LIST G
BARRISTERS

Rebecca Howe



Rebecca has a practice primarily focused on commercial law including the areas of corporations and securities, corporate governance, insolvency, superannuation and class action litigation.

QUALIFICATIONS

Bachelor of Arts
Bachelor of Laws (Hons)(Melb)

CORRESPONDENCE

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CHAMBERS

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COMMERCIAL LAW

Appellate | Banking & Finance | Bankruptcy | Class Actions | Consumer Law | Contractual Disputes | Corporate Insolvency | Corporations & Securities | Equity & Trusts | Insurance | Regulatory Investigations | Superannuation

Rebecca has a practice focused on commercial law including, in particular, class action litigation. Rebecca also has more than 13 years' experience acting in public interest environmental litigation.

Rebecca was also an associate to the Honourable Justice Buchanan in the Court of Appeal of the Supreme Court of Victoria. She undertook her articles at Allens Arthur Robinson (as it then was) and also worked as a Senior Associate at Baker McKenzie, including at its London office.

Liability limited by a scheme approved under Professional Standards Legislation

Recent Cases

CLASS ACTIONS

Shimshon v MLC Nominees Pty Limited (led by Nicholas Owens SC and Kane Loxley) superannuation class action (Supreme Court of Victoria)

Kilah & Sinnamon v Medibank Private Limited (led by Adam Hochroth, with Huw Whitwell) securities class action (Supreme Court of Victoria).

Drake v The Star Entertainment Group Limited (led by WAD Edwards KC) securities class action (Supreme Court of Victoria).

Lieberman v Crown Resorts Limited (led by WAD Edwards KC): securities class action/oppression proceeding (Supreme Court of Victoria).

Hall v Arnold Bloch Leibler (a firm) and *Hall v Pitcher Partners (a firm)* (led by WAD Edwards KC and Dion Fahey): shareholder class actions (Federal Court of Australia).

Wilkinson v Wilson Security Pty Ltd (led by Stuart Wood KC and Marc Felman KC): employee class action (Federal Court of Australia).

Hamilton v Wilson Security Pty Ltd; *Te Rangi v Wilson Security Ltd* (led by Marc Felman KC): employee class action (Federal Court of Australia).

McNickle v Huntsman Chemical Company Australia Pty Ltd & Ors (led by Andrew Clements KC and Melanie Szydzik SC, with Rose Singleton and Suganya Pathan): Roundup class action (Federal Court of Australia).

DBE17 (by his litigation guardian) v The Commonwealth of Australia (led by Geoffrey Kennett SC): migration class action (Federal Court of Australia).

Fernbrook (Aust) Investments Pty Ltd v AMP Limited (led by Richard Attiwill KC and Melanie Szydzik): securities class action (Federal Court of Australia).

Wileypark Pty Ltd v AMP Limited (led by Richard Attiwill KC): securities class action; multiple class actions (Full Court of the Federal Court of Australia).

Wigmans v AMP Limited (led by Robert Weber SC): securities class action; anti suit injunctions (Supreme Court of NSW).

Majid Karami Kamasaee v The Commonwealth of Australia & ors (led by David Curtain KC, Georgina Costello, Fiona Forsyth and Melanie Szydzik): negligence and false imprisonment class action (Supreme Court of Victoria).

Money Max Int Pty Limited v QBE Insurance Group Pty Limited (led by Michael Lee SC; Bernard Quinn KC): securities class action; US crop insurance (Federal Court of Australia).

GENERAL COMMERCIAL & INSOLVENCY

Redgum Developments Pty Ltd v G8 Education Ltd (unled): lease dispute, expert rental determination (Supreme Court of Victoria).

Tripod Farmers Group v QBE Insurance (Aust) Limited & Anor (led by Cam Truong KC with Xuelin Teo): insurance brokerage dispute (Supreme Court of Victoria).

Re Building Engineering Pty Ltd (unled): application to set aside a statutory demand (Supreme Court of Victoria).

In the matter of Docklands Chiropractic Clinic Pty Ltd (partly unled; with Carl Moller): oppression and derivative leave proceedings, breach of director's duties (Supreme Court of Victoria).

In the matter of Arrium Ltd (subject to a deed of company arrangement) : advising the administrators (KordaMentha) in aspects of the administration of Arrium Ltd.

In the matter of Mamounia Pty Ltd (in liquidation) (unled): liquidators' examination (Supreme Court of Victoria).

National Australia Bank Ltd v Saward & Saward (led by Chris Gunson SC): debt action (Supreme Court of Tasmania).

Minister administering the National Parks and Reserves Management Act 2002 (Tas) v Eco-Geo International Pty Ltd (led by Chris Gunson SC): lease dispute, executive necessity (Supreme Court of Tasmania).

SUPERANNUATION

Lane v UniSuper (led by Tomo Boston KC): defined benefits (County Court of Victoria).

AS v Public Sector Superannuation Scheme (led by Michael Wise KC): review of Trustee's decision regarding TPD status (Superannuation Complaints Tribunal).

FORESTRY AND ENVIRONMENTAL LITIGATION

Bob Brown Foundation Inc v MMG Australia (led by Penny Neskovcin KC): judicial review/precautionary principle (Federal Court of Australia).

Environment East Gippsland v VicForests (led by Philip Solomon KC and Hamish Redd): interlocutory injuction (Supreme Court of Victoria).

WOTCH v VicForests (led by Jason Pizer KC): application of precautionary principle to timber harvesting (Supreme Court of Victoria).

WOTCH v VicForests and *WOTCH v VicForests (No 3)* (led by Ian Waller KC): interlocutory injunction (Supreme Court of Victoria).

Friends of Leadbeater's Possum Inc v VicForests (led by Ian Waller KC): proceedings relating to alleged breaches

of the *Environment Protection and Biodiversity Conservation Act 1999* (Cth); precautionary principle and significant impact (Federal Court of Australia) and *VicForests v Friends of Leadbeater's Possum* (led by Ian Waller QC): appeal from primary judgment (Full Federal Court of Australia).

Friends of Leadbeater's Possum Inc v VicForests (led by Michael Wise KC): resisting an application for interlocutory injunctive relief in respect of timber harvesting; precautionary principle (Federal Court of Australia).

PHARMACY REGULATION AND PROCEEDINGS UNDER THE NATIONAL HEALTH ACT 1953 (CTH)

Freedom Pharmaceutical v Minister for Health (led by Chris Gunson SC): judicial review of Minister's decision regarding the supply of pharmaceutical benefits, *National Health Act 1953* (Cth) (Federal Court of Australia).

Stambe v Minister for Health (led by Chris Gunson SC): judicial review of Minister's decision regarding the supply of pharmaceutical benefits, *National Health Act 1953* (Cth) (Federal Court of Australia).

Stonehealth Pty Ltd v ZAA Ventures Pty Ltd (led by Chris Gunson SC): appeal under the *National Health Act* 1953 (Cth) in relation to a decision of the Australian Community Pharmacy Authority (Full Federal Court of Australia).

Stonehealth Pty Ltd v ZAA Ventures Pty Ltd (led by Chris Gunson SC): stay application (Federal Court of Australia).

JUDICIAL REVIEW AND APPEALS

EFG v Legal Profession Board of Tasmania (led by Chris Gunson SC): judicial review of decision of legal regulator, availability of prerogative writs (Supreme Court of Tasmania).

Almomani v Minister for Immigration and Border Protection (unled): migration appeal (Federal Court of Australia).

BSA Ltd v Victorian WorkCover Authority (led by Claire Harris KC): appeal pursuant to s. 478 of the *Workplace Injury Rehabilitation and Compensation Act 2013* (Vic) regarding calculation of WorkCover premium payable (Supreme Court of Victoria).

BSA Ltd v Victorian WorkCover Authority (led by Claire Harris KC): appeal pursuant to s. 85 of the *Workplace Injury Rehabilitation and Compensation Act 2013* (Vic) regarding deemed worker provisions of that Act (Supreme Court of Victoria).

Dirckze v Holmesglen Institute (led by Andrew Clements KC): resisting an application under s. 148 of the *Victorian Civil and Administrative Tribunal Act* for leave to appeal from orders made relating to claims pursuant to the *Equal Opportunity Act* (Supreme Court of Victoria).

Dirckze v Holmesglen Institute (led by Andrew Clements KC): appeal from decision of Associate Justice, reinstatement (Supreme Court of Victoria).

PUBLIC LAW

In the matter of a representative complaint under the Privacy Act 1988 (Cth) (unled): advising in respect of a data

breach representative complaint.

In the matter of an investigation by the Victorian Equal Opportunity and Human Rights Commission (led by Claire Harris KC): investigation into potential unlawful discrimination in the travel insurance industry.

COMMERCIAL ARBITRATION

IAMA Arbitration (led by Michael Wise): arbitration proceedings before the Honourable Susan Crennan KC.

EQUITY/FRAUD

Lam v Lam; Lam v Nguyen (led by Georgina Costello KC): proceedings relating to allegations of forgery of documents effecting the transfer of land, resulting and constructive trusts (Supreme Court of Victoria).

Lam v Lam; Lam v Nguyen (led by Georgina Costello KC): proceedings relating to fraud and forgery allegations and whether incontrovertible facts rendered trial judge's factual findings glaringly improbable (Court of Appeal).

Lam v Lam; Lam v Nguyen (led by Georgina Costello KC): stay pending application for special leave (Court of Appeal).

Memberships

Victorian Bar - Commercial Bar Association