

## 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.

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### 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 also has more than 10 years' experience acting in public interest environmental litigation, in particular concerning forestry.

Rebecca was a Senior Associate in the Litigation and Dispute Resolution Department at Baker & McKenzie Melbourne and was also seconded to that firm's London office. During her time at that firm she worked exclusively in litigation and dispute resolution.

Rebecca undertook her articles at Allens Arthur Robinson (as it then was). She was also an associate to the Honourable Justice Buchanan in the Court of Appeal of the Supreme Court of Victoria.

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

## Recent Cases

### CLASS ACTIONS

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

*McNickle v Huntsman Chemical Company Australia Pty Ltd & Ors* (led by Jack Rush KC and Melanie Szydzik): 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 Kamasae v The Commonwealth of Australia & ors](#) (led by David Curtain KC, Georgina Costello KC, 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).

*Monash IVF Pty Ltd v Dr Lynne Burmeister* (led by Jon Davis KC): restraint of trade (Supreme Court of NSW).

*National Australia Bank Ltd v Seward & Seward* (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

[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 KC): 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