



RYAN MAY
Barrister

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EDUCATION

2013 **University of Oxford**, Bachelor of Civil Law (Distinction)
2009 **University of Sydney**, Bachelor of Arts & Bachelor of Laws

EXPERIENCE

Since 2015 Barrister, Banco Chambers
2013 - 2015 Solicitor, King & Wood Mallesons
2011 Associate, High Court of Australia
2010 Associate, Federal Court of Australia

RECENT COMMERCIAL MATTERS

Shinetec (Australia) Pty Ltd v The Gosford Pty Ltd; The Gosford Pty Ltd v Bank of China Ltd [2024] NSWCA 174; [2024] NSWSC 115; [2023] NSWSC 1596; [2023] NSWSC 1405 (Led by Richard McHugh SC and then Justin Gleeson SC) (Proceedings concerning a demand on a standby letter of credit).

Skuvkrem Group Pty Ltd v Double Bay Law Pty Ltd [2024] NSWSC 523; [2024] NSWSC 526 (Unled) (Acting for a defendant alleged to have given negligent GST advice concerning a property acquisition).

Westgem Investments Pty Ltd v Commonwealth Bank of Australia Ltd [2022] WASCA 132 (Led by Robert Newlinds SC) (An appeal arising out of a large development in the Perth CBD involving the proper construction of a finance facility, trade practices and insolvent transaction claims).

Arsalan v Rixon; Nguyen v Cassim [2021] HCA 40 (Led by Justin Gleeson SC) (An appeal concerning the measure of damages for the temporary loss of use of personal property).

RECENT TAX DISPUTES

Commissioner of Taxation v PepsiCo, Inc [2024] HCASL 298 (Led by Kristen Deards SC) (Successful special leave application concerning royalty withholding tax and diverted profits tax).

Re Pherous Holdings Group Pty Ltd [2022] FCA 613 (Led by Kristen Deards SC) (A case concerning relief under s 601AH(3)(d) of the *Corporations Act 2001* (Cth) in respect of potentially significant capital gains tax liability).

Various audits and advices concerning a range of issues but with a focus on transfer pricing and anti-avoidance.

RECENT CLASS ACTIONS

St Mary's Hogs Pty Ltd v HBCA Pty Ltd (No 2) [2024] FCA 36 (Unled) (Successfully had representative proceedings dismissed against director defendants).

Rickhuss v The Cosmetic Institute Pty Ltd [2024] NSWSC 650; [2023] NSWSC 666; [2022] NSWSC 625; (Unled) (Acting for the surgical director in a medical negligence class action).

Karpik v Carnival plc [2024] FCA 57; [2023] FCA 1280; [2023] HCA 39; [2022] FCAFC 149; [2021] FCA 1082 (Unled on interlocutory application, led by Ian Pike SC at the initial trial and then Justin Gleeson SC in the High Court) (Successful High Court appeal concerning the extraterritorial application of s 23 of the Australian Consumer Law and the enforceability of a class action waiver clause and exclusive jurisdiction clause and initial trial for negligence and consumer law claims for the outbreak of COVID-19 on the Ruby Princess).

Pallas v Lendlease Corporation Ltd [2024] NSWCA 83 (Led by William Edwards KC) (A separate question stated as to whether the Court has power to order 'soft closure' in representative proceedings).

Galactic Seven Eleven Litigation Holdings LLC v Davaria [2024] FCAFC 54 (Led by Justin Gleeson SC) (Successful appeal concerning the power and discretion to make common fund orders).

Haswell v Commonwealth of Australia (No 3) [2023] FCA 1093 (Led by William Edwards KC) (A claim arising out of land contamination of seven defence bases around Australia).

Parkin v Boral Ltd (Class Closure) [2022] FCAFC 47 (Led by William Edwards) (Question referred to the Full Court on the Federal Court's power to make class closure orders).