

HUGH ATKIN

Sixth Floor Selborne Wentworth Chambers | Level 6, 174 Phillip Street, Sydney
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PROFESSIONAL EXPERIENCE

- 2019- **Sixth Floor Selborne Wentworth Chambers**
Called to the bar in May 2019
- 2010-2019* **King & Wood Mallesons / Mallesons Stephen Jaques**
Solicitor and Senior Associate (from 2016)
- 2008-2009 **Supreme Court of New South Wales**
Tipstaff to the Honourable Justice Julie Ward

TERTIARY EDUCATION

- 2011-2012 **Bachelor of Civil Law** (Graduand)
University of Oxford
- 2002-2007 **Bachelor of Laws** – First Class Honours
2002-2005 **Bachelor of Arts** – First Class Honours (English)
University of Sydney

SELECT MATTERS AS COUNSEL

- *Re Pental Group Ltd (No 1), (No 2) and (No 3)* [2022] NSWSC 1575; [2022] NSWSC 1648; [2023] NSWSC 14
Led by Justin Williams SC in dispute about construction of Scheme Implementation Deed, and subsequent applications to convene scheme meeting and approve scheme.
- *Re Weebit Nano Pty Ltd* [2023] NSWSC 43
Led by Justin Williams SC in application for relief under s 1022 of the Corporations Act.
- *Re E&P Investments Ltd as responsible entity for US Masters Residential Property Fund* [2022] NSWSC 1781
Led by Robert Newlinds SC in application for declaratory and injunctive relief in relation to invalid notice purporting to convene meeting of managed investment scheme.
- *Re Professional Insurance Australia Ltd* [2022] FCA 422
Led by Ian Jackman SC in application for confirmation of proposed insurance scheme.
- *Re Aqua Botanical Beverages (Australia) Pty Ltd* [2021] NSWSC 1214
Led by David Thomas SC for directors challenging validity of appointment of receivers.
- *Seven Network v Cricket Australia* (2021) 393 ALR 53; [2021] FCA 1031
Led by David Thomas SC for Seven in application for preliminary discovery and subsequent proceedings concerning media rights agreement.
- *Shandong Delisi Food Co Ltd v Yolarno Pty Ltd* [2022] NSWSC 17; *Yolarno Pty Ltd v Shandong Delisi Food Co Ltd* [2022] NSWCA 30
Led by Scott Nixon SC for defendant in contract dispute about entitlement to deposit.
- *Bao v Li* [2022] NSWSC 1335
Led by C Truong KC for second defendant / cross-claimant in contract and trust dispute about property development agreement.

* Leaves of absence in 2011-2012 (9 months) and 2014-2015 (2 years).

Public law matters

- *CMF Group Pty Ltd v Independent Liquor and Gaming Authority* [2021] NSWCATAD 327
Unled for ILGA in review of refusal of liquor licence.
- *Attorney General of NSW v Doolan (No 4) (Final)* [2021] NSWSC 541
Unled for Attorney General in application for extension of forensic patient status.
- *Re Application by Attorney General of NSW* [2021] NSWSC 151; [2020] NSWSC 1007
Unled for Attorney General in applications under Evidence on Commission Act 1995 (NSW).
- *Makowski v Legal Profession Admission Board* [2020] NSWSC 443; [2019] NSWSC 921
Unled for Legal Profession Admission Board in judicial review and application for interim relief proceedings concerning decisions of Examinations Committee and Executive Officer.
- *Herbert v NSW Land and Housing Corporation* [2019] NSWSC 1703
Unled for plaintiff in pro bono appeal from NCAT concerning termination of lease.

Class Actions

- *Quirk v Suncorp Portfolio Services Limited* – Supreme Court of NSW 2019/193556
Led by Ian Jackman SC, for superannuation trustee in defence of settled class action alleging breach of duties in connection with FOFA reforms.
- *Wills & anor v Woolworths Group Ltd* – Federal Court of Australia VID 1131/2018
Led by Jeremy Kirk SC and Nick De Young SC for Woolworths in defence of settled shareholder class action.
- *Komlotex Pty Ltd v AMP Ltd* [2022] NSWSC 1525
Led by Elizabeth Collins SC and Imtiaz Ahmed for AMP in defence of ongoing shareholder class action.
- *ACN 117 641 004 Pty Ltd (In Liq) v S&P Global, Inc (No 2)* [2023] FCA 172
Led by Justin Williams SC and Imtiaz Ahmed for S&P in defence of ongoing class action alleging fraudulent credit ratings.

Regulatory and criminal matters

- *Review of The Star Pty Ltd under s 31 of the Casino Control Act 1992 (NSW) (2021-2022)*
Led by Kate Richardson SC and others for The Star Pty Ltd and The Star Entertainment Group Limited in suitability review before Adam Bell SC.
- *R v Kinghorn; DPP (Cth) v Kinghorn* (2021) 106 NSWLR 322; (2020) 103 NSWLR 63; (2020) 102 NSWLR 72; [2019] NSWSC 1420 et al
Led by Bret Walker SC, Simon Buchen SC and Georgia Huxley, for accused in hearings and appeals concerning legal professional privilege, prosecutorial disclosure obligations and tax secrecy provisions.

SELECT MATTERS AS A SOLICITOR

- *Financial Services Royal Commission – 2017-2018*
Acted for Suncorp Group Limited and related companies.
- *Guy v Crown Melbourne Ltd (No 2) (2018) 355 ALR 420; [2018] FCA 36*
Acted for second defendant gaming machine manufacturer in defence of an action alleging various breaches of the Australian Consumer Law.
- *WDR Delaware Corp v Hydrox Holdings Pty Ltd (2016) 245 FCR 452; [2016] FCA 1164*
Acted for Woolworths in application for a stay of Federal Court proceedings in favour of arbitration and in subsequent arbitration before the Hon. Murray Gleeson AC QC.

- *Hinkley v Star City Pty Ltd (2011) 284 ALR 154; [2011] NSWCA 299; Hinkley v Star City Pty Ltd (2010) 15 BPR 28,983; [2010] NSWSC 1389*
Acted for defendant casino operator at first instance and on appeal in successful defence of judicial review application in relation to plaintiff's exclusion from the Star City casino.