



Paul Hayes KC

Year of call: 2005 | Silk: 2017

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'an "extremely knowledgeable" practitioner'

Who's Who Legal 2022

'a very strong advocate who is thorough and well prepared'

Who's Who Legal 2021

Advises and appears in cases at interlocutory, trial and appellate levels, (international law & arbitration, commercial & equity litigation, large scale litigation, common law litigation [defamation and negligence & insurance], sporting disputes and constitutional & administrative law), conducted in multiple jurisdictions, but primarily in Melbourne, Sydney, Perth, London, Singapore, Kuala Lumpur and Lausanne. Also appears in jury cases, particularly in civil matters and especially in the field of defamation.

Appointed a Teaching Fellow at Queen Mary University of London (School of Law), 2022. Previously a Senior Fellow at the University of Melbourne (Faculty of Law), 2010-2022. Recognised internationally in *Who's Who Legal* (2016-2023) as a leading lawyer in the specialty of sports law and in Australia in *Doyle's Guide* as a leading silk in arbitration and public and administrative law.

Areas of expertise

International Law and Arbitration
Commercial and Equity Litigation
Common Law (Defamation)
Common Law (Negligence and Insurance)
Sports Law
Constitutional and Administrative Law

Commercial and Equity Litigation

Contractual Disputes, Equity, Trusts & Probate, Real Property, Landlord & Tenant, Trade Practices, Banking & Finance, Securities (including Guarantees), Insolvency (including Bankruptcy), Corporations Law & Partnership, Insurance and Intellectual Property.

- ***Westpac Banking Corporation v Forum Finance Pty Limited***: - Federal Court of Australia (Sydney). [2022] FCA 171, [2022] FCA 910 (Leading Michael O'Haire and Dr Peter Turner of Counsel):

Practice and Procedure, Interlocutory injunction restraining receiver from selling property the subject of dispute between parties. Variation of freezing order, allowance for reasonable legal expenses.

- ***Jieyun International Investments Pty Limited v Toorak Development Group Pty Limited and Others***: - Supreme Court of Victoria (Commercial Court). [2022] VSC 387 (Leading Owen Wolahan of Counsel).
Contract, Breach of contract. Trust, Quistclose trust, Breach of trust; Knowing assistance and receipt - Barnes v Addy, Equitable compensation; Misleading and Deceptive Conduct, Australian Consumer Law (Competition and Consumer Act 2010 (Cth), Schedule 2), s 18, Damages.
Supreme Court of Victoria (Commercial Court). Lyons J, Unreported, 8 April 2019, 19 September 2018 and 23 August 2018, No. S CI 2018 00919. (Leading Daniel Kinsey of Counsel). Contract, Breach of contract. Trust, Breach of trust. World-wide Freezing order, Domestic Freezing order. Search and seizure order.
- ***Kassiou and Others v Heard and Another Re GEBIE Services Pty Ltd (In Liquidation)*** : - Federal Court of Australia (Adelaide). [2017] FCA 425. Appeal/Leave to Appeal. Corporations, Corporations Act 2001, ss. 596A, 596D, 597(9). Whether company's 'examinable affairs' includes personal/confidential documents of examinees.
- ***Kambouris v Kiatos***: - Supreme Court of Victoria (Court of Appeal). [2016] VSCA 266. Appeal, Application for leave to appeal out of time. Damages, Assessment.
- ***Bridge Bar Investments Pty Ltd and Anor v Dog at the Bridge Pty Ltd and Others*** : - Supreme Court of Victoria (Commercial Court). [2016] VSC 224. (Leading Myles Tehan of Counsel). Courts and Judges, Apprehended bias, Relevant principles.
- ***St Kilda Arts & Events Company (Vic) Pty Ltd and Others v Apes With Wings Pty Ltd and Another***:- Supreme Court of Victoria (Court of Appeal). [2015] VSCA 199. (Leading David Yarrow of Counsel). Appeal, Application for stay of execution of judgment pending appeal.
- ***Sgargetta v National Australia Bank Ltd***: - Supreme Court of Victoria (Court of Appeal). [2014] VSCA 159. (Leading Joel Silver of Counsel). Appeal, New evidence on appeal. Mortgage and securities, Proper construction of settlement deed, Accord and conditional satisfaction, Defence of tender.
- ***Loftus v Australia and New Zealand Banking Group Ltd***: - Supreme Court of Victoria. [2014] VSC 342. (Leading Joel Silver of Counsel). Appeal from judgment of Associate Justice, New evidence on appeal. Mortgage, summary judgment application, Triable issue. Civil Procedure Act 2010 (VIC), ss. 63, 64.
- ***Mathai and Others v Nelson***: - High Court of Australia. [2013] HCASL 115. (Leading Dr Oren Bigos of Counsel). Federal Court of Australia. [2012] FCA 1448; (2012) 208 FCR 165.
Federal Magistrates Court of Australia (Melbourne). [2011] FMCA 686; (2011) 253 FLR 139.
Bankruptcy, Fraudulent disposition of property, Proof of insolvency at time of contested transfers of property, Bankruptcy Act 1974, s. 121.

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