

Penny Neskovcin Barrister

List A Barristers

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Areas of Practice

- Arbitration
- Class Actions/Representative Proceedings
- Commercial Law
- Competition/Market Conduct
- Corporations & Securities
- Equity & Trusts
- Partnership Law
- Professional Negligence
- Trade Practices & Consumer Protection
- Banking & Finance
- Bankruptcy
- Corporate Insolvency & Reconstruction
- Managed Investment Schemes
- Building Construction & Engineering
- Administrative Law
- Stamp Duty
- Superannuation
- Taxation & Revenue

Educational Qualifications

BEc; LLB (Hons)

Key Matters

Cases

Clarke & Ors v Great Southern Finance Pty Ltd & Ors (2010) 80 ACSR 219 (Great Southern group proceedings and related actions)

Floriston Nominees Pty Ltd v Kingsley Brown Finance Pty Ltd [2005] VSC 467

Harrison Ford Pty Ltd v Ford Motor Company of Australia Limited [2008] VSC 235

Orpen v Tarantello [2009] VSC 143

Owies v Ozimek [2010] VCC 488

Oxford Funding Pty Ltd v Oxford Asia Pacific Investments Pty Ltd (No 2) [2006] FCA 1542

Kermani v Westpac Banking Corporation [2012] VSCA 42

Re Poly Pacific Pty Ltd [2013] VSC 670

Rimslow Global Pty Ltd v Australian Trade Commission [2008] AAT 555

SC Capital Pty Ltd v Primebroker Securities Ltd [2011] VSC 565

Traditional Values Management Limited (in lig) v Taylor & Ors [2012] VSC 299

Victoria Aircraft Leasing Limited & Ors v United States & Ors; Victoria Aircraft Leasing Limited & Ors v Wells Fargo Bank (2005) 12 VR 340

Winky Pop Pty Ltd v Mobil Refinery Australia Pty Ltd [2013] VSC 315

Administrative Law

Kapitany v Commonwealth of Australia [2006] FCA 111

Ogawa v The University of Melbourne (No 2) [2004] FCA 1275

R v Doogan [2005] ACTSC 74 (arising out of the Inquests and Inquiry into Four Deaths and Canberra Fires between 8 and 18 January 2003).

Stonnington City Council & Anor v Roads Corporation & Anor (2010) 177 LGERA 157

Building and Construction

Allied Property Projects Pty Ltd v NK Investments Pty Ltd [2008] VCC 720

Blaszczyk v Dawn to Dusk Building Services Pty Ltd [2010] VCAT 249

Brady Constructions Pty Ltd v Everest Project Developments Pty Ltd [2009] VCAT 720

620 Collins Street Pty Ltd v Abigroup Contractors Pty Ltd (No 2) [2006] VSC 491

E A Negri Pty Ltd v Technip Oceania Pty Ltd [2010] VSCA 44

Mackie & Staff Pty Ltd v Glengollan Village for Aged People [2007] VSC 201

Panama Lane Pty Ltd v TT Drafting [2006] VCC 1873

Rosenthal Munckton & Shields Pty Ltd v McGregor [2004] VCAT 2429

Saizeriya Co Ltd & Anor v Peregrine Management Group Ltd Pty & Ors [2005] FCA 1174

Swintons Pty Ltd v Age Old Builders Pty Ltd [2005] VSCA 217

Corporations

Australian Securities and Investments Commission v GE Capital Finance Australia [2014] FCA 701

Fowler v Lindholm, in the matter of Opes Prime Stockbroking Limited (2009) 74 ACSR 124

Re Poly Pacific Pty Ltd [2013] VSC 670

Insolvency

Webster Re Willmott Forests Ltd (Receivers and managers appointed) (Administrator appointed) v Fernandez [2012] FCA 82

Taxation and Revenue

Commissioner of State Revenue v Australian Property Custodian Holdings Ltd (2010) 80 ATR 428

Fallaw v Commissioner of State Revenue [2014] VCAT 199

Kyriacou v Commissioner of State Revenue [2011] VCAT 640

Lim v Commissioner of State Revenue [2012] VCAT 1469

Mauro v Commissioner of State Revenue [2010] VCAT 1207

Shafer v Commissioner of State Revenue [2011] VCAT 277

Trade Practices

Australian Competition and Consumer Commission v Allergy Pathway Pty Ltd [2009] FCA 960

Australian Competition and Consumer Commission v Artorios Ink Pty Ltd [2013] FCA 753 and 1292

Australian Competition & Consumer Commission v Leahy Petroleum Pty Ltd (2007) 160 FCR 321

Australian Competition & Consumer Commission v Mitsubishi Electric Australia Pty Ltd [2013] FCA 1413

Lansell Enterprises Pty Ltd v Kleenmaid Pty Ltd [2006] FCA 1701

Sydney Airport Corporation Limited v Australian Competition Tribunal & Ors [2007] HCATrans 98

Toll Holdings Ltd v Australian Competition and Consumer Commission (2009) 256 ALR 631

Superannuation

Ansett Australia Flight Engineers Superannuation Plan Pty Ltd v Ansett Australia Limited [2004] VSC 18

Carney v Australian Super Pty Ltd [2010] VCC 583