

## Dion Fahey



Dion's experience in running complex litigation is considerable.

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### QUALIFICATIONS

Master of Laws (Melb)  
Bachelor of Laws (Hons)  
Bachelor of Commerce (Accounting)

### CORRESPONDENCE

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### CHAMBERS

Aickin Chambers  
Level 28  
200 Queen Street  
Melbourne VIC 3000

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### COMMERCIAL LAW

Appellate | Banking & Finance | Class Actions | Consumer Law | Contractual Disputes | Corporate  
Insolvency | Corporations & Securities | Energy & Resources | Equity & Trusts | Private International Law

### TORT LAW

Appellate | Class Actions | Major Torts | Negligence | Product Liability | Professional Negligence

### PUBLIC LAW

White Collar Crime

Dion has been briefed in over 30 class actions. He has experience in consumer and shareholder class action trials and appeals.

Dion's class action trial experience includes having the 'senior junior' role in completed trials against Commonwealth Bank, Westpac, St George Bank, Macquarie Leasing, Pitcher Partners, and Ernst & Young.

In addition to his trial experience, Dion has also prepared (to opening submission stage) the trials of many other class actions, and has been involved in significant settlements at various earlier stages of class action proceedings.

Dion also holds a general commercial practice. Given his accounting background, Dion has particular proficiency in accounting, financial, corporations, and securities matters. Dion's experience includes acting in cases concerning financial misstatement and financial fraud.

Dion has been recognised as:

- a leading class actions barrister in Doyle's Guide;
- a leading commercial litigation and dispute resolution junior counsel in Doyle's Guide;
- a Tier 1 Leading Junior by Legal 500;
- a 'Litigation Rising Star' by Lawyerly; and
- one of 'The Best Lawyers in Australia' in the Australian Financial Review.

Dion sits on the Executive of the Commercial Bar Association, and the Victorian Bar's Audit Finance and Risk Committee.

Prior to joining the Bar, Dion was a Senior Associate in the Litigation and Dispute Resolution Group at Herbert Smith Freehills where he worked on the defence of large class actions (including the Kilmore East Bushfire trial) and in large commercial matters.

Please see below for a list of representative cases.

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## Recent Cases

### REPRESENTATIVE CLASS ACTIONS

#### Trials

##### ***Fox v Westpac Banking Corporation [2025] VSC 643 (settled following trial)***

"Flex commission" consumer class action; credit service obligations; misleading or deceptive conduct

##### ***Nathan v Macquarie Leasing Pty Ltd [2025] VSC 594 (settled following trial)***

"Flex commission" consumer class action; credit service obligations; misleading or deceptive conduct

##### ***Zonia Holdings Pty Ltd v Commonwealth Bank of Australia; Baron & Anor v Commonwealth of Australia (No 5) [2024] FCA 477***

Shareholder class action; continuous disclosure obligations; anti-money laundering and counter-terrorism financing obligations.

***Hall v Pitcher Partners (a firm) [2022] FCA 1524 (settled following trial)***

Shareholder class action; audit misstatement; misleading and deceptive conduct.

Appeals***Zonia Holdings Pty Ltd v Commonwealth Bank of Australia [2025] FCAFC 63***

Class action; continuous disclosure obligations; anti-money laundering and counter-terrorism financing obligations.

***Kajula Pty Ltd v Downer Edi Ltd [2024] VSCA 236***

Class action; multiplicity.

***Timbercorp Finance Pty Ltd (In Liq) v Collins [2016] HCA 44***

Rights of class members.

Representative sample of settled and ongoing proceedings***Wong & Anor v Harvey Norman Holdings Ltd & Anor (Supreme Court of Victoria, S ECI 2024 04990)***

Consumer class action; misleading or deceptive conduct; unconscionable conduct.

***O'Brien v ANZ & Anor [2025] VSC 389***

“Flex commission” consumer class action; credit service obligations; misleading or deceptive conduct.

***Green v Johnson and Johnson Pacific Pty Ltd (Federal Court, VID 1395 of 2024)***

Consumer class action; consumer guarantees.

***Fuller & Anor v Allianz Australia Insurance Ltd & Anor (Supreme Court of Victoria, S ECI 2020 02853)***

“Add-on insurance” consumer class action; personal advice claims; misleading or deceptive conduct; unconscionable conduct.

***Yong v Westpac Banking Corporation (Federal Court, VID 1373 of 2019)***

Shareholder class action; continuous disclosure obligations; anti-money laundering and counter-terrorism financing obligations.

***Anderson-Vaughan v AAI Limited & Ors (Settlement Approval) [2025] VSC 469***

“Add-on insurance” consumer class action; personal advice claims; misleading or deceptive conduct.

***Wills & Anor v Woolworths Ltd (Federal Court, VID 1131 of 2018)***

Shareholder class action; continuous disclosure obligations; misleading or deceptive conduct.

***Gall v Domino's Pizza Enterprises Limited (Federal Court, VID 685 of 2019)***

Employee class action; underpayment; misleading or deceptive conduct.

***Evans v Davantage Group Pty Ltd (No 3) [2021] FCA 70***

Consumer class action; unconscionable conduct; unfair contract terms; misleading or deceptive conduct.

#### REPRESENTATIVE COMMERCIAL MATTERS

***Ballarat Motor Holdings Pty Ltd & Anor v General Motors Holden Australia NSC Pty Ltd & Ors***  
(Supreme Court of Victoria, S ECI 2021 00822)

Misleading or deceptive conduct; unconscionable conduct; breach of contract.

***United Petroleum Australia Pty Ltd v Herbert Smith Freehills*** [2020] VSCA 15; ***United Petroleum Australia Pty Ltd v Herbert Smith Freehills*** [2018] VSC 347

Breach of duty; breach of contract.

***Hylepin Pty Ltd v Doshay Pty Ltd*** [2020] FCA 1370

*Oppressive conduct; breach of directors' duties.*

***Bill Express Ltd (In Liq) v Pitcher Partners & Ors*** (Supreme Court of Victoria, SCI 2011 5152)

Misleading or deceptive conduct; professional negligence

## Memberships

Victorian Bar - Commercial Bar Association