

Owen Nanlohy



Owen Nanlohy practises in commercial, regulatory and public law.

QUALIFICATIONS

BA (Hons I) (Syd)
BA Jurisprudence (Oxon)

CORRESPONDENCE

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CHAMBERS

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COMMERCIAL LAW

Appellate | Aviation | Banking & Finance | Class Actions | Competition | Consumer Law | Contractual Disputes | Corporations & Securities | Equity & Trusts

EMPLOYMENT & INDUSTRIAL

Confidential Information

TORT LAW

Appellate | Class Actions | Common Law | Defamation | Major Torts | Negligence | Product Liability | Professional Negligence

PUBLIC LAW

Administrative Law | Appellate | Commissions & Inquiries | Constitutional Law | Judicial Review

He has significant experience in class actions, where he principally acts for representative plaintiffs and litigation funders. His class actions experience includes shareholder actions, data breach and breach of privacy claims, consumer law, mass torts and financial services claims.

He has appeared led and unled in the Federal Court, the Victorian Supreme Court and the New South Wales Supreme Court. Owen has an interest in administrative law, tort law and regulatory and inquisitorial proceedings.

Prior to joining the Bar, Owen was a Senior Associate at Phi Finney McDonald working principally on class actions. Previously, he acted as a solicitor in a broad range of complex disputes including shareholder class actions, contractual claims, constitutional matters, consumer protection claims, defamation, anti-corruption and foreign influence and bribery investigations.

In 2020-21, Owen was Associate to the Honourable Justice Murphy of the Federal Court.

Owen holds a Bachelor of Jurisprudence from the University of Oxford and a Bachelor of Arts (Hons I) from the University of Sydney. He has been an Honorary Fellow of the University of Melbourne Law School where he taught Remedies. He has also held tutoring positions at the University of Sydney Law School where he taught Torts and Contracts.

He was previously an advisor in opposition to the Commonwealth Attorney General the Honourable Mark Dreyfus KC MP and a researcher for the former High Court Justice the Honourable Michael Kirby AC KCMG.

Owen read with Jonathan Kirkwood SC. His senior mentors are Bernard Quinn KC and William Edwards KC.

Liability limited by a scheme approved under Professional Standards legislation

Recent Cases

CLASS ACTIONS

DA Lynch Pty Ltd v The Star Entertainment Group (Supreme Court of Victoria, ongoing) – misleading or deceptive conduct – continuous disclosure (for the plaintiff, led by Kathleen Foley SC and Raini Zambelli, instructed by Slater & Gordon).

Mumford & Anor v EML Payments (Supreme Court of Victoria, ongoing) – misleading or deceptive conduct – continuous disclosure contraventions (for the plaintiff, led by William Edwards KC and Ryan May, instructed by Shine Lawyers).

Tarbotton v IG Markets (Federal Court of Australia) – claims for statutory unconscionable conduct, misleading or deceptive conduct and s 994E Corporations Act contraventions (for the applicant, led by Lachlan Armstrong KC and Thomas Bagley, instructed by Piper Alderman and William Roberts Lawyers).

Laricchia v WiseTech Global Limited S ECI 2024 06051 – misleading or deceptive conduct – continuous disclosure contraventions (for the plaintiff, led by Melanie Szydzik SC and Tim Chalke, instructed by Phi Finney McDonald).

Minnie McDonald v The Commonwealth of Australia (Federal Court of Australia) – Stolen Wages (NT) Class Action (for the Intervenor, LLS, led by Fiona Forsyth KC).

Equity Financial Planners Pty Ltd v AMP Financial Planning Pty Ltd (Federal Court of Australia) (junior to the Contradictor, Jonathan Kirkwood SC, briefed by Corrs Chambers Westgarth).

William Lay & Daniel Joseph Batchelor v Nuix Limited & Ors (Supreme Court of Victoria) – various interlocutory applications (for the plaintiffs, unled).

Iddles v Fonterra & Ors (Supreme Court of Victoria, ongoing) – settlement approval (for the Intervenor, LLS, led by William Edwards SC, instructed by William Roberts Lawyers).

Boulos v M.R.V.L. Investments Pty Ltd (Merivale) (Federal Court of Australia) – various interlocutory applications regarding opt-out procedures and common questions (for the applicant, led by William Edwards KC & Dr Kristine Hanscombe KC, instructed by Adero Law).

CONSUMER PROTECTION

Gomes v Medibank Private Limited (Office of the Australian Information Commissioner) – investigative complaint – ss 36 and 38 of the Privacy Act 1988 (Cth) (for the Complainant, led by Rachel Doyle SC, instructed by Maurice Blackburn).

Foley v Optus Singtel (Office of the Australian Information Commissioner) – investigative complaint – ss 36 and 38 of the Privacy Act 1988 (Cth) (for the Complainant, led by Rachel Doyle SC, instructed by Maurice Blackburn).

COMMERCIAL

FAL v Interair Pty Ltd (Federal Court of Australia, judgment reserved) – misleading or deceptive conduct, breach of contract and negligence (for the third and fourth respondent, led by Christian Juebner SC, instructed by SBA Law).

Brar Global Pty Ltd & Anor v Maximizer Events Pty Ltd (County Court of Victoria, settled) – breach of contract, debt and misleading or deceptive conduct (for the first and second respondent, unled, instructed by Regal Lawyers).

Brands & Names Pty Ltd & Anor v Aifam United Pty Ltd (County Court of Victoria, settled) – breach of licence agreement, misleading or deceptive conduct (for the defendant and cross claimant, unled, instructed by Regal Lawyers).

Daikoku Plutus Lakshmi Enterprises Pty Ltd v Northern Developer Group Pty Ltd & Anor (Supreme Court of Victoria, ongoing) – claims for possession of mortgaged property, rectification of mortgage (for the first defendant, unled, instructed by Regal Lawyers).

REGULATORY

ASIC v Provide Nominees (Federal Court of Australia) – alleged non-compliance with s 33 Notice, application under s 70 of the ASIC Act (for the respondent, led by Michael Wyles KC and Dean Luxton, instructed by Strongman & Crouch).

PUBLIC LAW

BBC18 v The Minister for Immigration (Federal Circuit and Family Court of Australia, resolved) – judicial review – denial of procedural fairness (for the Commonwealth, unled, instructed by Sparke Helmore – settled prior to

hearing).

Petro Tech Pty Ltd v Minister for Energy and Resources (Supreme Court of Victoria, settled) – judicial review – denial of procedural fairness (for the plaintiff, led by Matthew Harvey KC, instructed by Piper Alderman).

Foley v OAIC (Federal Court of Australia) – judicial review – statutory construction of the *Privacy Act 1988* (Cth) (for the Applicant, led by Rachel Doyle SC, instructed by Maurice Blackburn)

Medibank v OAIC (Federal Court of Australia) – injunctive relief – restraint of OAIC in relation to investigation of *Gomes v Medibank* – interference with administration of justice (for the Representative Complainant, led by Rachel Doyle SC, instructed by Maurice Blackburn).

Blanch v Smith (Attorney General for NSW intervening) (NSW Local Court) – AVPO application – statutory construction – implied freedom of political communication (unled for the Applicant, instructed by the Inner City Legal Centre).