

## Clare Exell



Clare practises in commercial litigation

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### QUALIFICATIONS

Bachelor of Laws (Melb)  
Bachelor of Commerce (Melb)

### CORRESPONDENCE

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### CHAMBERS

Aickin Chambers  
Level 23 Room 14  
200 Queen Street  
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### COMMERCIAL LAW

Admiralty & Maritime | Appellate | Banking & Finance | Bankruptcy | Competition | Consumer Law |  
Contractual Disputes | Corporate Insolvency | Corporations & Securities | Energy & Resources | Equity &  
Trusts | Insurance | Real Property | Residential & Retail Tenancies | Class Actions | Consumer Credit |  
Regulatory Investigations | Sports Law | Wills & Probate

### EMPLOYMENT & INDUSTRIAL

Restraint of Trade

### TORT LAW

Defamation | Negligence | Product Liability | Professional Negligence

### PUBLIC LAW

Administrative Law | Environment | Guardianship & Administration | Judicial Review

She has a diverse commercial practice including competition, consumer, property, corporations and securities, environment, maritime, equity and trusts, insolvency, contractual and professional negligence disputes. Clare acts for and against regulators including in compulsory examinations by the ACCC and public examinations by liquidators.

Recent matters in which Clare has acted include:

*ACCC* – investigations in 2021 and 2022 into anticompetitive conduct in the telecommunications industry  
*CDPP v The Country Care Group and Others* – alleged criminal cartel conduct  
*Australian Energy Regulator* – investigations in respect of customer hardship policies  
*McDonald Murholme Pty Ltd v Victorian Radio Network Pty Ltd* [2018] VSC 434 – contractual dispute  
*Country Fire Authority v Hmood Al Ali Al Khalaf Trading* – acting for sub-charterer in maritime dispute  
*ACCC v Olex Australia & Ors* [2017] FCA 222 – alleged electrical cable cartel conduct  
*Hi Quality Quarry Products Pty Ltd v Environment Protection Authority* [2016] VCAT 1445 – licensing dispute  
*Falkingham v Peninsula Kingswood Country Gold Club* [2015] VSCA 16 and *Re Peninsula Kingswood Country Golf Club* [2014] VSC 437 – shareholder oppression  
*Bill Express Ltd (In Liq) v Pitcher Partners & Ors* – professional negligence  
*Re AGL Energy Limited* [2014] ACompT 1 – merger clearance  
*Hi Quality Quarry Products Pty Ltd v Environment Protection Authority and Maddingley Brown Coal Pty Ltd* – 2013 Supreme Court of Victoria landfill levies proceeding

Prior to joining the bar, Clare was a Senior Litigation Lawyer at the Office of Fair Trading (now the Competition and Markets Authority) in London where she worked on competition appeals in the dairy, construction and tobacco industries and on consumer protection enforcement litigation. Prior to practising in the UK, Clare was a Senior Associate in the commercial litigation team at Gadens Lawyers Melbourne.

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## Memberships

Commercial Bar Association