

Andrew Meagher SC



Andrew Meagher SC practises in all areas of commercial law.

QUALIFICATIONS

Bachelor of Laws
Bachelor of Arts

CORRESPONDENCE

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CHAMBERS

Owen Dixon Chambers West
Level 18 Room 7
525 Lonsdale Street
Melbourne VIC 3000

COMMERCIAL LAW

Appellate | Banking & Finance | Bankruptcy | Building & Construction | Class Actions | Commercial Arbitration | Competition | Consumer Law | Contractual Disputes | Corporate Insolvency | Corporations & Securities | Equity & Trusts | Private International Law | Real Property

EMPLOYMENT & INDUSTRIAL

Confidential Information | Restraint of Trade

INTELLECTUAL PROPERTY

Confidential Information

TORT LAW

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

PUBLIC LAW

Aged Care | Commissions & Inquiries | Planning & Local Government | White Collar Crime

In 2023-24, Andrew acted for the Deputy Prime Minister and Minister for Defence, the Hon. Richard Marles, and the Minister for Veterans Affairs and Defence Personnel, the Hon. Matt Keogh, in the *Royal Commission into Defence and Veteran Suicide*.

Andrew has appeared in the High Court, State Supreme and subordinate courts, international arbitrations, administrative tribunals, commissions and inquiries.

Andrew was called to the Bar in 2008, having previously practised as a solicitor at Allens Linklaters.

Liability limited by a scheme approved under the Professional Standards Legislation

Recent Cases

RECENT JUDGMENTS AND MATTERS

Dar-Alawda (Wendel Street) Community Centre Inc v Merri-bek City Council [2024] VSCA 214

Dar-Alawda (Wendel Street) Community Centre Inc v Merri-bek City Council [2023] VSC 433

Krapivensky v Brodsky [2023] VSC 591

Centurion Australia Investments Pty Ltd v APM Group (Aust) Pty Ltd [2023] VSCA 324

Harman v Coram Investments Pty Ltd [2023] VCC 1187

Centralnic Ltd v Webcentral Group Ltd [2023] VCC 2374

Courtney v Maguire: Maguire v Courtney [2023] VCC 2280

Viterra BV v Shandong Ruyi Technology Group Co Ltd [2022] FCA 215

Creative Smiles Pty Ltd & Anor v Ekeru Dental Pty Ltd & Anor [2022] VCC 2281

Rio Tinto Shared Services Pty Ltd v English Datasystems LLC [2021] VSC 666

Flageul v WeDrive Pty Ltd [2021] HCASL 213 M48/2021

Flageul v WeDrive Pty Ltd (2021) 285 FCR 255; [2021] FCAFC 102

Flageul v WeDrive Pty Ltd [2020] FCA 1666

Dependable Care Pty Ltd v Department of Families, Fairness and Housing [2021] VCAT 617

Chatham v Coral Park Pre-training & Breaking Pty Ltd [2020] VSC 814

PC Case Gear Pty Ltd v Instrat Insurance Brokers Pty Ltd (In Liq) (2020) 379 ALR 732; (2020) 142 ACSR 561; [2020] FCA 137

Mercedes Mortgage Management v Chang Su Yi [2020] VSC 657

Carret Nominees Pty Ltd v John Terracall & Ors and related proceedings (S ECI 2020 00942; S ECI 2018 01199; SCI 2018 2005; SCI 2016 02187; S CI 2016 04936; S PRB 2016 06981) leading R. Glavas.

Sentient Vision Systems Pty Ltd v Simon Olsen & Ors (S ECI 2021 04898)

Danbol Pty Ltd v ACN 007 198 343 Pty Ltd (formerly known as Griffiths Goodall Insurance Brokers Pty Ltd) (S ECI 2020 04677)

Auspro Constructions & Ors v Bunnings Group & Anor (CI 20 02324)

Providoor (Aus) Pty Ltd v The Fruit Box Group Pty Ltd

GENERAL COMMERCIAL LAW (CONTRACT, EQUITY, TRUSTS, PROPERTY, DIRECTORS DUTIES, SHAREHOLDER REMEDIES, OPPRESSION, CORPORATIONS, MISLEADING & DECEPTIVE, NEGLIGENCE, PROFESSIONAL LIABILITY, ASX RULES)

In the matter of Netalliance Pty Ltd & auDA (administrator of Australia's top level domain) (VID708/2020)

Talitha Passey v Leigh Wallis & Ors (QUD396/2020)

Synergy Audio Visual Pty Ltd v Soundvision Technologies LLC (CI 20 02244)

In the matter of an application pursuant to s 49(1) of the Property Law Act 1958 (Vic) between Yang Wu and Jack Molinaro & Anor (SECI 2019 05607)

Sam Williams Equestrian Pty Ltd v RegProm Marketing & Promotions Pty Ltd (NSWSC 2019/37593)

Silvans Services Pty Ltd v Shining Knight Facility Services Pty Ltd (CI 19 02019)

DLA Piper Australia v Triclops Technologies Pty Ltd (CI 19 00501)

K&K Industries (Aust) Pty Ltd v Fonda (Aust) Pty Ltd & Ors (CI 19 02749)

Sportzcom Australia Pty Ltd v Ekeru Dental Pty Ltd [2018] VCC 398

Lawson-Kendall v Carr & Anor [2018] VCC 1106

In the matter of Corporate Aircraft Charter Pty Ltd between Steven Carter and Coprate Aircraft Charter Pty Ltd (S ECI 2018 01999)

Australian United Retailers v Paul Anthony Job & Ors (S ECI 2018 00673)

In the matter of Turnbull Hire Drive Pty Ltd between C&S Turnbull Nominees Pty Ltd and David Turnbull Nominees Pty Ltd & Ors (S ECI 2018 02171)

Collins Wentworth Pty Ltd v Deliver Group Pty Ltd (CI 18 03227)

Shanghai Lanfen Commercial Factoring Co Ltd v Weizin Dai (SCI 2017 03894)

James Rapita v Ovation Real Estate Pty Ltd (SCI 2017 01568)

Proride Services Pty Ltd v Pro-Ride Racing Australia Pty Ltd & Ors (CI 17 06137)

Sandra Smith v Wohr Parking Systems Australia Pty Ltd & Ors (CI 17 03841)

B J Bearings Pty Ltd v William Robert Whitehead & Ors (S ECI 2016 000077)

Wilson Parking Australia 1992 Pty Ltd v Wharf Street Nominees Pty Ltd (S ECI 2016 001210)

Care Park Pty Ltd v Ekeru (Box Hill Development) Pty Ltd (S ECI 2016 001272)

Commonwealth Bank of Australia v Ruffy Steeden Pty Ltd & Ors (SCI 2016 01451)

Adam Francis & Ors v Blue Rock Melbourne Pty Ltd & Ors (SCI 2016 02432)

Physiohealth (Vic) Pty Ltd v Michael Coppo & Anor (SCI 2016 05067)

CUB Pty Ltd t/as Carlton United Breweries v Rancho Notorious Pty Ltd & Anor (SCI 2016 3449)

Sinfiorosa v Australia and New Zealand Banking Group Limited (VCAT C4509/2016)

Wilson & Anor v Tisdale & Ors (VCAT BP1732/2016)

Best & Less Travel Pty Ltd v Aaren Pty Ltd & Anor (NSWSC 2015/00314225)

Connolly Environmental Pty Ltd v Foscari Holdings Pty Ltd [2015] VCC 1430

Stojanovski & Anor v Sackl (CI 15 03152)

Quatius Australia Pty Ltd v Transtar International Freight (Aust) Pty Ltd (SCI 2014 1562)

Bridge Bar Investments Pty Ltd & Anor v Dog At The Bridge Pty Ltd & Ors (SCI 2014 04877)

Cummins South Pacific Pty Ltd v Deliver Australia Pty Ltd (SCI 2014 3922)

Valiant Enterprises Pty Ltd v BHL Services Pty Ltd (CI 14 02900)

Melbourne Plasterboard Pty Limited v Prostruct Construction Pty Limited (in liq) (SCI 2013/06117)

Cossari Smith Pty Ltd v P Value Pty Ltd & Ors [2013] VSC 397

In the matter of an application under s 148 of the VCAT Act 1998 between Debra Xiem Ten and Phuong Pho (S CI 2013 01677)

Walter v Tibak (CI 12 04100)

Sibonna Nominees Pty Ltd v Evangelos Vouza & Anor (S APCI 2011 0110)

COMMISSIONS, REGULATORY AND TRIBUNALS

Commissions: Royal Commission into Misconduct in the Banking, Superannuation and Financial Services Industry

Competition: Advised Rio Tinto in respect of the Mt Newman, Goldsworthy, Hamersley and Robe Railway services access applications pursuant to Part IIIA of the Trade Practices Act 1974 *In the matter of Fortescue Metals Group Limited* [2010] ACompT 2

Prosecutions: *Australian Securities Investments Commission v AGM Markets Pty Ltd & Ors* (VID126/2018) (financial services licence, foreign exchange trading)

ASIC v Green Diesel Corp Ltd (SCI 2012 7000) (managed investment schemes)

Building/cladding: *Alan Lorenzini & Anor v Victorian Building Authority* (VCAT Z889/2019); *Alan Lorenzini & Anor v Victorian Building Authority* (S ECI 2019 04901)

Transport: Advised and appeared in the 18 month inquiry by Transport Safety Victoria into El Zorro Transport Pty Ltd before the Department of Transport

Gambling: Advised and appeared in *Victorian Commission for Gambling Regulation v Eskander's Betstar Pty Ltd* proceedings and for Tabcorp and its subsidiary Luxbet Pty Ltd in proceedings brought by the Victorian Commission for Gambling Regulation

Pharmaceutical: Advised *Fourth One Pty Ltd trading as Adore Beauty Pty Ltd* on pharmaceutical regulatory schemes throughout Australia including in relation to liabilities and obligations regarding Therapeutic Goods Australia

Crown Lands: *Kingston City Council v Leon Pompei* (SCI 20165 03416)

COMPETITION AND CONSUMER LAW

Berry & Ors v Australian Pacific Touring Pty Ltd and Forman & Ors v Australian Pacific Touring Pty Ltd (VID 204/2017, VID 207/2017) led by K. Wilson KC.

Pentarch Holdings Pty Ltd v MTX Australia Pty Ltd (led by J. Wilson K.C.)

A1 Fabrics Pty Ltd v Zatica Alison & Ors and related proceedings

Advised *Reece Australia Ltd* in relation to consumer protection obligations and liabilities

INSURANCE

Advised the *Victorian WorkCover Authority (WorkSafe)* on questions related to proposed legislative amendments to the *Occupational Health and Safety Act 2004*, *Dangerous Goods Act 1985* and *Equipment (Public Safety) Act 1994* regarding the insertion of new offences to prohibit certain insurance and indemnity arrangements that provide coverage for fines and penalties under those Acts.

In the matter of the will of Inna Narodowski; In the matter of an application under section 31(1) of the Wills Act 1997 between Vivian Nadir (in her capacity as executor of the estate of Inna Narodowski) and Ronda Major (S PRB 3163 2019)

Rhett Mayo v 8 Cats Pty Ltd (CI 19 02089)

Advised and appeared for *GIO Australia Pty Ltd* in relation to various claims in negligence in the Supreme Court of Victoria and the County Court of Victoria. For example, *Bradley John Lorey & Anor v Braemar Industries Pty Ltd No* (CI 13 00413) led by A. Kelly KC.

Alan Richard Orchard & Rebecca Michelle Orchard v Brivis Climate Systems (CI 14 00413)

Clayton Roy Speers and Natasha Anne Speers v Electrolux Home Products Pty Ltd (Supreme Court of Tasmania No 48 of 2012)

INSOLVENCY

Advised *Bradbury Industrial Services Pty Ltd* (ACN 121 279 847)

In the matter of Cheng Sheng Enterprises Pty Ltd ACN 141 889 974 (VID850/2019)

Geoffrey Handberg in his capacity as liquidator of Geelong Tyre Wholesalers (in liq) v Superior Tyres Pty Ltd & Anor (CI 17 02473)

In the matter of Golden Heritage Golf Pty Ltd (in liq) (receivers and managers appointed) (SCI 2014 02828)

SY Financial Services Pty Ltd v Risk Business Pty Ltd Pty Ltd SCI (2014 2213)

David Anthony Ross in his capacity as liquidator of B3Bond Pty Ltd (In liq.) v Michael Gavan Bennett & Anor (SCI 2013 06622)

In the matter of Marfranks Investments Pty Ltd (in liq.), Brent Leigh Morgan (As liquidator) (SCI 2013 4791)

Eletterbox Pty Ltd; Commonwealth Bank of Australia v NAP Group Pty Ltd; Jacaranda Cooperative Housing Society Limited v Poljakovic; and Oceltip Group Affairs Pty Ltd v Eastwood (Aust) Pty Ltd (2013/59883)

ARBITRATION

Sino Group International Ltd and Beijing Yingqidi Education and Technology Corporation Limited v Toddler Kindy Gymparoo Pty Ltd (International Arbitration – Resolution Institute ARB 2018/20)

MAJOR FRAUD

Main-Road Property Group Pty Ltd v Pelligra and Sons Pty Ltd ([2010] VSC 5; (No 4) [2010] VSC 27) (led by D. Meagher KC.)

PLANNING

Beachley Street Pty Ltd (ACN 104 812 231) v Commonwealth of Australia & Anor (SCI 2014 2014 03294) led by J Gleeson KC.

CLASS ACTIONS

Bradley Hudson & Ors v Commonwealth of Australia (Department of Defence) (NSD 1908/2016 & NSD 1155/2017)

PRIVATE INTERNATIONAL LAW

Weimin Yan & Anor v Heng Zhang & Third Parties (SCI 2015 03944)

MAJOR TORTS

Stuart v Kirkland –Veenstra (2009) 237 CLR 215 (led by M. Wheelahan KC.)

Memberships

Victorian Bar - Commercial Bar Association