

Edward Gisonda SC



Eddy Gisonda SC has substantial experience appearing in a wide range of commercial, employment and public law matters.

QUALIFICATIONS

Bachelor of Laws (First Class Hons)
Bachelor of Arts

CORRESPONDENCE

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CHAMBERS

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COMMERCIAL LAW

Appellate | Banking & Finance | Bankruptcy | Building & Construction | Class Actions | Consumer Law | Contractual Disputes | Corporate Insolvency | Corporations & Securities | Equity & Trusts | Insurance | Real Property | Taxation

EMPLOYMENT & INDUSTRIAL

Appellate | Employment Contracts | Industrial Disputes | Restraint of Trade | Statutory Employment Rights

TORT LAW

Appellate | Class Actions | Commissions & Inquiries | Common Law | Major Torts | Negligence | Personal Injury | Product Liability | Professional Negligence

PUBLIC LAW

Administrative Law | Commissions & Inquiries | Constitutional Law | Freedom of Information | Judicial Review | Taxation

Eddy has appeared in many trials and appeals across multiple jurisdictions throughout Australia as lead or sole counsel, as well as with some of the nation's pre-eminent silks.

Eddy has been recognised as a leading commercial barrister in Doyle's Guide and in the Australian Financial Review's 'Best Lawyers in Australia' list.

He has significant experience in contract and equity cases, corporations and consumer law matters, employment and industrial relations cases, and various other fields including property, construction, public law and regulatory regimes.

He has been involved in numerous class actions including the Domino's Class Action, the Centro Class Action, the Black Saturday Class Action, the Bank Fees Class Action, and the United Petroleum Class Action.

He has also been involved in many public inquiries including the Robodebt Royal Commission, Royal Commission into Trade Unions, the Banking Royal Commission, the Crown Casino Royal Commission, and the "Lawyer X" Royal Commission.

Before joining the Bar, Eddy was an associate to the Honourable Justice Kenneth Hayne AC in the High Court of Australia, and a solicitor at Herbert Smith Freehills Kramer, and at King & Wood Mallesons. He was also a lecturer in the fields of equity, contract, and restitution at the University of Melbourne.

In 2021, Eddy was appointed the Honorary Secretary of the Victorian Bar. His most recent publication was co-authored with the Hon Justice Steward AC on the history of letters patent.

Please see below for Eddy's recent cases.

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Recent Cases

COMMERCIAL AND CORPORATIONS MATTERS

Lighthouse Corporation Limited v Republica Democratica de Timor Leste [2025] VSC 319 – interlocutory matters arising in a \$500m+ claim against East Timor

Mullan v Norby Pty Ltd [2024] FCA 462 – acting for a director in a derivative claim and subsequent application for a mandatory injunction in relation to robotic prototypes

GLP Batesford Pty Ltd v 68 Bridge Road Land Pty Ltd [2024] VSC 182 (trial); [2024] VSC 36 (interlocutory hearing) – acting for the vendor of a \$176m property in relation to the construction of a mortgage, as well as rectification and estoppel claims

Lanshan Pty Ltd v F3 Enterprises Pty Ltd [2024] VSCA 59 (appeal); [2022] VCC 1850 (trial) – enforcing at trial and defending on appeal the leasehold rights of a hospitality venue

68 Bridge Road Land Pty Ltd v GLP Batesford Holdings Pty Ltd [2023] VSCA 325 (appeal); *GLP Batesford Holdings Pty Ltd v 68 Bridge Road Land Pty Ltd* (2022) 68 VR 171 (trial) – acting for a property developer at trial and on appeal in relation to novel questions concerning s 27 of the *Sale of Land Act 1962* (Vic)

Re HRL Limited (in liq) [2022] VSC 693 – securing the first ever uplift success fee (ordered in any common law jurisdiction) for the benefit of liquidators conducting litigation on behalf of creditors

West Gate Tunnel Arbitration – acting for the State of Victoria in relation to PFAS contamination claims arising from the construction of the West Gate Tunnel

Jabiru Satellite Ltd v Societe Generale [2021] VSC 544 – various procedural questions in a \$1billion+ claim against multiple foreign lenders

Bradford v Devlot 17 Pty Ltd (No 3) [2021] VSC 368 – application dealing with various legal professional privilege and waiver claims

Amcor v Barnes [2021] VSCA 87 (orders and costs); [2021] VSCA 6 (appeal); [2020] VSCA 57 (stay application) – acting in appellate proceedings involving breaches of fiduciary duty and complex knowing receipt claims

LEA Child Care Services v Development Learning Centre Rainbow Pty Ltd [2020] VSC 787 – acting for a childcare centre making misleading conduct and breach of contract claims

Wu v OHAPIF Pty Ltd [2020] VSC 552 – acting for an investment trust defending claims of knowing assistance, breaches of the *Corporations Act 2001* (Cth), and various contractual infringements

De Tocqueville, in the matter of Pacific Current Group Limited [2020] FCA 172; (2020) 142 ACSR 98 – application for derivative leave to allow claims for breaches of directors' duties

Primary Flooring Pty Ltd v Australian Comfort Group Pty Ltd [2019] VSC 104 – application of the implied term of good faith in a perpetual supply contract

Newsat Ltd v Ballintine (2019, Federal Court of Australia) – claims for breaches of directors' duties arising out of a failed \$2b satellite construction program

Westgem Investments Pty Ltd v Commonwealth Bank of Australia [2020] WASC 302 –successfully defending voidable transaction, unconscionable conduct and misleading conduct claims valued at more than \$400m over the course of a 39 day trial

Slea Pty Ltd v Connective Services Pty Ltd [2017] VSC 232 – evidence objections in an oppression proceeding

Innovateq Australia Pty Ltd v Barnes [2017] VSC 16 – questions concerning the vesting of a chose in action on the appointment of a trustee

Oswal v ANZ Bank (2016, Victorian Supreme Court) – acted for the plaintiff in a \$800m+ claim against the ANZ Bank in relation to the development of the Burrup Fertiliser Plant that settled after the 33rd day of trial

Mentha, in the matter of Arrium Limited [2016] FCA 1357 – enforcement of security instruments arising out of the Arrium collapse

GNI Enterprises Pty Ltd v Registrar of Titles for Victoria [2016] VSC 95 – application for summary removal of caveat and stay of execution of warrant of possession

Siegwerk Australia Pty Ltd v Nuplex Industries (Aust) Pty Ltd [2016] FCA 158; (2016) 334 ALR 443 – complex causation trial involving questions of polymer chemistry and its application to the manufacture of epoxy-phenolic resins

AIG Australia Ltd v Jaques [2014] VSCA 332; (2014) 44 VR 780 – construction of an insurance policy and its applicability to non-executive directors

Telstra Corporation v Singtel Optus (No 2) [2014] VSC 108 – competition law and corrective advertising claims between major telecommunication providers

Szaintop Homes Pty Ltd v Krok (2012) 36 VR 56 – bias application in the context of an intra-family trust disputed

Fiorelli Properties Pty Ltd v Professional Fencemakers Pty Ltd [2011] VSC 661; (2011) 34 VR 257 – appeal involving questions of repudiation and relief against forfeiture

Ausmezz Pty Ltd v Goldberger [2011] VSC 640 – acted for private financiers in the enforcement of a guarantee, which also gave rise to various claims for misleading and deceptive conduct

PGA Group Pty Ltd v Idameneo (No 789) Limited [2011] VSC 420 (costs); [2011] VSC 382 (trial) – complex 14 days trial involving issues of the enforceability of a guarantee, equitable set-off, assignment, and waiver

CLASS ACTIONS

FNH United Pty Ltd v United Petroleum Franchise Pty Ltd [2025] VSC 232; [2024] VSC 522; [2024] VSC 366 – United Petroleum Class Action brought on behalf of Franchisees and Commission Agents

Gall v Domino's Pizza Enterprises Limited [2022] FCA 1330 – Underpayments Class Action brought on behalf of employees against master franchisor (main judgment reserved)

Webster (Trustee) v Murray Goulburn Co-Operative Co Limited [2020] FCA 1405; [2020] FCA 1053 – Appointed as a contradictor in relation to the settlement of the Murray Goulburn class action

RSD Chartered Accountants v Bolitho [2014] VSCA 186; (2014) 102 ACSR 528

Bank Fees Class Action – Acting for the Commonwealth Bank of Australia in relation to penalty fees issue

Bushfires Class Action – Acting for SP AusNet in relation to various tort claims

Centro Class Action – Acted for Centro in a shareholder continuous disclosure class action, which included cross-claims against auditors, and resulted in a \$200m settlement, which at the time was the largest class action settlement in Australian history

EMPLOYMENT LAW

City Fertility v Dr Campbell – enforceability of restraints in the assisted reproductive treatment industry (currently reserved in the Supreme Court of Queensland)

Blue Rock Australia Pty Ltd v Kaushik [2025] FCA 176 – enforceability of employment restraints in the accounting industry

2nd Chapter Pty Ltd v Sealey (No 2) (2024) 336 IR 1 (trial); *2nd Chapter Pty Ltd v Sealey* [2023] VSC 599 (interlocutory injunction) – successfully invalidated restraints applying to high net-worth financial advisers at Escala Partners

Weir v Telstra Limited (2023) 301 FCR 261 – Full Court appeal involving novel questions of law under the *Sex Discrimination Act 1984* (Cth)

Israel Folau v Rugby Australia (acting for Israel Folau who secured a multi-million dollar settlement against Rugby Australia – to read the feature profile on the case and the legal strategy and team involved, see “Inside Story: How Israel Folau’s Legal Team Played Rugby Australia”, *Australian Financial Review*, 21 December 2019)

WorkPac Pty Ltd v Skene (2018) 264 FCR 536 – Full Court appeal involving questions of annual leave entitlements for casual labor hire workers in the mining industry

Volunteer Fire Brigades Victoria v CFA [2016] VSC 573 – acting for firefighter volunteers in a dispute with the Country Fire Authority in relation to a proposed enterprise agreement

Perry v Rio Tinto Shipping Pty Ltd [2016] FWCFB 6963 (appeal); [2016] FWCFB 5120 (leave to appeal) – determination of date of dismissal

Stevens v Spotless Management Services Pty Ltd [2016] VSCA 299 (appeal); [2015] VSC 746 (trial) – claim for entitlements following the termination of a senior IT executive

Boral Resources (Vic) Pty Ltd v CFMEU [2015] VSC 473; [2015] VSC 462; [2015] VSC 459; [2015] VSC 352 – damages claim for the tort of intimidation by industrial union against concrete supply company

Eshuys v St Barbara Limited [2011] VSC 150 (costs); [2011] VSC 125 (trial) – employee's claim for discretionary and performance-based bonus entitlements in the gold-mining sector

COMMISSIONS AND INQUIRIES

Robodebt Royal Commission, 2022 – Acting for a Commonwealth Minister of the Crown

Crown Casino Royal Commission, 2021 – Acting for Crown Melbourne

Police Informants Royal Commission, 2019 – Acting for confidential witnesses

Judicial Commission Inquiry into Chief Coroner Judge Sara Hinchey, 2019 – Acting for confidential witness

Banking Royal Commission, 2018 – Acting for Macquarie Bank

Inquiry into Fair Work Vice-President Michael Lawlor, 2016 – Counsel assisting The Hon Peter Heerey AM QC

Trade Union Royal Commission, 2014 – Acting for the State of Victoria

Black Saturday Royal Commission, 2009 – Acting for SP AusNet (as solicitor)

PUBLIC LAW

Dickson v Yarra Ranges Council [2023] VSC 491 – successfully defending the validity of preventative security measures implemented by the local government sector at public meetings

Victorian Taxi Families Inc v Commercial Passenger Vehicle Commission (2020) 61 VR 383 – clarifying the standing of an industry representative body alleging a novel duty of care to obtain preliminary discovery against a government department

Link v Gannawarra Shire Council [2020] VSC 511 – resisting an application for an injunction in relation to the use of the Cohuna Airfield

Garbett v Liu (2020) 273 FCR 51 (costs); (2020) 273 FCR 44 (referral); (2019) 273 FCR 1 (trial) - acting for the Treasurer of Australia in the Court of Disputed Returns

BFJ Capital Pty Ltd v Financial Ombudsman Service Limited [2019] VSC 71 – application regarding claims able to be brought pursuant to the Financial Ombudsman Service

DeSantis v Staley (2019, Supreme Court of Victoria) – acting for the Member for Ripon in the Court of Disputed Returns

Australian Workers' Union v Registered Organisations Commissioner [2017] FCA 1554 – procedural application in relation to subpoenas for communications with Ministerial staffers

Gili v Greater Geelong City Council [2017] VCAT 2150 – successfully defending the validity of a special charge scheme introduced for the drainage of an industrial estate

Fidge v McCurdy [2015] VSC 43 - acting for the Member for Ovens Valley in the Court of Disputed Returns

Chapman v Greater Bendigo City Council [2017] VCAT 417 – determination of misconduct by a local councillor for comments made on social media

Wooldridge v Department of Health & Human Services [2016] VCAT 1599 – freedom of information application for access to the “Red Book” of briefings provided to an incoming government

CFMEU v Grocon Constructors (Victoria) Pty Ltd [2014] VSCA 298 (costs); (2014) 47 VR 527 (appeal) – acting for the State of Victoria in criminal contempt proceedings arising from the blockade of a construction site