Pty Ltd (in liq) v G J Building and Contracting Pty Ltd</i> [2017] NSWSC 118	Contempt sentencing – for contemnor	Led by R Dick SC
<i>Baker as executor of the estate of Boncardo v Barry 88 Holdings Pty Ltd</i> – 2016/367249	Real property/contract	Led by P Clay SC
<i>Canberra Tradesmen's Union Club Limited v Willis Australia Limited</i> 2013/262179	Insurance (settled) – for defendant	Led by N Owens (instructed by Minter Ellison)
<i>Carillion Construction Pty Ltd v AIG Australia Ltd</i> [2016] NSWSC 495	Insurance (2 days) – for plaintiff	Led by J Sheahan QC and D Thomas (instructed by Herbert Smith Freehills)
<i>Creighton v Australian Executor Trustees Limited</i> 2015/306222; <i>Smith v Australian Executor Trustees</i> 2015/171592	Class action/insurance - for Willis Australia (cross-defendant)	Led by M Elliott (instructed by Minter Ellison)
<i>Donau v Pty Ltd v ASC AWD Shipbuilder Pty Ltd</i> 2016/163292	Contract/construction (ongoing) – for plaintiff	Led by R McHugh SC and D Thomas (instructed by McCabes Lawyers)
<i>Griffin Energy Pty Ltd (subject to a deed of company arrangement) v Laughland</i> 2016/88818	Professional negligence (ongoing) – for plaintiffs	Led by K Stern SC and R Higgins (instructed by Ashurst)
<i>Estate Late Peter Reid</i> 2015/288476	Probate (ongoing) – for 3 rd to 6 th defendants	Led by B Walker SC (instructed by Badgery & Rafferty)
<i>In the matter of Eastmark Holdings Pty Limited (Subject to a Deed of Company Arrangement)</i> [2015] NSWSC 1437	Corporations (2 days) – for defendants	Led by J Sheahan QC and P Crutchfield QC (instructed by Gilbert + Tobin)

Shoal Bay Developments Pty Ltd v Port Stephens Council 2015/349406

Real property/nuisance (ongoing) – for defendant

Led by R Lancaster SC (instructed by Local Government Legal)

District Court of New South Wales

Nasr v International Air Transport Association [2016] NSWDC 346

Strike-out – for defendant

Unled (instructed by Minter Ellison)

Supreme Court of Western Australia

Lanco Resources Australia Pty Ltd v Griffin Energy Group Pty Ltd (subject to a deed of company arrangement) CIV 1298/2015

Trade practices (ongoing) – for defendants

Led by N Young QC, K Stern SC and R Higgins (instructed by Ashurst)

Family Court of Western Australia

Westlake v Westlake 890/2016

Family/equity (settled) – for 2nd to 5th respondents

Led by B Walker SC (instructed by Rankin Ellison)

Administrative Appeals Tribunal

Saba v Minister for Immigration & Border Protection [2016] AATA 319

Migration (3 days) – for applicant

Unled (instructed by Salvos Legal)