LIST G
BARRISTERS

Dean Guidolin KC



Dean Guidolin KC practises in commercial law with a particular emphasis on complex commercial and trust disputes.

QUALIFICATIONS

Bachelor of Commerce
Master of Laws

CORRESPONDENCE

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CHAMBERS

Aickin Chambers
Level 19 Room 03
200 Queen Street
Melbourne VIC 3000

COMMERCIAL LAW

Appellate | Banking & Finance | Class Actions | Competition | Consumer Law | Contractual Disputes | Corporate Insolvency | Corporations & Securities | Equity & Trusts | Insurance | Real Property | Sports Law | Superannuation | Wills & Probate

EMPLOYMENT & INDUSTRIAL

Confidential Information | Restraint of Trade

TORT LAW

Appellate | Class Actions | Product Liability | Professional Negligence

PUBLIC LAW

Commissions & Inquiries | White Collar Crime

Dean has a broad practice which encompasses advice and appearance at trial and appellate level. He specialises in complex commercial disputes in superior courts throughout Australia and has extensive experience in corporations and shareholder disputes, trust disputes, fraud and fiduciary matters (including tracing claims), class actions, economic torts, financial advice disputes, professional negligence and trade practices matters (including disputes and regulatory approvals). He has appeared in Royal Commissions, Regulatory Examinations & Inquiries, Corruption Inquiries and Parliamentary Inquiries.

Dean has also developed an extensive and leading practice in judicial advice and trustee approval proceedings, whether in respect of commercial and trading trusts, charitable trusts, superannuation funds and insolvencies.

Liability limited by a scheme approved under the Professional Standards Legislation

Recent Cases

APPEALS

Connective Services Pty Ltd v Slea Pty Ltd (2019) 267 CLR 461

Connective Services Pty Ltd v Slea Pty Ltd [2018] VSCA 229

Connective Services Pty Ltd v Slea Pty Ltd (2018) 359 ALR 159

Alexander & Anor v. Burne & Ors [2015] NSWCA 377

Vermillion Resources Pty Ltd v Gibbins Investments Pty Ltd (2011) 86 ACSR 246

Powercor Australia Ltd v. Perry (2011) 33 VR 548

Bora Homes Australia v Aim Site Hire Pty Ltd [2013] FCA 23

McWhinney v. Melbourne Health (2011) 31 VR 285

CEPU v Australian Competition and Consumer Commission (2007) 162 FCR 466

Shaw v Yarranova Pty Ltd & Anor [2011] VSCA 55

CORPORATIONS, COMMERCIAL, EQUITY AND TRUSTS

Innovative 3D Systems Pty Ltd (Receivers & Managers Appointed) & Anor v. Allan & Ors VID125/2023 (breach of directors' duties, breach of trust, subrogation and tracing)

In the matter of Innovative 3D Systems Pty Ltd (Receivers & Managers Appointed) & Anor VID109/2022 (Receivers examinations into the complex affairs of the Innovative 3D group of companies)

Lai v Ecosse Property Holdings Pty Ltd & Ors SECI 2022 05183 (shareholders' dispute)

CBRE(C) Pty Ltd v LAWD Pty Ltd & Ors [2022] VSC 636 (breach of confidential information, breach of fiduciary and knowing assistance)

Page & Anor v Conneely & Ors VID659/2020 & VID265/2021 (complex dispute involving receivers' duties and obligations, enforcement of debts and securities, the taking of accounts & inquiries and Corporations Act rights and

remedies)

Sayers Property Holdings Pty Ltd v AIG Australia Ltd [2022] VSC 377 (claim for breach of policy of insurance, legal professional privilege)

Shergold v Hitchman & Ors SECI 2022 010604 (priority dispute amongst secured creditors)

NTZ Pty Ltd v M+K Lawyers & Viva Energy Australia Pty Ltd SECI 2019 02250 (rectification of commercial lease, rights and remedies upon rescission of contract, laches, acquiescence and other equitable defences)

Slea Pty Ltd v Connective Services Pty Ltd & Ors [2022] VSC 136 (complex shareholders dispute, oppression and derivative action for breach of directors' duties)

In the matter of The Perfect Cosmetics Company Pty Ltd; Lane v Ferguson VID710/2021 (shareholders dispute and oppression)

Serpentine Investments Pty Ltd v Meehan Group Pty Ltd SECI 2021 01528 (trespass to land)

Esso Australia Ltd v Australian Workers Union [2020] FCA 316 (assessment of damages for alleged delay to major shutdown and engineering works)

Morcom v Murone Holdings Pty Ltd [2019] VSC 426 & [2019] VSC 541 (preliminary discovery and shareholders dispute)

The Presbyterian Church of Victoria Trusts Corporation v Anstee & Ors [2014] VSC 426; (No.1) [2016] VSC 297; (No.2) [2017] VSC 102; (No.3) [2017] VSC 520 (No.4) [2018] VSC 200 (breach of trust, tracing remedies and exoneration of trustees)

Bainbridge Gril'd Pty Ltd v Crowe & Ors VID581/2016 (shareholders dispute, oppression and derivative action)

Alexander & Anor v. Burne & Ors [2015] NSWSC 345 & [2013] NSWSC 1953 (knowing assistance claims)

Architecture HQ Pty Ltd v Propertylinc Pty Ltd [2015] FCA 686 (breach of copyright and freezing orders)

Geopec Pty Ltd v BMS Group Pty Ltd [2015] VCAT 12 (complex retail lease claims)

Ninety First Lieutenant Pty Ltd v. Gateway Concepts Pty Ltd [2014] VSC 85 (breach of trust dispute)

Sharp & Anor v. Rata International Pty Ltd & Ors [2013] VSC 328 (breach of trust, shareholders dispute, oppression and injunction to restrain solicitors acting with a conflict of interest)

Sitzler Savage Pty Ltd v. Northern Mining Holdings Pty Ltd & Anor [2012] VSC 104 (pre-emptive rights and options, costs against solicitors for acting without authority)

Gibbins Investments Pty Ltd v Savage (2011) 84 ACSR 1 (pre-emptive rights and options, rescission of contract and rights and remedies upon rescission)

Krok v Szaintop Homes Pty Ltd & Ors (No 1) [2011] VSC 16 (complex breach of trust dispute, search orders and freezing orders to obtain information as to breaches of trust and restrain improper dealings with trust property)

Tropicana Limited v Australasia Corporate Services Pty Ltd [2011] FCA 684 (16 June 2011) (professional negligence)

Mercury Brands Group Pty Ltd (Subject to Deed of Company Arrangement) v Mercury Brands Group Pty Ltd (No 2) & Ors [2010] FCA 1140; [2010] FCA 583 (breach of implied trust and tracing)

Dharmalingham v Registrar of Titles [2006] V Conv R 54-718 (removal of caveat and proceedings against the Registrar of Titles)

JUDICIAL ADVICE PROCEEDINGS

In the matter of FTX Australia Pty Ltd (In administration) & Anor [2023] VSC 788

Innes & Ors v Attorney General for the State of Victoria [2021] VSC 628

In the matter of the Scots Church Properties Trust; Anstee & Ors v Attorney General for the State of Victoria , S CI, 2013 03222

CLASS ACTIONS

Wotton v State of Queensland [2017] FCA 406

Clarke & Ors v Great Southern Finance Pty Ltd (in liq) & Ors [2012] VSC 295; [2014] VSC 584; [2014] VSC 516 – Great Southern Agribusiness Class Actions

Perry & Anor v Powercor Australia Limited [2011] VSC 308 – Western Districts Black Saturday Class Action

TRADE PRACTICES

ACCC v IPM Operation and Maintenance Loy Yang Pty Ltd (No 2) [2007] 59 AILR 100-621

ACCC v IPM Operation and Maintenance Loy Yang Pty Ltd (2006) 157 FCR 162

ACCC v The CFMEU [2007] ATPR 42-140

ACCC v Edison Mission Operations and Maintenance Loy Yang Pty Ltd [2006] FCA 853 (7 April 2006)

CEPU v Corke Instrument Engineering (Australia) Pty Ltd (No 2) [2005] FCA 800 (8 June 2005)

CEPU v Corke Instrument Engineering (Australia) Pty Ltd (2005) 223 ALR 480

INQUIRIES

2014 – 2015: Royal Commission into Trade Union Governance & Corruption

2007-2008: Upper House Inquiry into the Lotteries Licence Review for the State of Victoria (Department of Premier and Cabinet).

Memberships

Cycling Australia's selection and disciplinary review panel in respect of World Championships, Olympic and Paralympic Athlete selections