

## Kane Loxley



Kane Loxley practises in commercial litigation.

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### QUALIFICATIONS

Master of Laws (Sydney)  
Bachelor of Laws (Dist)  
Bachelor of Arts (Hons) (UWA)

### CORRESPONDENCE

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### CHAMBERS

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### COMMERCIAL LAW

Appellate | Commercial Arbitration | Contractual Disputes | Corporations & Securities | Equity & Trusts

### TORT LAW

Class Actions | Commissions & Inquiries | Inquests

Kane has substantial experience across all aspects of commercial litigation, with a particular focus on class action, regulatory, corporations and securities, and equity proceedings.

He has appeared for and against leading corporations and government at trial and on appeal (including in the High Court of Australia).

He regularly acts for and advises large ASX companies, including each of the major Australian retail banks, BHP, Qantas, Crown, Newcrest, Brambles, James Hardie, Ansell and IAG. He has defended representative proceedings on behalf of PwC, Deloitte and KPMG. He has also been briefed in a number of Royal Commissions and public inquiries.

A list of significant cases can be provided on request.

Kane has been recognised nationally as a leading junior counsel in Doyles' Guide (since 2016), the Australian Financial Review Best Lawyers List (since 2018) and more recently in Chambers and Partners and The Legal 500.

Chambers & Partners (2024): "*Kane Loxley is my go-to junior in Melbourne. He is incredibly sharp, but also commercial, and one of the nicest barristers I have had the pleasure of working with*".

Legal 500 (2024): "*Incredibly talented lawyer. Rare ability to identify and focus upon the critical issues. Great with clients. Great advocate and a pleasure to work with. If he has weaknesses, they are not apparent to me*".

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

## Recent Cases

*Lieberman v Crown Resorts* [2022] VSC 787 (securities class action, acting for Crown)

*Re iSelect Limited* [2022] FCA 1528 (scheme of arrangement, acting for bidder)

[Nawar v Newcrest Mining Ltd](#) [2022] FCA 424 (summary judgment application, acting for Newcrest)

*Ford, Careers Australia Group Ltd (in liq) v Mansfield & Ors* [2022] FCA 173; [2022] FCA 1565 (insolvent trading, acting for non-executive directors)

*ASIC v Commonwealth Bank of Australia* [2022] FCA 1149 (conflicted remuneration civil penalty proceeding, acting for second respondent)

*Southernwood v Brambles* [2022] FCA 1027; [2022] FCA 1027 (securities class action, acting for Brambles)

*Bruce v Worksafe* [2022] VCAT 945 (privacy, acting for WorkSafe)

*Re [Crown Resorts Ltd](#)* [2022] FCA 367 (scheme of arrangement, acting for Crown)

*Kennedy v Tax Practitioners Board* [2022] AATA 2316 (administrative appeal of disqualification decision, acting for Tax Practitioners' Board)

*Review into The Star casino* [2022] (acting for NAB)

[ASIC v Colonial First State Investments Ltd](#) [2021] FCA 1268 (civil penalty proceeding, acting for CFSIL)

*Royal Commission into the Casino Operator and Licence* [2021] (acting for Crown Melbourne)

*Setka v Dalton (No 2)* [2021] VSC 604 (acting for Boral)

[BHP Group Ltd v Impiombato](#) (2021) 151 ACSR 634 (securities class action, acting for BHP)

[Talacko v Talacko \(as Executor of Estate of Talacko\)](#) (2021) 389 ALR 178 (unlawful conspiracy, acting for successful appellant in High Court appeal)

*Re RXP Services Ltd* [2021] FCA 38 (scheme of arrangement, acting for bidder)

*Fingal Pastoral Pty Ltd v Page Seager Lawyers* [2020] TASSC 40 (professional negligence, acting for plaintiff)

NSW ILGA casino inquiry into Crown Resorts [2020] (acting for Crown Resorts)

*ASIC v Mitchell (No 2)* (2020) 146 ACSR 328 (directors' duties, acting for defendant director)

[ACCC v Bupa Aged Care Australia Pty Ltd](#) [2020] FCA 602 (civil penalty proceeding, acting for Bupa)

[Fisher \(atf Tramik Super Fund Trust\) v Vocus Group Ltd \(No 2\)](#) [2020] FCA 579 (securities class action, acting for Vocus)

*Re Elsayi and Tax Practitioners Board* (2020) 170 ALD 406 (administrative appeal of disqualification decision, acting for Tax Practitioners' Board)

[Banksia Securities Ltd v Insurance House Pty Ltd \(Settlement Approval\)](#) [2020] VSC 123 (class action, acting for litigation funder)

[Clime Capital Ltd v UGL Pty Ltd](#) [2020] FCA 66 (securities class action, acting for UGL)