



Stephen Hume

Partner

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OVERVIEW

Stephen Hume is recognised as a leading insolvency and reconstruction and litigation lawyer and has 20 years' experience acting for Australia's largest banks and financial institutions.

He advises on all aspects of insolvency (reconstructions, work-outs and formal appointments), securities enforcement, risk management, banking and finance and commercial litigation. He has extensive experience leading teams in delivering high quality services to and developing strategic partnerships with institutional clients.

Stephen also acts for listed and unlisted companies, accounting firms and other clients in commercial disputes across the manufacturing, distribution, retail, property, pharmaceutical and transport sectors.

ACHIEVEMENTS

- *Best Lawyers in Australia*, listed in Litigation (2016-present)
- *Best Lawyers in Australia*, listed in Insolvency and Reorganisation Law (2021-present)
- *Doyle's Guide*, recognised as a Recommended Leading Commercial Litigation & Dispute Resolution Lawyer in Victoria (2021)
- *Doyle's Guide*, recognised as a Leading Insolvency & Restructuring Lawyer in Victoria (2016, 2018 and 2019)
- *Doyle's Guide*, recognised as a Leading Commercial Litigation & Dispute Resolution Lawyer in Victoria (2018-2019)

PROFESSIONAL / CIVIC ACTIVITIES

- Insolvency Practitioners Association of Australia member

EDUCATION

- LL.B., Monash University, 1998

- B.Sc., Monash University, 1995

ADMISSIONS

- Federal Court of Australia
- High Court of Australia
- Supreme Court of Victoria

OTHER PUBLICATIONS

- "Off the rack," *Ragtrader*, September 2015

AREAS OF FOCUS

- Restructuring and Insolvency

REPRESENTATIVE EXPERIENCE

- Acting for the administrators (now liquidators) of a major national retailer including providing advice on the rationalisation of its business, the surrender and renegotiation of the majority of its property lease portfolio (across multiple jurisdictions), providing advice on myriad legal issues arising during ongoing trading during the administration, the sale of the company's business and the prosecution of preference and insolvent trading claims, as well as insurance claims, on behalf of the liquidators.
- Advising on the restructure of facilities provided by a big four financier to five major property trusts which were operating unregistered managed investment schemes involving the operation of chains of hotels and motels across the eastern seaboard of Australia.
- Advising syndicate members on their AUD105 million exposure to the developer, owner and operator of high tech solar powered green house facilities in South Australia.
- Advising on the exposure a big four financier as a major secured creditor to MAde Establishment, owned by high profile hospitality and restaurant owner George Calombaris.
- Obtaining a leading Supreme Court judgment against a guarantor who resisted liability under a guarantee on the basis of alleged breaches the Code of Banking Practice, reported in *Commonwealth Bank of Australia v Wood [2016] VSC 264*.
- Restructuring facilities provided to a major manufacturing company, including innovatively extending the bank's security to cover valuable IP assets, the sale of which facilitated substantial debt reduction.
- Acting in connection with a big four financier's exposure to a large franchising group, which involved protracted negotiations of management and funding agreements to facilitate ongoing trading and the sale of the businesses as going concerns.

- Acting for the voluntary administrators of Omnifloor Australia Pty Ltd (administrators appointed), a building company providing contract flooring services to major builders and developers.
- Acting for a major Australian technology retailer and consumer finance provider in the managed wind down of its business, involving the negotiated exit of its retail leasing sites, the rationalisation of its business, repayment of its financiers and the wind down and ultimate sale of its consumer loan book.