

Benjamin Ryde



Ben Ryde has a broad commercial law practice with a focus on corporations, insolvency, tort, contract, trade practices, restitution and class actions

QUALIFICATIONS

Bachelor of Laws (Hons)(Mon)
Bachelor of Business Systems
(Mon)

CORRESPONDENCE

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CHAMBERS

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COMMERCIAL LAW

Appellate | Aviation | Banking & Finance | Bankruptcy | Building & Construction | Class Actions | Commercial Arbitration | Competition | Consumer Credit | Consumer Law | Contractual Disputes | Corporate Insolvency | Corporations & Securities | Energy & Resources | Equity & Trusts | Insurance | Real Property | Residential & Retail Tenancies | Sports Law | Superannuation

EMPLOYMENT & INDUSTRIAL

Appellate | Employment Contracts | Restraint of Trade

TORT LAW

Appellate | Class Actions | Commissions & Inquiries | Common Law | Major Torts | Negligence | Personal Injury | Product Liability | Professional Negligence

Ben has appeared (unled) in trials in the Federal Court, the Supreme Court, the County Court and VCAT. He has also been briefed to provide written advice on a range of matters relating to corporate and commercial law.

Prior to joining the Bar, Ben practised as a commercial litigator with Linklaters in London (2011-2013) and with Allens in Melbourne (2007-2011). Ben was an associate to the Honourable Justice Sundberg of the Federal Court (2009-2010) where he worked on a number of high profile commercial cases.

Ben holds a Bachelor of Laws (Honours) and a Bachelor of Business Systems from Monash University. Ben is also completing a master of laws at the University of Melbourne.

Please see below for a list of Ben's recent cases.

Liability limited by a scheme approved under Professional Standards legislation

Recent Cases

COMMERCIAL LAW

Acting for CIMIC Group in Federal Court representative proceedings issued against it by Miciulis Superannuation Fund (Phi Finney McDonald) for alleged breaches concerning disclosure of cash flow information and investments in the Middle East (led by Jeremy Stoljar SC, ongoing).

Acting for company in VSC proceeding defending a claim arising from alleged guarantee of a capital raising (led by Philip Crutchfield QC, ongoing).

Acting for company in NSWSC proceedings seeking indemnity against various insurers (led by Michael Jones SC, ongoing).

Acting for companies associated with Simon Pitard and the Steller Construction Group in various VSC proceedings concerning security deeds, trust property and trustees' rights of indemnity: *Pitard Consortium Pty Ltd v Les Denny Pty Ltd & Ors* (2019) 58 VR 524, [2019] VSC 640; related proceedings: *Pitard v One Managed Investment Funds Ltd* [2020] VSC 666 (led by David Collins QC).

Acting for former partner of accounting group in various VSC proceedings concerning allegations of breach of duties by another partner: *Chickabo Pty Ltd & Ors v Zphere & Ors* [2019] 57 VR 406, related proceeding: [2019] VSC 580 and [2020] VSC 556 (unled).

Acting for company seeking indemnity in Supreme Court proceeding against various insurers (led by Matt Collins QC and Justin Graham).

Acting for an industry superannuation fund in the Royal Commission into Misconduct in the Banking, Superannuation and Financial Services Industry.

Acting for CIMIC Group in Federal Court representative proceedings issued against it for alleged breaches concerning foreign bribery (Maurice Blackburn acting for applicant) (led by Charles Scerri QC and Stephen Parmenter). *Inabu Pty Ltd atf Alidas Superannuation Fund v CIMIC Group Ltd* [2019] FCA 1480.

Acting for a company in a Supreme Court proceeding defending an unfair preference claim (led by Philip Crutchfield QC).

Acting for a listed company in a transfer pricing dispute (led by David Bloom QC, Kristen Deards and Eugene Wheelahan).

Acting for a company in a proceeding in the WA Supreme Court alleging breaches of contract and the consumer law.

Acting for real estate partnership in a Supreme Court proceeding alleging breaches of fiduciary duty and statutory director's duties against former partner (led by David Collins QC).

Acting for group of companies in a Supreme Court proceeding alleging breaches of equitable and general law duties by former directors (led by Kevin Lyons QC and Justin Tomlinson).

Acting for minority shareholder alleging oppression and seeking interlocutory and final relief in the Supreme Court to prevent board resolution declaring a preferential dividend (led by Bernie Quinn QC).

Acting for purchaser in sale of business alleging misleading and deceptive conduct (led by Matt Collins QC and Stephen Parmenter).

Acting for Leighton Holdings in VSC representative proceeding brought by Melbourne City Investments Pty Ltd: [2015] VSCA 235 (led by Charles Scerri QC and Stephen Parmenter).

Acting for company in two related Supreme Court proceedings brought against former senior employees for breaches of restraint of trade, confidentiality and implied duties of employment (led by Rodney Garratt QC).

Assisting on matter for Australian Super in Supreme Court proceedings against the Future Fund alleging breach of contract and misleading conduct in relation to valuation given to assets in the context of pre-emptive rights existing in relation to certain assets (led by Matthew Connock QC and Nick De Young).

Various proceedings in VSC, County Court and Federal Court concerning shareholder oppression and valuation.

Various interlocutory applications concerning legal professional privilege, injunctions, pleadings and discovery.

Memberships

Victorian Bar - Commercial Bar Association