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BARRISTERS

Thomas Rawlinson



Tom Rawlinson practises in all areas of commercial and public law.

QUALIFICATIONS

Bachelor of Music (Adelaide)
Juris Doctor (Melbourne)
Master of Laws (Columbia)

CORRESPONDENCE

P 03 9225 8558
F +61 3 9225 8668
E tom.rawlinson@vicbar.com.au

CHAMBERS

Owen Dixon Chambers West
Level 18 Room 12
525 Lonsdale Street
Melbourne VIC 3000

COMMERCIAL LAW

Appellate | Aviation | Banking & Finance | Bankruptcy | Class Actions | Commercial Arbitration | Competition | Consumer Law | Contractual Disputes | Corporate Insolvency | Corporations & Securities | Energy & Resources | Equity & Trusts | Insurance | Private International Law | Real Property | Residential & Retail Tenancies | Superannuation | Regulatory Investigations

EMPLOYMENT & INDUSTRIAL

Confidential Information | Discrimination | Employment Contracts | Work Health & Safety

INTELLECTUAL PROPERTY

Information Technology | Media & Entertainment | Privacy & Data Protection | Telecommunications

TORT LAW

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

PUBLIC LAW

Administrative Law | Appellate | Civil & Human Rights | Commissions & Inquiries | Constitutional Law | Immigration | Judicial Review

His work focuses on:

- class actions and other complex commercial litigation; and
- advising and representing governments in public law matters, including on administrative law, constitutional law, human rights, statutory interpretation and government liability.

Practice profile

Complex commercial litigation: Tom has significant experience in class actions, having been briefed in class actions in the High Court of Australia, the Federal Court and the Supreme Court of Victoria.

His experience includes shareholder actions, consumer law and product liability claims, and mass tort claims involving novel duties of care. He is briefed by representative plaintiffs, litigation funders, and defendants, and has appeared as a Court-appointed Contradictor in several matters.

Tom is also briefed (led and unled) in commercial and regulatory matters across all courts and subject matters.

Public law: Tom is frequently briefed by departments of the Victorian Government to advise on issues of constitutional law, administrative law, and statutory interpretation; including as junior to the Solicitor General and Crown Counsel for the State of Victoria. He has also been briefed by Commonwealth and State government departments in migration and FOI matters.

Experience before joining the Bar

Before coming to the Bar, Tom practised as a senior associate at Phi Finney McDonald in Melbourne, an associate at Kaplan Hecker & Fink (now Hecker & Fink) in New York, and an associate at Allens in Melbourne. Tom is admitted as an attorney in New York and has appeared in U.S. federal courts and New York state courts.

Tom was an associate to the Hon Justice Geoffrey Nettle AC at the High Court of Australia and the Hon Chief Justice Trevor Riley AO at the Supreme Court of the Northern Territory.

Tom has a Master of Laws from Columbia University, where he graduated a James Kent Scholar. Tom graduated from Melbourne Law School ranked second in his cohort, winning four subject prizes and the prize for Top Student. He was an Editor of the *Melbourne University Law Review*.

Tom lectured in administrative law at Melbourne Law School in 2023.

Tom read with Sarala Fitzgerald SC. His senior mentors are Elizabeth Bennett SC (now Bennett J of the Federal Court) and Lachlan Armstrong KC.

Liability limited by a scheme approved under the Professional Standards Legislation.

Recent Cases

CLASS ACTIONS

Zonia Holdings Pty Ltd v Commonwealth Bank of Australia (judgment reserved in the High Court). Appeal and cross-appeal regarding materiality, causation and quantification of damages in shareholder class action. Led by Justin Gleeson SC, William A D Edwards KC, and with Celia Winnett and Christine Ernst.

Mallonland Pty Ltd v Advanta Seeds Pty Ltd (2024) 98 ALJR 956; [2024] HCA 25. Appeared for appellant in appeal regarding duty of care to avoid causing pure economic loss. Led by William A D Edwards KC, with Blair Hall.

LCM Funding Pty Ltd v Stanwell Corporation Limited (2022) 292 FCR 169 (Full Court of the Federal Court of Australia). Appeal regarding application of managed investment scheme legislation to class action litigation funding. Junior counsel to court-appointed contradictor William A D Edwards KC.

Southernwood v Brambles Limited, VID972/2018 (Federal Court of Australia). Shareholder class action; briefed by the representative applicants to appear at trial. Led by Bernie Quinn KC, with William A D Edwards and Tim Chalke. (Judgment reserved.)

Stallard and Napier v Treasury Wine Estates Ltd, S ECI 2020 1590 (Supreme Court of Victoria). Shareholder class action; briefed by the representative plaintiffs. Led by Melanie Szydzik SC, with Tim Chalke. (Settled subject to court approval.)

Watters v Iplex Pipelines Australia Pty Ltd, VID760/2024 (Federal Court of Australia). Product liability class action concerning defective pipes installed in residential homes. Led by Fiona Roughley SC, with Tim Rogan. (Ongoing.)

Yong v Westpac Banking Corporation, VID1373/2019 (Federal Court of Australia). Shareholder class action; briefed by the representative plaintiffs. Led by Wendy Harris KC, with Leana Papaelia, Dion Fahey, and Chadwick Wong. (Ongoing.)

Lay and Batchelor v Nuix Limited, S ECI 2021 04360 (Supreme Court of Victoria). Shareholder class action; briefed by the representative plaintiffs. Led by Peter Collinson KC and Kate Burke SC.

Lieberman v Crown Resorts Limited, S ECI 2020 04566 (Supreme Court of Victoria). Shareholder class action; briefed by the representative plaintiffs. Led by William A D Edwards KC, with Rebecca Howe.

Thomas v The a2 Milk Company Limited, S ECI 2021 03645 (Supreme Court of Victoria). Shareholder class action; briefed by the representative plaintiffs. Led by Melanie Szydzik SC, with Alexandra Folie.

Andrianakis v Uber Technologies Inc, S ECI 2019 01926 (Supreme Court of Victoria). Appointed as Contradictor (with Kate Burke SC) on settlement approval application.

Levitt v Luke, VID59/2024 (Federal Court of Australia). Appointed as Contradictor (with Lachlan Armstrong KC) on appeal from settlement approval.

COMMISSIONS OF INQUIRY

Yoorrook Justice Commission - Briefed to assist Counsel Assisting to prepare for cross-examination of key Government witnesses, including the Attorney-General for the State of Victoria.