

Eugenia Levine



Eugenia Levine practises in commercial and public law.

QUALIFICATIONS

Master of Laws (Columbia Law School, New York)
Bachelor of Laws (Hons I)(Monash University)
Bachelor of Arts (Monash University)

CORRESPONDENCE

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CHAMBERS

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COMMERCIAL LAW

Class Actions | Commercial Arbitration | Competition | Consumer Credit | Consumer Law | Contractual Disputes | Corporations & Securities | Insurance | Private International Law

EMPLOYMENT & INDUSTRIAL

Industrial Disputes | Restraint of Trade

TORT LAW

Class Actions | Major Torts | Negligence

PUBLIC LAW

Administrative Law | Appellate | Commissions & Inquiries | Judicial Review | Public International Law | Civil & Human Rights

She is recognised as a leading junior counsel in the 2024 Asia Pacific edition of the Legal 500.

Eugenia has particular expertise in class actions, including class action proceedings involving consumer law, major tort and employment law claims. Eugenia's practice also encompasses trade practices matters, commercial arbitration, industrial law matters and judicial review.

Prior to joining the Bar, Eugenia was an Associate at White & Case in London, specialising in complex commercial litigation and international commercial arbitration. Eugenia commenced practice at King & Wood Mallesons (as it is now known), where she worked on a variety of large-scale commercial disputes.

Eugenia holds a Master of Laws from Columbia Law School in New York, and is admitted to the New York Bar. She also holds a First Class Honours degree in Law from Monash University, where she was awarded a number of academic prizes, including the Jeffrey L Sher Prize for Trial Practice and Advocacy.

Eugenia is the Deputy Chair of the Victorian Bar Human Rights Committee and a member of the Class Actions Committee of the Commercial Bar Association.

Liability limited by a scheme approved under the Professional Standards Legislation

Recent Cases

CLASS ACTIONS

Turner v Bayer Australia Ltd [2024] VSC 760 ("Essure class action"; 4-month trial; consumer law claims and negligence claims concerning an implantable medical device)

J Wisbey & Associates Pty Ltd v UBS AG (No 2) [2024] FCA 147 ("foreign exchange" class action, class closure)

ASIC v Noumi Ltd [2024] FCA 862 (intervening in regulatory proceeding in the context of related securities class action; application pursuant to s 1317QF of the *Corporations Act 2001* (Cth))

[*Hassan v State of Victoria*](#) [2023] VSC 478 ("Estate Towers" class action; major torts; settlement approval)

Turner v Bayer Australia Ltd (No 6) [2023] VSC 244 ("Essure" medical device class action, consumer law claims; practice and procedure during trial)

BHP Group Ltd v Impiombato (2022) 405 ALR 402 (Fundao dam securities class action, High Court appeal, foreign resident group members)

[*Fox v Westpac*](#) (2021) 69 VR 487 (junior counsel to contradictor in first group costs order application under s 33ZDA of the *Supreme Court Act 1986* (Vic))

Prygodicz v Commonwealth of Australia (No 2) (2021) 173 ALD 277 ("Robodebt" class action; junior counsel to contradictor on settlement approval)

Stallard v Treasury Wine Estates Ltd [2020] VSC 679 (securities class action, consolidation of proceedings)

TRADE PRACTICES

ASIC v Tzouvelis (No 2) [2023] FCA 1149 (scope of misconduct exception to privilege claims; principles applicable to adoption of referee reports)

ASIC v Tzouvelis [2023] FCA 431 (misconduct exception to privilege claims)

ASIC v Dover Financial Advisers Pty Ltd (No 3) [\(2021\) 150 ACSR 185](#) (pecuniary penalties for systemic contraventions)

[ASIC v Dover Financial Advisers Pty Ltd \(No 2\)](#) (2019) 140 ACSR 635 (misleading or deceptive conduct, scope of declaratory relief)

[ASIC v Dover Financial Advisers Pty Ltd](#) (2019) 140 ACSR 561 (misleading or deceptive conduct)

ASIC v AGM Markets Pty Ltd (No 2) [2018] FCA 1470 (anti-suit injunctions)

ASIC v AGM Markets Pty Ltd (2018) 129 ACSR 335 (provision liquidators)

COMMERCIAL LAW

Ripani v Century Legend Pty Ltd (No 4) [2024] FCA 1211 (re-trial on question of reliance in misleading or deceptive conduct claim; breach of contract claim)

Century Legend Pty Ltd v Ripani [2022] FCAFC 191 (rescission claim; appeal)

[Ripani v Century Legend Pty Ltd](#) [2022] FCA 242 (rescission claim)

Slea Pty Ltd v Connective Services Pty Ltd (2018) 359 ALR 159 (meaning of “financial assistance” in s 260A of the *Corporations Act 2001* (Cth), appeal)

Royal Commission into Misconduct in the Banking, Superannuation and Financial Services Industry (2018) (acting for the General Insurance Code Governance Committee)

COMMERCIAL ARBITRATION

Winslow Constructors Pty Ltd v Head, Transport for Victoria (Costs) (2021) 64 VR 200 (indemnity costs principles in challenges to arbitral awards)

[Winslow Constructors v Head, Transport for Victoria](#) [2020] VSC 790 (application to enforce international arbitral award)

Full Joy Foods Pty Ltd v Australian Dairy Park Pty Ltd [2020] VSC 672 (application to set aside domestic arbitral award)

Degroma Trading Inc v Viva Energy Australia Pty Ltd [2019] FCA 649 (stay of court proceeding; referral of dispute to London-seated arbitration)

Liaoning Zhongwang Group Co Ltd v Alfield Group Pty Ltd [2017] FCA 1223 (challenge to enforcement of arbitral award)

INDUSTRIAL LAW

Australian Federation of Air Pilots v Regional Express Holdings (No 2) [2024] FedCFamC2G 1360 (re-trial; claims

of adverse action and coercion under s 340 and s 343 of the *Fair Work Act 2009*; power to deliver reasons for judgment in accordance with s 440D of the *Corporations Act* when company in administration)

Fair Work Ombudsman v Woolworths Group Ltd [2022] FCA 203 (claims of mass underpayments, ruling on scope of initial trial)

Australian Federation of Air Pilots v Regional Express Holdings Ltd (2021) 290 FCR 239 (claims of adverse action and coercion under the *Fair Work Act 2009*; appeal)

Fair Work Ombudsman v Australian Workers' Union [2020] FCA 60 (pecuniary penalties for admitted contraventions of the *Fair Work Act 2009* (Cth))

Fair Work Ombudsman v Australian Workers' Union (2017) 271 IR 139 (summary judgment application)

Trade Unions Royal Commission (2015) (application for recusal of Commissioner on the ground of apprehended bias)

JUDICIAL REVIEW / APPEALS

Ross v Victoria Legal Aid [2024] VSC 684 (appeal against orders of an Associate Justice)

Brissenden v Victorian Institute of Teaching [2024] VSC 580 (judicial review; construction of provisions of the *Education and Training Reform Act 2006* (Vic))

CIJ23 v Minister for Immigration, Citizenship and Multicultural Affairs [2024] FCA 1128 (judicial review; failure to warn of privilege against self-incrimination)

Ali v Minister for Immigration, Citizenship and Multicultural Affairs [2023] FCA 559 (judicial review; visa cancellation)

Minister for Immigration v CQZ15 (2021) 284 FCR 455 (appeal; apprehended bias)

AB v XYZ Pty Ltd [2019] VSC 788 (appeal; relevant considerations)

Memberships

Victorian Bar – Commercial Bar Association – Class Actions Committee

Victorian Bar - Human Rights Committee - Deputy Chair