

Leo Freckelton



Leo practises in all areas of commercial and regulatory law.

QUALIFICATIONS

Bachelor of Commerce (Finance)
(Melb)
Juris Doctor (Melb)
Master of Laws (Melb)

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 | Regulatory Investigations | Superannuation

TORT LAW

Class Actions | Commissions & Inquiries | Major Torts | Negligence | Product Liability

His principal experience includes corporate insolvency and restructuring, equity and trusts, contractual disputes, trade practices, class actions, and regulatory matters. He has an active commercial appeals practice.

Before the Bar, Leo was a senior associate in the Financial Restructuring and Insolvency group at Norton Rose Fulbright and an associate to the Honourable Justice Sloss at the Supreme Court of Victoria.

Leo has recently lectured in the post-graduate Commercial Equity course at Monash University. He is an updating author of Federal Court Practice.

Leo holds a Bachelor of Commerce, Juris Doctor and Master of Laws from the University of Melbourne.

Leo read with Daniel Snyder. His senior mentor is Nicholas De Young KC.

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Recent Cases

APPEALS

Feeney & Anor v Southstar Homes Pty Ltd [2024] VSCA 153 (led by A Dinelli KC) – contractual interpretation, implied terms

Yume Group Holdings Pty Ltd v Ashthorn Ca Pty Ltd [2024] VSCA 134 (led by F Bentley) – contractual interpretation

Julia Kukuy v Timothy Mark Shuttleworth Holden (as Liquidator of Jay Invest Property Pty Ltd (in liq)) & Anor (VSCA – S EAPCI 2023 0026 – e.g. [2023] VSCA 331; [2024] VSCA 331 – ongoing) (led by C Rome-Sievers) – appeal from order appointing liquidator as receiver over trust assets

Hastie Group Limited (in liq) & Ors v Multiplex Constructions Pty Ltd & Ors (FCAFC – VID41/2023 – resolved) (led by P Fary SC) – validity of post-liquidation drawings upon bank guarantees

STATE SUPREME COURTS

Barokes Pty Ltd (In Liquidation) v Koutsoukos & Anor (VSC – S ECI 2022 05061 - ongoing) (led by H Austin KC and J Kohn) – liquidators' duties in connection with business sale

Li & Anor v Zhang & Anor (VSC – S ECI 2024 02634 – ongoing) (led by O Bigos KC) – freezing orders, removal of caveats

Moonwalk Pty Ltd v Assetta Developments Pty Ltd [2024] VSC 468 (led by O Bigos KC) – leave to enter default judgment, duties of bare trustee

Re Grocon Group Holdings Pty Ltd (subject to Deed of Company Arrangement) (VSC – S ECI 2024 02056 – determined) (led by P Fary SC) – application for directions regarding receipt of payments adjacent to deed of company arrangement

Coonwarra Pty Ltd v Norton Rose Fulbright (S ECI 2022 02922 – ongoing) (led by J Moore KC) – solicitor's duties to third party

Douglas v Nelson [2024] VSC 116 (unled) – appeal from VCAT order for possession

International Assets Pty Ltd & Anor v Rubin & Ors (VSC – S ECI 2021 03184 – ongoing) (led by J Evans KC) – misleading or deceptive conduct, fraud, equitable accessorial liability

Beecham Motors Pty Ltd v GM Holden Australia NSC Pty Ltd (VSC – S ECI 2020 04789 – e.g. [2023] VSC 640 – trial judgment reserved) (led by J Giles SC and A McRobert) – class action, interpretation of franchise agreement, implied terms

Ballarat Motor Holdings Pty Ltd & Anor v General Motors Holden Australia NSC Pty Ltd & Ors (VSC – S ECI 2021 00822 – resolved) (led by J Moore KC) – breach of contract, misleading or deceptive conduct, good faith, unconscionable conduct

Drew v Drew (VSC – S CI 2017 04815 – resolved) (led by J Evans KC) – constructive and resulting trusts, trespass to land

Re Revroof Pty Ltd (Administrators Appointed) (VSC – S ECI 2022 05288 – determined) (unled) – extension of convening period during voluntary administration

FEDERAL COURT AND CIRCUIT COURT

Watters v Iplex Pipelines Australia Pty Ltd (FCA – VID760/2024 – ongoing) (led by S Free SC and K Loxley, and with S Gerber) – product liability/consumer class action

Australian Securities and Investments Commission v ALAMMC Developments Pty Ltd (No 1) [2024] FCA 1275 (led by M Steele KC and with S McLeod) – application by ASIC for the appointment of receivers and travel restraints;

Keystone Asset Management Ltd (Receivers and Managers Appointed) (Administrators Appointed) v Robert Filippini & Ors (FCA – VID978/2024) (led by R Craig KC) – equitable accessorial liability

ASIC v Keystone Asset Management Ltd (Administrators Appointed) & Anor (FCA – VID536/2024 – ongoing) (led by R Craig KC) – external administration of managed investment scheme

Australian Securities and Investments Commission v A One Multi Services Pty Ltd (No 3) [2024] FCA 120 (FCA – QUD228/2021 – determined) (led by M Steele KC and with D Tay) – application to wind up cryptocurrency business

Meneses v Meneses (FedCFamC2G – (P)MLC9081/2023 – resolved) (led by D Snyder) – fiduciary duties, tracing, equitable subrogation

Endless Solar Corporation Limited v ASIC, re Speedpanel Australia Ltd (No 2) [2023] FCA 1290 (led by E Bennett SC) – reinstatement of deregistered company

Kerbage v Fridman [2023] FedCFamC2G 1004 (unled) – review of sequestration order

Humphrey v Industrial Demolition Services Pty Ltd & Ors (FCA – VID 175/2018 – resolved) (led by J Evans KC) – shareholder oppression

Re Criniti's Southern Italian Cuisine Pty Ltd (In Liquidation) (FCA) – NSD991/2022 – resolved) (unled) – unfair preference claim

Hodgers v ASIC (FCA – VID477/2023 – determined) (unled) – validity of members' resolution commencing liquidation

COUNTY COURT OF VICTORIA

Southstar Homes Pty Ltd v Form8 Constructions Pty Ltd (No 2) [2023] VCC 1545 (unled) – costs, interest

Southstar Homes Pty Ltd v Form8 Constructions Pty Ltd & Ors [2023] VCC 1420 (unled) – contractual interpretation, implied terms, prevention principle, assignment of contractual rights

Memberships

Law Institute of Victoria