



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

Recent cases - unled

Scott v Olde [2025] FCA 1014 – Application to terminate a DOCA under ss 445D and 447A (instructed by A&O Shearman).
Commonwealth of Australia v GH Varley Pty Ltd & Ors (NSWSC 2024/255830, ongoing) – Negligence (instructed by Cadre Moss).

Recent cases - led

Commercial & Corporations

Yowie Group Ltd v Keybridge Capital Ltd [2025] NSWCA 168 & [2025] NSWSC 648 – Corporations law, validity of appointment and removal of directors (led by J Emmett SC and D Krochmalik, instructed by Mills Oakley).

Stillwater Pastoral Company Ltd v Stanwell Corporation Ltd (FCA QUD129/2025, ongoing) – Competition law, alleged breach of s 46(1) of the CCA (led by RCA Higgins SC and D Roche SC, instructed by Herbert Smith Freehills Kramer)

Yowie Group Ltd v Keybridge Capital Ltd [2025] NSWCA 142 – Corporations law, 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 Silk Logistics Holdings Limited (No 3) [2025] NSWSC 913 – Scheme of arrangement (led by D Barnett SC, instructed by Hamilton Locke).

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 (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).

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

Class actions

Robertson v Singtel Optus Pty Ltd & Ors (FCA VID256/2023, ongoing) – Privacy (led by K Richardson SC and E Bathurst, instructed by Ashurst).

Family law

Acting for the respondent husband in an application to set aside a binding financial agreement in the Federal Circuit and Family Court of Australia (Division 1) (led by D Sulan SC and R May, instructed by Damien Greer Lawyers).

Acted for the respondent husband in an enforcement application in the Federal Circuit and Family Court of Australia (Division 1) (led by D Roche SC, instructed by Barkus Doolan Winning).

Acted for the respondent wife in parenting and property proceedings in the Federal Circuit and Family Court of Australia (Division 1) (led by D Barnett SC and M-C Kennedy, instructed by Lander & Rogers).

Practice & Procedure

Owners SP 16624 v IPM Developments (NSWSC 2022/69738) – Summary dismissal application (led by A Hochroth SC, instructed by Cornwalls NSW).

DTZ Worldwide Ltd v Tokio Marine Europe SA (NSWSC 2020/177998) – Application to vary default rule as to interest on costs under s 101 of the Civil Procedure Act 2005 (NSW) (led by F Roughley SC, instructed by Gilbert + Tobin).

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

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)

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).

Binqltd 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).

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.