



## Brooke Hall-Carney

### Principal

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## Expertise and Practice

Brooke Hall-Carney is an experienced commercial litigator and technologist, who has worked on all of the commonly known “mega litigations” of Bell, One.Tel and C7. Brooke also acts for space industry clients and clients in relation to cyber incidents and data breaches, including advising an institutional US Bank in relation to an inadvertent data spill. Brooke advises boards and executives on their cyber risk and strategy, and conducts cyber scenario training. Brooke speaks about technology in a way that lawyers understand and the law in a way that technologists understand. She regularly presents locally and internationally, including to members of the judiciary, on emerging technologies, including data, crypto and blockchain.

Brooke was the recipient of a Commonwealth Fellowship to teach and study Master of Laws, University British Columbia in commercial law and native title law and completed at Harvard, *Cybersecurity: Managing Risk In The Information Age*. She was shortlisted in the *Euromoney Asia Women in Business Law Awards in Privacy & Data Protection 2018*; *Doyle’s Guide 2017* and 2022; and shortlisted *Lawyers Weekly Tech Partner of the Year 2022*. Brooke is a member of the AICD and a director on Boards.

Brooke leads LK’s tech team and litigation tech resources. Her expertise in this area is recognised in the industry, with software developers seeking her input on their designs, and the courts soliciting her views in relation to practice notes and rules regarding disclosure and electronic trials. Brooke has led successful tech projects including the migration of volumes of unstructured data. She is an innovative thinker with a strong ability to implement creative and commercial concepts with technology. She applies new expertise in litigation technology to navigate the complexities of large disputes, tailoring the use of technology to her clients, their matters and budgets.

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Prior to joining LK in 2009, Brooke worked for many years at King & Wood Mallesons, Sydney. She was an Associate to the Honourable John von Doussa QC, then a Justice of the Federal Court of Australia. Brooke was subsequently a research assistant for members of the Full Court of the Federal Court in the Ben Ward Native Title Appeal in Perth and for the late Justice O’Loughlin in the “stolen children case”.

## Project Highlights

Brooke has extensive experience in some of the most challenging and complex litigation and government inquiries in Australia. Examples of publicly known projects include:

- ***One.Tel Limited (in liq) v Packer & Ors***  
Represented the special purpose liquidator of One.Tel in a dispute in the Equity Division of the New South Wales Supreme Court in relation to the company’s 2001 collapse following the withdrawal of an AU\$132 million renounceable rights issue. The proceedings concerned claims against entities connected to some of the company’s former high-profile directors for breaches of directors’ duties and in connection with the abandonment of the rights issue. The matter settled favourably before trial.
- ***Privacy, Data & Cyber***  
Advised a US institutional bank in relation to privacy implications of an inadvertent data spill. Acts for clients in relation to cyber incidents and data breaches and regularly presents on cyber risk, data, directors’ duties and sits on panels in this regard. Advises and conducts cyber drills and scenarios for clients, executive teams, and boards. Advised and acts for companies the victim of business email compromise, including PII data reviews, establishing frameworks for increased and proactive cyber security posture to secure the organisation and enhance recovery and related court proceedings.
- ***Space Start-Ups and SMEs***  
Advises clients in the burgeoning space industry on strategy and risk and in disputes against international organisations operating in the space industry, including a dispute with US space entity.
- ***Investigation into the Construction of South Australian Water Desalination Plant***  
Retained by the South Australian Government to undertake an investigation into the delays, defects, claims and exposure of the government arising out of the construction of the State’s AUD2 billion desalination plant. Brooke oversaw the coordination of the documentary evidence, statements and production of the final investigative report.
- ***Bell Group Limited***  
Representing Australian liquidator of Bell Group NV, a Netherlands Antilles incorporated company within the Bell Group (an offshoot of Bond Corporation), which collapsed with a deficit of more than AUD1 billion. LK led the appeal by Bell Group NV in the Western Australia Court of Appeal, increasing the compensation payable to the Bell Group from AUD1.7 billion to AUD2.8 billion.

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Subsequent High Court of Australia proceedings were discontinued following a multi-party mediation to settle the claims against the banks. Brooke was the principal case manager, with direct responsibility for the installation and implementation of the electronic courtroom for the appeal.

- ***Seven Network Limited v News Limited & Ors***

A large telecommunications company and its subsidiaries in the trial and Full Court of the Federal Court Appeal of the high profile C7 pay television dispute, the largest ever media lawsuit in Australia, which alleged anti-competitive conduct in the pay TV market and misleading and deceptive conduct by various parties. Brooke was the principal case manager for the trial and appeal and led the data and e-discovery.

- ***Various Commercial***

Acted for a large telecommunications company and its subsidiaries in various contractual disputes involving unpaid monies, third party engineering claims and large misleading and deceptive conduct and anti-competitive conduct claims. Also advised a large telecommunication company in relation to various contractual, access and commercial disputes at both the advisory and litigation stages.

## Qualifications

- BA, Bachelor of Arts (1993)
- LLB, Bachelor of Laws (Honors) (1998)
- LLM, Master of Laws, University of British Columbia, Canada (2002)
- LEADR, negotiation and mediation (2003)
- AICD, Australian Institute Company Directors Course (2018)
- Harvard, Cybersecurity: Managing Risk in the Information Age (2022)

## Boards

- Loreto College, Marryatville
- CBGL Industry Advisory Board - Flinders University, College of Business, Government and Law Industry Advisory Board
- Supreme Court of South Australia, Board of Examiners

## Admissions

- Supreme Court of South Australia (1998)
- Supreme Court of New South Wales (2000)
- High Court and Federal Court of Australia (2000)

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## Industry and Community

- MAICD, Australian Institute Company Directors
- ILTA, International Legal Technology Association
- ALTA, Australian Legal Technology Association
- Australasian Cyber Law Institute
- Women Lawyers Association
- Judge International Three Day Event