

# Victoria Cha

Barrister-at-Law

## Nine Wentworth Chambers

Level 9, 180 Phillip Street

Sydney NSW 2000

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### Practice

Briefs are accepted in all areas of law.

Main practice areas are in insolvency, commercial law (including contractual disputes, equity, real property, corporations and consumer law) and administrative law.

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### Background

#### Barrister

Called to the NSW Bar – 2014

#### Lecturer

*Resolving Civil Disputes* (civil practice and procedure) &

*Business Associations* (corporations law),

University of New South Wales – 2015 to Present

#### Education

Master of Laws (LL.M.), University of Sydney – 2018

Juris Doctor (J.D.), University of New South Wales – 2013

B.Comm - Marketing, Macquarie University - 2009

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### Selected recent matters

#### Civil

***Zintix (Australia) Pty Ltd v Employsure Pty Ltd* [2018]  
NSWSC 924**

(led) Successfully represented the plaintiff in appeal concerning construction of a contract and whether a term of the contract was a penalty.

***BCI Finances Pty Limited (in liq) v Binetter (No 6)* [2018] FCA 500**

(led) Represented the respondents in hearing concerning quantification of equitable compensation.

***Tameeka Group Pty Ltd v Landan Pty Ltd (No 2)* [2016] FCA 480; *Tameeka Group Pty Ltd v Landan Pty Ltd (No 3)* [2016] FCA 733**

(led) Successfully represented the respondents concerning the exercise of the option agreement, breach of contract and unconscionable conduct within the meaning of s 21 of the Australian Consumer Law.

***Special Broadcasting Service Corporation v Andrew Corbett* [2016] NSWSC 461**

(led) Represented the defendant in application for interlocutory injunction concerning a notice of termination of the employment contract and confidential information.

***Sundara Pty Limited & Ors* [2015] NSWSC 1694**

(led) Successfully represented the respondents in application for leave to bring derivative proceedings.

***Cody v Live Board Holdings Ltd* [2015] NSWSC 1790**

(led) Represented the Administrators in a motion for strike out and security for costs application where the other parties discontinued their proceedings against the Administrators.

***Chen v Cui* [2015] NSWSC 1480**

(led) Successfully represented the defendant in an appeal concerning the claim for debt and unjust enrichment.

***Naaman v Sleiman* [2015] NSWCA 259**

(led) Successfully appealed in claim for damages for loss of bargain following termination of contract.

***Naaman v Sleiman* [2014] NSWSC 1869**

(led) Represented the plaintiff in breach of contract claim concerning subrogation of rights to mortgagee's rights.

**Criminal**

***R v Obeid (No 3)* [2015] NSWSC 1441; *R v Obeid (No 4)* [2015] NSWSC 1442**

(Research Counsel for the Senior Crown) Offences concerning wilful misconduct in public office by the former Member of Legislative Council of NSW.

***Khazaal v R* [2015] HCATrans 261**

(Research Counsel for the Senior Crown) Application for leave to appeal – constitutional law – whether the Supreme Court judge can sit whilst concurrently acting as a Royal Commissioner.

***Damoun v R* [2015] NSWCCA 109**

(Research Counsel for the Senior Crown) Conviction and sentence appeal in offences involving an illegal importation of large quantity of cigarettes from China.

***Agius v R* [2015] NSWCCA 200**

(Research Counsel for the Senior Crown) Conviction and sentence appeal where an accused, the chartered accountant, conspired with others to defraud ATO.

***Liles v R (Cth)* [2014] NSWCCA 289**

(Research for the Senior Crown) Sentence appeal where an accused, the chartered accountant, engaged in a tax avoidance scheme.

***R v Dickson* [2014] NSWSC (decision restricted)**

(Criminal reading with M. McHugh SC) Conviction involving offences of tax fraud and money laundering.

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## Other works

<b>Royal Commission</b>	Junior Counsel to M. Condon SC in the Royal Commission into Trade Union Governance and Corruption.
<b>Inquest</b>	Junior Counsel to J. Agius SC in <i>Inquest into Death of Solomon Baker</i> involving suicide whilst in custody.
<b>Advice</b>	including breach of contracts, negligence, employment contracts, bankruptcy/insolvency, breach of directors' duties, real property, administrative, professional negligence, personal property securities and taxation law.
<b>Inferior courts</b>	including small claims division, contractual disputes, creditor's petitions and appeals in the NCAT.

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## Organisations

<b>NSW Bar Association Diversity &amp; Equality Committee</b>	Member
<b>Women Barrister Forum</b>	Subcommittee member
<b>Korean Australian Lawyers Association</b>	Member