

## Alexandra Folie



Alexandra Folie advises and appears in a broad range of commercial disputes

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### QUALIFICATIONS

Master of Laws (NYU)  
Bachelor of Laws (Hons)(Melb)  
Bachelor of Commerce (Econ)(Hons) (Melb)

### CORRESPONDENCE

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### CHAMBERS

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### COMMERCIAL LAW

Appellate | Banking & Finance | Class Actions | Commercial Arbitration | Competition | Contractual Disputes | Corporate Insolvency | Corporations & Securities | Equity & Trusts | Insurance | Private International Law | Real Property | Superannuation | Regulatory Investigations

### TORT LAW

Appellate | Class Actions | Major Torts | Negligence

Alexandra's particular expertise includes corporations and securities, banking and finance, insolvency, property, and equity and trusts.

Before joining the bar, Alexandra was a senior associate in the litigation department at Ashurst (formerly Blake Dawson), where she practised for approximately six years. Alexandra also previously worked in the legal department of the International Monetary Fund in Washington DC, where she worked on governance matters and country lending programs.

Alexandra holds a Master of Laws from New York University, where she specialised in international litigation, arbitration, conflict of laws and international economic law.

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

## Recent Cases

### CLASS ACTIONS

Thomas v a2 Milk Company Ltd: representing the applicant shareholders in a Supreme Court securities class action (ongoing) (led by Rachel Doyle SC) (e.g. [\[2022\] VSC 725](#) (jurisdiction); [\[2022\] VSC 319](#) (consolidation); [\[2023\] VSC 768](#) (GCO)).

Janssen v OnePath Custodians Limited & Ors: representing the applicant members of a superannuation fund in a Federal Court group proceeding against the superannuation trustee and ANZ (ongoing) (led by Kristine Hanscombe KC) (e.g. [\[2024\] FCA 497](#)).

Preece v Aristocrat Leisure Ltd: representing the applicant in a class action seeking recovery of moneys paid for playing online social casino games (ongoing) (led by William Edwards KC).

Toner v Cudeco Ltd (receivers and managers appointed) (in liq): acting for a respondent director in a Federal Court securities class action (ongoing) (unled).

Miciulus Superannuation Pty Ltd v CIMIC Limited: representing the applicant shareholder in a Federal Court securities class action (ongoing) (led by Matthew Darke SC).

Kayler-Thomson v Colonial First State Investments Limited & Ors: representing the applicant members of superannuation funds in a Federal Court group proceeding against the superannuation trustees and CBA (ongoing) (led by Peter Collinson KC) (e.g. [\[2021\] FCA 854](#), [\[2023\] FCA 606](#) (joint privilege))

Krieger v Colonial First State Investments Limited: represented the applicant members of a superannuation fund in a Federal Court group proceeding against the trustee (settled prior to trial) (led by William Edwards KC).

Clime Capital Limited v UGL Pty Ltd [\[2020\] FCA 66](#): represented the applicant shareholders in a Federal Court shareholder class action (led by Rachel Doyle SC).

Kelly & Ors v Willmott Forests Limited (in liq) & Ors: acted for Willmott Forests (in liquidation) in defending class action proceedings in the Federal Court (with Robert Craig and Kane Loxley).

### COMMERCIAL MATTERS

Selak v National Tiles [\[2024\] VSC 438](#): represented the defendants in a Supreme Court trial for breach of contract and inducing breach of contract (appeal filed) (led by Philip Solomon KC) (see also [\[2023\] VSC 446](#) (privilege); [\[2024\] VSC 409](#) (leave to reopen); [\[2024\] VSC 431](#) (stay application); [\[2024\] VSC 504](#) (costs)).

Lawrence v Melbourne Football Club Ltd [\[2024\] FCA 945](#): acted for the plaintiff in an oppression proceeding in relation to the conduct of board elections of the Melbourne Football Club (led by Jim Peters KC).

Re Connective Services Pty Ltd [\[2018\] VSCA 229](#), [\[2017\] VSC 609](#): represented the defendant companies at trial and on appeal in a derivative leave application (led by Allan Myers AC KC and Bernie Quinn KC).

DC Payments v Vic Hotels & Ors: acted for the plaintiff company in Supreme Court proceedings for inducing breaches of contract (led by Sam Horgan KC) (e.g. [\[2015\] VSCA 101](#), [\[2014\] VSC 535](#)).

Madden International v Lew Footwear [\[2015\] VSCA 90](#): acted in an appeal concerning the test for making an overseas defendant amenable to the Supreme Court's jurisdiction (led by Rodney Garratt KC).

## REGULATORY MATTERS

ASIC v Vanguard Investments Ltd [\[2024\] FCA 308](#) (liability judgment) and [\[2024\] FCA 1086](#) (penalty judgment): represented the defendant in civil penalty proceedings for "greenwashing" misleading and deceptive conduct (led by Philip Solomon KC).

ASIC v Lanterne Fund Services Pty Ltd [\[2024\] FCA 353](#): represented ASIC in civil penalty proceedings against an AFSL holder for breaches of s 912A(1) of the Corporations Act (led by Bernie Quinn KC).

ASIC v Mooney (01/Vic22): acted for ASIC in application against an auditor to the Companies Auditors Disciplinary Board (led by Penelope Neskovic KC).

ASIC v Westpac Banking Corporation [\[2022\] FCA 515](#): acted for ASIC in an application for civil penalty orders against Westpac in relation to management of accounts of deregistered companies (led by Philip Solomon KC).

ASIC v Colonial First State Investments Limited [\[2021\] FCA 1268](#): acted for ASIC in an application for civil penalty orders and other relief against Colonial First State (led by Suresh Senathirajah QC)

ASIC v BT Funds Management Limited [\[2021\] FCA 844](#): acted for ASIC in an application for civil penalty orders and other relief against BT and Asgard for misleading and deceptive conduct (led by Claire Harris KC).

ASIC v MyWealth Manager Financial Services [\[2019\] FCA 2107](#): acted for a defendant in successfully resisting ASIC's application for the appointment of receivers (unled).

ASIC v NSG Services Pty Ltd: acted for ASIC in a test case about the operation of the FoFA best interests legislation; construction of s 961B, s 961G and s 961L of the Corporations Act 2001 (led by Bernie Quinn KC).

Unled hearings and applications in the Supreme Court of Victoria, Federal Court of Australia and County Court of Victoria.

## Memberships

Victorian Bar - Commercial Bar Association

Member of the Readers Course Committee and Executive