

ROBERT HOLLO SC

Sixth Floor Chambers
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- 1994:** Admitted as a Legal Practitioner, Supreme Court of New South Wales
- 1995:** Commenced practice at the New South Wales Bar
- 2011:** Appointed Senior Counsel
- Current:** NSW Bar Association
Chair of Education Committee
Lecturer, Bar Practice Course
Moderator, Bar Examinations
Member, Professional Conduct Committee

Areas of Practice

Banking, Financial Services, Regulatory Actions and Investigations, Class Actions, Directors Duties, General and Life Insurance and Superannuation, Corporate Insolvency, Equity, Professional Negligence, and Property.

Appears in High Court, Federal Court (trial and appellate), Supreme Court of NSW and Court of Appeal, interstate Supreme Courts and NCAT.

Selected Cases and Matters

APRA Referred Investigation

Counsel assisting and advising investigation of large general insurer following referral by Royal Commission (2019-2021). Court Enforceable Undertakings and capital requirement imposed.

QAD Inc v Shepparton Partners Collective Operations Pty Ltd [2021] FCA 615

Client: SPC. Commercial and copyright dispute.

Royal Commission into Misconduct in the Banking, Superannuation and Financial Services Industry

Clients: AMP Group of companies.

Commonwealth Bank of Australia v Kojic (2016) 249 FCR 421

Financial Services - Corporate knowledge/unconscionability

Client: Commonwealth Bank of Australia

Appeal (Full Court) allowed.

ASIC v Storm Financial Limited & Ors

ASIC v Storm Financial Limited (in liq) (No 2) [2011] FCA 858;

ASIC v Storm Financial Limited (in liq) [2011] FCA 763;

ASIC v Storm Financial Limited (in liq) [2012] FCA 915;

ASIC v Storm Financial Limited (Receivers & Managers Appointed) (in liq) [2012] FCA 750;

ASIC v Storm Financial Limited (in liq) [2012] FCA 355

Regulatory proceedings for declaratory and pecuniary relief re managed investment scheme.

Client: Commonwealth Bank of Australia. Proceedings resolved at hearing.

Cassimatis v Commonwealth Bank of Australia/Mineral Resources Engineering v Commonwealth Bank of Australia

Financial Services - Claims for substantial damages for misleading and deceptive conduct/breach of contract/unconscionability

Cassimatis v Commonwealth Bank of Australia [2016] QSC 281

MRES v Commonwealth Bank of Australia [2015] QSC 62; [2015] QSC 288; [2016] QSC 232

Client: Commonwealth Bank of Australia

Cassimatis proceedings dismissed.

Sherwood v Commonwealth Bank of Australia (Storm Class actions)

Sherwood v Commonwealth Bank of Australia (No 5) [2015] FCA 688

Sherwood v Commonwealth Bank of Australia [2013] FCA 1403

Sherwood v Commonwealth Bank of Australia (No 4) (2013) 308 ALR 45;

Financial Services

Client: Commonwealth Bank of Australia. Proceedings settled after Court approvals.

Council of Law Society of New South Wales v DRE [2021] NSWCATOD 4

Professional Disciplinary.

Binetter v BCI Finances Pty Ltd (in liq)

Binetter v BCI Finances Pty Ltd (in liq) (2015) 235 FCR 410 (Full Court)

Binetter v BCI Finances Pty Ltd (in liq) (2015) FCA 679

Binetter v BCI Finances Pty Ltd (in liq) [2016] HCA Trans 33

Client: Liquidators of BCI Finances

Successful at first instance and on appeal.

Pharm-a-Care Laboratories Pty Ltd v Commonwealth of Australia (Pan Pharmaceuticals Class Action)

Pharm-a-Care Laboratories Pty Ltd v Commonwealth of Australia (No 3) [2010] FCA 361; (2010) 267 ALR 494

Pharm-a-Care Laboratories Pty Ltd v Commonwealth of Australia (No 5) [2010] FCA 1204

Pharm-a-Care Laboratories Pty Ltd v Commonwealth of Australia (No 6) [2011] FCA 277

Clients: Comcover - Five officers of the Therapeutic Goods Administration

Proceedings settled following several mediations.

James Hardie (Civil Penalty - Directors) litigation

ASIC v Macdonald (No 11) (2009) 230 FCR 1; 256 ALR 199; 71 ACSR 368 (Trial – liability)

ASIC v Macdonald (No 12) (2009) 259 ALR 116; 73 ACSR 638 (Trial – Penalty)

Morley v ASIC (2010) 247 FLR 140; 274 ALR 205; [2010] NSWCA 331 (Court of Appeal)

ASIC v Hellicar & Ors [2012] HCA 17; 86 ALJR 522; 286 ALR 501 (High Court)

Gillfillan & Ors v ASIC [2012] NSWCA 370; 92 ACSR 460 (Court of Appeal – Remittal)

Clients: Four non-executive directors.

Successful on appeal, Reversed in High Court.

Numerous applications for transfer of the business of general and life insurers

Clients: Insurers; APRA. For example:

Asteron Life & Superannuation Limited, in the matter of Asteron Life & Superannuation Limited [2021] FCA 708

Colonial Mutual Life Assurance Society Limited, in the matter of the Colonial Mutual Life Assurance Society Limited [2021] FCA 394 (Commonwealth Bank of Australia)

Insurance Australia Limited, in the matter of Insurance Australia Limited (No.2) [2017] FCA 980 (APRA).