

SIXTH FLOOR SELBORNE/WENTWORTH CHAMBERS
174-180 PHILLIP STREET SYDNEY, NSW 2000

IMTIAZ AHMED SC

TERTIARY EDUCATION

Master of Laws (specialising in Corporate Law, Antitrust and Intellectual Property) Harvard Law School 2003-2004

Cooke, Cooke, Coghlan, Godfrey and Littlejohn Scholarship for postgraduate study

Bachelor of Laws (Honours I) University of Sydney 1997-2001

John George Dalley Prize for proficiency in final year law by a combined law student, Pitt Cobbett Prize for Constitutional Law, Pitt Cobbett Prize for International Law, Minter Ellison Prize for Intellectual Property, Walter Reid Memorial Grant recipient, University of Sydney Law Faculty Alumni Scholarship

Bachelor of Economics University of Sydney 1997-1999

PROFESSIONAL EXPERIENCE

Barrister Sixth Floor Chambers 2010-present

Appointed Senior Counsel 2023

Senior Associate and Solicitor King & Wood Mallesons (then Mallesons Stephen Jaques) 2003-2010

Associate and Research Assistant to the Hon Justice KE Lindgren Federal Court of Australia 2001-2003

ACADEMIC EXPERIENCE

Lecturer in Law (part time) – Corporate Law (undergraduate), Fiduciary Duties and Conflicts of Interest (postgraduate) (with Justice AJ Black and Alexander Morris) University of Sydney 2006-2009, 2015, 2017, 2019, 2023

Lecturer in Law (part time) – Fiduciary Duties and Conflicts of Interest (postgraduate) (with Justice AJ Black and Alexander Morris) University of NSW 2009-2011

Presenter – Regulation and compliance series, Insider Trading and Conflicts of Interest Australian Financial Markets Association 2008-2010

Lecturer in Law (part time) – Corporate Law and Regulation (postgraduate) University of NSW 2007

RECENT AND SELECTED CASES

Class actions

ACN 117 641 004 Pty Ltd v S&P Global Inc (For the S&P group companies. Federal Court proceedings alleging contraventions of the *Corporations Act* in connection with complex financial products).

Greentree v Jaguar Landrover Australia Pty Ltd (For Jaguar Landrover. Federal Court proceedings alleging misleading or deceptive conduct and breaches of statutory warranties under the *Australian Consumer Law*).

Zonia v Commonwealth Bank of Australia (For Commonwealth Bank of Australia. Federal Court proceedings alleging breaches of the continuous disclosure regime and misleading or deceptive conduct).

Dwyer v Volkswagen Australia Pty Ltd (For Volkswagen. Proceedings in the NSW Court of Appeal and NSW Supreme Court alleging misleading or deceptive conduct and breaches of statutory warranties under the *Australian Consumer Law*).

Richmond Valley Council v JLT Risk Services Pty Ltd (For JLT Risk Services. NSW Supreme Court proceedings alleging the existence of a broking arrangement and breaches of contract, duties of care and fiduciary duties).

Mallia v Commonwealth Bank of Australia (For Commonwealth Bank of Australia. Federal Court proceedings alleging contraventions of the *Superannuation Industry (Supervision) Act* and breaches of trust).

Wigmans v AMP Limited and related proceedings (For AMP. NSW Supreme Court proceedings and Federal Court proceedings in relation to alleged misleading or deceptive conduct, breaches of the continuous disclosure regime and unconscionable conduct).

Les & Zeldia Investments Pty Ltd v Whitehaven Coal Ltd (For Whitehaven Coal. NSW Supreme Court proceedings alleging oppressive conduct under the *Corporations Act*).

Moira Shire Council v JLT Risk Solutions Pty Ltd (For JLT Risk Solutions. Victorian Supreme Court proceedings alleging the existence of a broking arrangement and breaches of contract, duties of care and fiduciary duties).

Eckhardt v Sims Ltd (For Sims. Federal Court proceedings alleging breaches of the continuous disclosure regime and misleading or deceptive conduct).

Fordham v Commonwealth Bank of Australia (For Commonwealth Bank of Australia. Federal Court proceedings alleging misleading or deceptive conduct, contraventions of the *Corporations Act*, and unconscionable conduct).

Lynch v Cash Converters Personal Finance Pty Ltd and related proceedings (For Cash Converters. Federal Court proceedings relating to alleged contraventions of the *Credit Code* and unconscionability).

Australian Retirement Group Pty Ltd v Commonwealth Bank of Australia (For Commonwealth Bank of Australia. NSW Supreme Court proceedings in relation to alleged breaches of contract and unconscionable conduct).

Bradgate v Ashley Services Group Limited (For Ashley Services Group. Federal Court proceedings in relation to alleged misleading or deceptive conduct and breaches of the continuous disclosure regime).

Sanda v PTTEP Australasia (Ashmore Cartier) Pty Ltd (For the Applicant. Federal Court proceedings in relation to alleged negligence in connection with offshore petroleum drilling).

Dalton v Volkswagen AG and related proceedings (For Volkswagen. Federal Court proceedings in relation to alleged misleading or deceptive conduct and breaches of statutory warranties).

Jones v Treasury Wine Estates Limited (For the Applicant. Federal Court proceedings in relation to alleged misleading or deceptive conduct and breaches of the continuous disclosure regime).

Muswellbrook Shire Council v The Royal Bank of Scotland NV and McGraw Hill International (UK) Limited (For the McGraw Hill companies. Federal Court representative proceedings in relation to alleged misleading or deceptive conduct and negligence in connection with complex financial products).

Inabu Pty Ltd v Leighton Holdings Limited (For the Applicant. Federal Court proceedings in relation to alleged contraventions of the continuous disclosure regime and misleading or deceptive conduct).

City of Swan v McGraw Hill Financial Inc; Liverpool City Council v McGraw Hill Financial Inc; Clurname Pty Ltd v McGraw Hill Financial Inc; Coffs Harbour City Council v McGraw Hill Financial Inc (For the McGraw Hill companies. Federal Court proceedings in relation to alleged misleading or deceptive conduct and negligence in connection with complex financial products).

Sherwood & Ors v Commonwealth Bank of Australia & Anor; ASIC v Commonwealth Bank of Australia & Ors (For Commonwealth Bank of Australia. Federal Court proceedings in relation to the collapse of Storm Financial Limited including claims in contract, for unconscionability, and for contraventions of the Corporations Act).

Corporations

Pesec v Consolidated Builders Pty Ltd (For Consolidated Builders. ACT Supreme Court proceedings alleging oppression under the *Corporations Act*)

In the matter of Insignia Financial Ltd (For Insignia Financial. NSW Supreme Court proceedings under s 1322 of the *Corporations Act* for validation of share transfers).

National Australia Bank Ltd v Antares Capital Partners Ltd (For National Australia Bank. NSW Supreme Court proceedings under s 1322 of the *Corporations Act* for validation of share transfers).

In the matter of the Bell Group Limited (For the Insurance Commission of WA. WA Supreme Court proceedings concerning various actions under the *Corporations Law* and *Corporations Act*, in contract and in equity in relation to the Bell Group).

ICWA v Woodings (For the Insurance Commission of WA. WA Supreme Court proceedings to restrain liquidator in relation to consideration of proofs of debt).

In the matter of Trevor (For individual examinees. Federal Court proceedings to set aside examination summonses and related issues concerning parliamentary privilege).

In the matter of Asciano Limited (For Asciano. Scheme of arrangement and related takeover issues).

ASIC v Whitebox Trading Pty Ltd (For ASIC. Federal Court proceedings in relation to alleged market manipulation in respect of ASX securities).

ASIC v Thorn Australia Limited (For Thorn Australia. Federal Court proceedings in relation to alleged contraventions of the Consumer Credit Code).

In the matter of Signature Capital Investments Limited (For Signature. Federal Court scheme of arrangement and related issues).

Corowa Shire Council & Ors v Local Government Financial Services & Ors (For the S&P group companies. Federal Court first instance and appeal proceedings in relation to misleading or deceptive conduct and negligence in connection with the assignment of ratings to complex structured finance products).

Acting for examinees in connection with examinations conducted pursuant to s 19 of the *ASIC Act* concerning matters including alleged continuous disclosure contraventions, insider trading, contraventions of AFSL conditions and market manipulation.

Commercial

Hostplus Trustee Pty Ltd v Maritime Super Pty Ltd (For Maritime Super. Proceedings in connection with a successor fund transfer concerning the applicability of s 249E of the *Crimes Act* to such transactions).

Cayenne Coal Pty Ltd v Whitehaven Coal Ltd (For Whitehaven Coal. NSW Supreme Court proceedings seeking transfer of shares pursuant to the *Trustee Act*).

ASIC v Aware Financial Services Australia Ltd (For Aware Financial Services. Federal Court proceedings alleging contraventions of the *Corporations Act* in connection with fee for no service conduct).

In the matter of FM Insurance Company Ltd (For FM Insurance Company. Federal Court proceedings for approval of an insurance scheme).

Rey (Plus) Projects Pty Ltd v Suncorp-Metway Ltd (For Suncorp. NSW Supreme Court proceedings in relation to alleged breaches of contract and claims under financing facilities).

In the matter of Tiger Resources Ltd (For Tiger Resources. Federal Court proceedings involving a creditors' scheme of arrangement and cross-border insolvency issues).

ASIC v AMP Financial Planning Pty Ltd (For AMP. Federal Court proceedings concerning alleged breached of the *Future of Financial Advice* provisions of the *Corporations Act*).

Brisconnections Finance Pty Limited v Arup Pty Ltd; Arup Pty Ltd v Macquarie Bank Limited (For Macquarie Bank. Federal Court proceedings in relation to alleged implied contractual terms and misleading or deceptive conduct).

TZI 1 Pty Ltd v Patrick Container Ports Pty Ltd (For Asciano. NSW Supreme Court proceedings relating to alleged breaches of contract).

Kojic v Commonwealth Bank of Australia (For Commonwealth Bank of Australia. Federal Court appeal in relation to attribution of corporate knowledge and unconscionability).

Brambles Industries Limited v Recall Holdings Limited (For Brambles. NSW Supreme Court proceedings in relation to alleged breaches of contract and restitutionary claims).

Individual claimants v Commonwealth Bank of Australia (For Commonwealth Bank of Australia. 19 proceedings in the NSW Supreme Court concerning alleged breaches of contract, misleading or deceptive conduct, unconscionability, breaches of fiduciary duty and negligence).

Telesto Investments Ltd v UBS AG (For UBS. NSW Supreme Court proceedings in connection with claims for breach of fiduciary duty, misleading or deceptive conduct and misrepresentation concerning margin loan facilities).

In the matter of Progressive Direct Insurance Company (For Progressive Direct. Federal Court proceedings in relation to an insurance scheme).

Competition and Consumer Protection

ACCC v NSW Ports Operations Hold Co Pty Ltd (For the State of NSW. Federal Court proceedings (first instance and appeal) alleging contraventions of s 45 of the *Competition and Consumer Act* and involving the application of the doctrines of Crown immunity and derivative Crown immunity).

Commonwealth DPP v Citigroup Global Markets Australia Pty Ltd (For Deutsche Bank. Federal Court proceedings alleging criminal cartel conduct).

Chief Executive of Medicare v Specialist Diagnostic Services Pty Ltd (For Specialist Diagnostic Services. Federal Court proceedings concerning the imposition of a penalty for contraventions of the *Health Insurance Act*).

ACCC v Volkswagen AG (For Volkswagen. Federal Court proceedings in relation to alleged misleading or deceptive conduct).

ACCC v Colgate Palmolive Pty Ltd (For the ACCC. Federal Court proceedings (appeal and first instance) in relation to alleged anti-competitive conduct in contravention of the *Competition and Consumer Act*).

Acting in connection with ACCC merger clearances and cartel immunity applications.

Taxation and revenue

Commissioner of State Revenue v CCT Holdings Limited (For the Commissioner of State Revenue. Appeal proceedings in connection with the operation of exemptions to the payment of stamp duty under the *Duties Act 1997* (NSW)).

Mamacas v Commissioner of Taxation; Walsb v Commissioner of Taxation; Ranogajec v Commissioner of Taxation (For individual taxpayers. Federal Court and AAT proceedings concerning whether gambling winnings constitute assessable income).

McDonald's Australia Ltd v Commissioner of Taxation (For McDonalds. Federal Court proceedings in relation to method for determining calculation of GST).

I have also provided advices to a wide range of corporations, government entities and individuals in areas including corporate law, contract, insurance, and taxation.

PUBLICATIONS

Conflict of Laws	Australian Corporate Finance Law and Practice (looseleaf)
Chapter 1.2, Interpretation	Australian Corporations Law Principles and Practice (looseleaf)
Intellectual Property	Lindgren's Business Law of Australia (12 th ed and looseleaf)
Insurance Law	Lindgren's Business Law of Australia (looseleaf)
Unconscionable Dealing (with KE Lindgren and J Phillips)	Paul Vout (ed), Unconscionable Conduct (1 st ed), Laws of Australia (looseleaf)