

Brad Holmes



Brad Holmes practises in all aspects of commercial litigation

QUALIFICATIONS

Bachelor of Laws
Bachelor of Arts

CORRESPONDENCE

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CHAMBERS

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COMMERCIAL LAW

Banking & Finance | Class Actions | Commercial Arbitration | Corporate Insolvency | Corporations
& Securities | Equity & Trusts | Private International Law

TORT LAW

Class Actions | Defamation

Brad has particular expertise in corporations and securities law (including schemes of arrangement), professional negligence claims and banking and financial services litigation.

He also has experience in insolvency matters, class actions, regulatory investigations (involving ASIC and the ACCC), breach of confidence proceedings, and defamation.

Before joining the Bar, Brad worked in the litigation departments of Herbert Smith Freehills and King & Wood Mallesons.

Brad read with Penny Neskovic QC.

Liability limited by a scheme approved under the Professional Standards Legislation

Recent Cases

Tabcorp Holdings v State of Victoria [\[2016\] HCA 4](#) - claim for licence fee repayment (with A Archibald QC and J Sheahan QC, instructed by Herbert Smith Freehills).

Oswal v ANZ [\[2016\] VSC 52](#) - security for costs (with A J Myers AC QC, B Quinn QC and P Wallis, instructed by Watson Mangioni).

IOOF Holdings v Maurice Blackburn Pty [\[2016\] VSC 311](#) - privilege claim re prospective class action, and underlying claim to restrain breach of confidence (with J Peters QC and S Senathirajah, instructed by King & Wood Mallesons).

Funtastic Limited v Madman Film & Media Pty Limited [\[2016\] VSC 708](#) - challenge to expert determination re completion accounts (with M O'Bryan QC, instructed by Arnold Bloch Leibler).

Bill Express Ltd v KPMG (SCV, settled) - audit negligence claim (with J Kirk SC and P Neskovic QC, instructed by Allens).

Balnarring Holdings v Van Laack GmbH (SCV trial, judgment pending) - shareholder oppression claims (with M D Wyles QC, instructed by Mills Oakley).

Mair v Rhodes & Beckett [\[2017\] VSC 54](#) - injunction to restrain payment of assigned debts, and contempt application (with H Austin QC, instructed by Mills Oakley).

Yunghanns v Colquhoun-Denvers and Yunghanns v Clarke (SCV, ongoing) - defamation proceedings, including strike-out applications and challenge to overseas service (see, eg, [\[2016\] VSC 403](#)) (with W T Houghton QC, instructed by Strongman & Crouch).

SCHEMES OF ARRANGEMENT

Re One Way Traffic Limited - sale of Carsguide to Cox Automotive (for One Way Traffic, unled, instructed by King & Wood Mallesons).

Re Skilled Group Limited - acquisition of Skilled by Programmed Maintenance Services (for Skilled, with P Crutchfield QC, instructed by Clayton Utz).

Re M2 Limited - merger with Vocus Communications Limited (for M2, with P Crutchfield QC,

instructed by Allens).

Re Pacific Brands Limited - acquisition of Pacific Brands by Hanesbrands Inc (for Pacific Brands, with P Crutchfield QC, instructed by Herbert Smith Freehills).

Re Simonds Group Limited - sale of SGL to SR Residential Pty Limited (for SGL, with M Connock QC, instructed by Herbert Smith Freehills).

Re Simonds Group Limited [\[2016\] VSC 609](#) - injunction obtained by minority shareholder to delay implementation of Scheme (for SGL, with P Wood, instructed by Herbert Smith Freehills).

Re SMS Management & Technology Limited [\[2017\] VSC 257](#) (for DWS Limited, unled, instructed by SBA Law).

Re Transcomm Credit Co-operative Limited - acquisition of Transcomm by MLMM Super Fund (for Transcomm, unled, instructed by Wisewould Mahony).

Memberships

Victorian Bar - Commercial Bar Association