

## Patrick Noonan



Patrick Noonan has an extensive commercial and administrative law practice

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### QUALIFICATIONS

Bachelor of Laws (Hons)(Melb)

Bachelor of Science (Physics)(Melb)

### CORRESPONDENCE

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### CHAMBERS

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### COMMERCIAL LAW

Appellate | Banking & Finance | Bankruptcy | Consumer Law | Contractual Disputes | Corporate  
Insolvency | Corporations & Securities | Equity & Trusts | Insurance | Real Property | Residential & Retail  
Tenancies

### TORT LAW

Common Law | Professional Negligence

### PUBLIC LAW

Administrative Law | Appellate | Commissions & Inquiries | Judicial Review

Patrick has an extensive commercial and administrative law practice, appearing both unled and with senior counsel. His main areas of practice in commercial matters include commercial contract disputes, *Corporations Act*, *Australian Consumer Law*, insolvency and property law.

In administrative law, Patrick has appeared in proceedings regarding, among other matters, therapeutic goods regulation, the ATS Scheme (and the predecessor ACIS Scheme) and the wholesale gas market.

*Liability limited by a scheme approved under Professional Standards legislation*

## Recent Cases

### COURT OF APPEAL

Adventure Golf Systems Australia Pty Ltd v Belgravia Health & Leisure Group Pty Ltd [\[2017\] VSCA 326](#) (contract; fiduciary duties)

P-Value Pty Ltd v William McNee & Ors [\[2016\] VSCA 223](#) (misleading & deceptive conduct)

Legend International Holdings Inc (in liq) v Indian Farmers Fertiliser Cooperative Limited [\[2016\] VSCA 151](#) (winding up; cross-border insolvency)

Zhan & Ors v Haijing [\[2013\] VSCA 315](#) (appellant seeking stay of judgment)

Total Gas Care Pty Ltd v Barry Bros Specialised Services Pty Ltd [\[2012\] VSCA 303](#) (appeal from summary judgment order; leave to rely on new material; solicitor client costs against successful appellant)

### SUPREME COURT OF VICTORIA

FF (R & D) Pty Ltd v ASIC [\[2017\] VSC 482](#) (company reinstatement)

K J & B Flanders Pty Ltd v South Gippsland Shire Council [\[2016\] VSC 786](#) (summary dismissal & strike out)

P-Value v Vicland Group & Ors (No 2) [\[2016\] VSC 318](#) (commercial or statutory interest rates, costs and contribution claims)

Legend International Holdings Inc (as debtor in possession of the assets of Legend International Holdings Inc) v Legend International Holdings Inc [\[2016\] VSC 308](#) (winding up; cross-border insolvency)

City of Boroondara v Verrocchi [\[2015\] VSC 525](#) (appeal from Magistrates Court)

Dimopoulos & Anor v Unafood & Ors [\[2014\] VSC 327](#) (injunctions; Corporations Act, oppression)

Re Krypton Nominees Pty Ltd; Krypton Nominees v Gutnick & Anor [\[2013\] VSC 446](#) (misleading & deceptive conduct; breach of Corporations Act Ch 6D disclosure obligations)

Yesodei Hatorah College Inc v Trustees of the Elwood Talmud Torah Congregation [\[2011\] VSC 622](#) (arbitration; powers of arbitrator). Also appeared in the underlying arbitration before Alan Goldberg AO KC regarding equitable leases.

Sacks v Klein [\[2011\] VSC 451](#) (real property; equity; tenancies in common)

Cohen v State of Victoria & Ors (No 2) [\[2011\] VSC 165](#) (group proceedings; procedure; abuse of process); also (No

3) [\[2011\] VSC 229](#) (costs)

Beluga Developments Pty Ltd v Sobel Investments Pty Ltd & Anor [\[2010\] VSC 303](#) (security for costs)

Calderone v Perpetual Trustees Victoria Ltd [\[2008\] VSC 373](#) (real property; mortgages; contract)

Scientific Product Developments Pty Ltd v Monash University [\[2008\] VSC 190](#) (contract; injunctions)

#### COUNTY COURT OF VICTORIA

Taranto v Lopes & Lopes [\[2017\] VCC 1613](#) (loan & guarantee; Garcia defence)

Adventure Golf Systems Australia Pty Ltd v Belgravia Health & Leisure Group Pty Ltd [\[2017\] VCC 185](#) (contract; fiduciary duties); also (No. 2) [\[2017\] VCC 274](#) (costs)

Haijing v Zhan & Ors [\[2013\] VCC 1261](#) (misleading & deceptive conduct; breach of contract)

Australian Scholarships Group v Zhang [\[2011\] VCC 455](#) (mortgages; unconscionable conduct)

#### FEDERAL COURT OF AUSTRALIA (INCLUDING FULL COURT)

Automotive Components Limited (Receivers and Managers appointed) (in liquidation) v Secretary, Department of Industry and Science(2016) 237 FCR 468; [\[2016\] FCAFC 6](#) (appeal from decision of the AAT regarding a decision under the *Automotive Transformation Scheme Act*)

Robert Bosch (Australia) Pty Ltd v Secretary, DIISRTE (2012) 206 FCR 92; [\[2012\] FCAFC 117](#) (appeal from decision of single judge regarding a decision under the *ACIS Administration Act*)

Swisse Vitamins Pty Ltd v The Complaints Resolution Panel (2012) 203 FCR 481; [\[2012\] FCA 536](#) (ADJR review of a decision under the *Therapeutic Goods Act*)

Robert Bosch (Australia) Pty Ltd v Secretary, Department of Innovation, Science and Research (2011) 197 FCR 374; [\[2011\] FCA 1133](#) (appeal from decision of the AAT)

Szencorp Pty Ltd v Clean Energy Council Ltd (2009) 69 ACSR 365; [\[2009\] FCA 40](#) (corporations; oppression)

Szencorp Pty Ltd v Clean Energy Council Ltd (No 2) [\[2009\] FCA 196](#) (costs; Calderbank offers)

#### TRIBUNALS

Rich River Developments Pty Ltd v Cusmano [\[2017\] VCAT 765](#) (lease dispute)

Automotive Components Limited (Receivers and Managers Appointed) (In Liquidation) and Secretary, Department of Industry and Science [\[2015\] AATA 79](#) (administrative law; review of deregistration of participant under the *Automotive Transformation Scheme Act*)

Robert Bosch (Australia) Pty Ltd and Secretary, Department of Innovation, Industry, Science and Research (2010) 119 ALD 208 [\[2010\] AATA 983](#) (administrative law; customs duty rebates under the *ACIS Administration Act*)

Cook v Holmesglen Institute of TAFE (Civil Claims) [\[2010\] VCAT 1808](#)

Miao v Warsame (Retail Tenancies) [\[2010\] VCAT 955](#)

Mazzeo v Georges (Legal Practice) [\[2008\] VCAT 1610](#)

#### COMMISSIONS & INQUIRIES

Royal Commission into Institutional Responses to Child Sexual Abuse [\(2017\) Case Study 53. Yeshivah Centre Melbourne & Yeshiva College Bondi](#)

Royal Commission into Institutional Responses to Child Sexual Abuse [\(2015\) Case Study 32. Geelong Grammar School](#)

Royal Commission into Institutional Responses to Child Sexual Abuse [\(2015\) Case Study 22. Yeshivah Centre Melbourne & Yeshiva College Bondi](#)