



David Monteith

Barrister

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Admissions

2024	Barrister , New South Wales Bar
2016	Solicitor , Supreme Court of New South Wales and High Court of Australia

Academic

2014	Bachelor of Laws , University of Sydney
2012	Bachelor of Economics (University Medal), University of Sydney

Experience

Since 2024	Barrister , Banco Chambers
2016-2024	Solicitor , Arnold Bloch Leibler – Dispute Resolution & Litigation, Restructuring & Insolvency Senior Associate (2019 to 2024), Lawyer (2016 to 2019)
2015	Equity researcher to the Hon Justice Bergin, Chief Judge in Equity, Supreme Court of NSW

Selected Matters at the Bar

Commercial & Corporations

Yowie Group Ltd v Keybridge Capital Ltd [2025] NSWCA 142 – Corporations law, application for an interlocutory injunction to restrain the holding of a general meeting of shareholders (led by J Emmett SC, instructed by Mills Oakley).

In the matter of Yowie Group Ltd [2025] NSWSC 648 – Corporations law, declaratory relief concerning the purported postponement by directors of a general meeting of shareholders convened under section 249F of the Corporations Act (led by J Emmett SC and D Krochmalik, instructed by Mills Oakley).

In the matter of Keybridge Capital Limited [2025] NSWSC 240 & [2025] NSWSC 354 – Corporations law, declaratory relief concerning resolutions passed at a general meeting of shareholders and the purported adjournment of the meeting by the chair (led by J Emmett SC and D Krochmalik, instructed by Mills Oakley).

In the matter of Macarthur Farm Pty Ltd [2025] NSWSC 40 – Corporations law, alleged breaches of directors' duties and breach of trust (led by R Foreman SC and K Holcombe, instructed by Arnold Bloch Leibler).

In the matter of Keybridge Capital Limited (NSWSC 2024/462674, Faulkner J, 31 January 2025) – Application for interlocutory injunction restraining the issue of equity securities (led by J Emmett SC, instructed by Mills Oakley).

In the matter of Silk Logistics Holdings Limited [2025] NSWSC 1 – Scheme of arrangement, orders convening scheme meeting (led by D Barnett SC, instructed by Hamilton Locke).

Zabusky v Chait & Others (QSC 6547/05) – Application for the release of funds paid into court and for compensation for losses sustained by reason of freezing orders (led by T Brennan SC, instructed by Morris Mennilli).

Family law

Acted for the respondent wife in parenting and property proceedings in the Federal Circuit and Family Court of Australia (Division 1) (file no SYC7323/2018) (led by D Barnett SC and M-C Kennedy, instructed by Lander & Rogers).

Acting for the respondent husband in proceedings concerning an application to set aside a binding financial agreement in the Federal Circuit and Family Court of Australia (Division 1) (ongoing, file no BRC9739/2024) (led by D Sulan SC and R May, instructed by Damien Greer Lawyers).

Practice & Procedure

Holt v Mitsubishi Motors Corporation [2025] FCA 191 – Application challenging claim of legal professional privilege (led by P Strickland, instructed by Johnson, Winter & Slattery).

Scott v Kennedy [2025] NSWSC 544 – Procedural rulings for dismissal of proceedings and stay application pending challenge to a DOCA in the Federal Court of Australia (led by N Bender SC, instructed by A&O Shearman).

Administrative law

Sadri v Pharmacy Council of NSW [2024] NSWSC 1611 – Appeal from NCAT on the construction of s 150 of the *Health Practitioner Regulation National Law 2009* (NSW) (led by M Hall, instructed by the Health Professional Councils Authority).

Selected Matters (as a solicitor)

Commercial

Manboom Pty Ltd v Jemena Gas Networks (NSW) Ltd [2024] NSWSC 445 – separate question concerning trespass claim relating to gas infrastructure.

Ford, in the matter of Careers Australia Group Ltd (in liq) v Mansfield [2022] FCA 1151 and [2022] FCA 1565 – acted for a number of defendants in proceedings involving claims of breaches of directors' duties and insolvent trading.

Binqld Finances Pty Ltd (in liq) v Israel Discount Bank Limited [2019] FCA 1186 and [2020] FCA 1208 – proceedings involving claims of breaches of fiduciary duties and accessorial liability under *Barnes v Addy*.

Israel Discount Bank Limited v ACN 078 272 867 Pty Ltd (in liq) [2019] FCAFC 90 – appeal concerning service out of the jurisdiction and voidable transaction claims under section 37A of the *Conveyancing Act 1919* (NSW).

Competition & White collar crime

CDPP v Citigroup Global Markets Australia Pty Ltd [2021] FCA 757 and [2021] FCA 1345 – acted for the former head of equity capital markets at Deutsche Bank in defending criminal charges under the *Competition and Consumer Act 2010* (Cth).

Practice & Procedure

Bartier Perry Pty Ltd; Application of Austin Ta De Investment Pty Ltd [2023] NSWSC 1203 – application for payment of funds out of court.

Commissioner of Taxation v Israel Discount Bank Limited [2020] FCAFC 71 – appeal brought by the Commissioner of Taxation concerning access to documents and protected information under the *Taxation Administration Act 1953* (Cth).

Dimitrov v Bendigo and Adelaide Bank Limited [2019] VSCA 41 – application for an extension of time for leave to appeal against orders approving a settlement of group proceedings.

Kenquist Nominees Pty Limited v Campbell (No 5) [2018] FCA 853 – legal professional privilege and waiver.

Dimitrov v The Supreme Court of Victoria [2017] HCA 51 – proceedings commenced in the original jurisdiction of the High Court for an injunction and constitutional writs concerning orders approving a settlement of group proceedings.