

LIST G BARRISTERS

Nina Moncrief



Nina practises in commercial and regulatory law, regularly appearing in the Supreme Court of Victoria and the Federal Court of Australia.

QUALIFICATIONS

Bachelor of Laws
Bachelor of Science

CORRESPONDENCE

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CHAMBERS

Aickin Chambers
Level 20 Room 13
200 Queen Street
Melbourne VIC 3000

COMMERCIAL LAW

Building & Construction | Competition | Consumer Law | Contractual Disputes | Corporate Insolvency | Corporations & Securities | Equity & Trusts

TORT LAW

Professional Negligence

PUBLIC LAW

Commissions & Inquiries

She has particular experience in corporations matters, director's duties, continuous disclosure, disputes involving trusts, construction disputes, professional negligence and insurance recovery actions.

Nina has acted for, and against, the ACCC and ASIC including during regulatory investigations of ASX listed companies and their directors, and subsequent proceedings involving continuous disclosure, directors' duties, financial services, initial public offers and defective product disclosure statements, anti-competitive arrangements (including cartels) and managed investment schemes.

Nina also has experience with Royal Commissions, having prepared evidence for the Royal Commission into Misconduct in the Banking, Insurance and Financial Services Industry and having appeared before the Royal Commission into Trade Union Governance and Corruption.

Liability limited by a scheme approved under Professional Standards Legislation.

Recent Cases

A selection of cases Nina has appeared in includes:

Molopo Energy Ltd v Rosengart & Ors (2018, Supreme Court of Victoria)

Acting for Board members in proceedings brought by listed company for breach of directors' duties in relation to \$21m oil & gas transaction (led by M Osborne KC).

Ganawarra Solar Farms P/L v RCR O'Donnell Griffin P/L (2018)

Advising about, and preparing, urgent ex parte injunction to restrain principal of \$80m solar farm construction project from drawing on bank guarantee (led by R Manly KC).

Mortgage Results P/L & Anor v Liberty Financial Group P/L & Anor (2018)

Proceedings seeking rescission of \$2.8m loan for misleading and deceptive conduct (unled).

Bupa Aged Care Australia P/L v Bellarine Lakes Pty Ltd & Ors (2018)

Defending property developer in proceedings alleging breach of contract, misleading or deceptive conduct and negligence in site preparation leading to alleged contamination (unled).

Stevens & Anor v Seeley International P/L (2018)

Product liability and negligence proceeding against manufacturer of evaporative cooler (unled).

Hubergroup Australia P/L v All Colour Media Printing (Victoria) P/L (2018)

Proceedings for breach of contract and misleading and deceptive conduct in relation to defects in commercial printing press (unled).

Royal Commissions & ASIC Investigations

Acting for an industry super fund in relation to Royal Commission into Misconduct in the Banking, Superannuation and Financial Services Industry (led by H Austin KC, 2018).

Acting for CEO of listed entity (including appearance at s 19 examinations) in relation to ASIC investigation into alleged breaches of the Corporations Act (unled, 2018).

Investigation (including appearance at s 19 examinations) into alleged breaches of the Corporations Act by a listed

entity in the tech start-up sector (unled, 2018).

Investigation (including appearance at s 19 examinations) into alleged misleading or deceptive conduct in financial product advice (unled, 2018).

Investigation (including appearance at s 19 examinations) into alleged breaches of continuous disclosure obligations by Murray Goulburn (unled, 2017).

Acting for an employee of the Health Services Union in relation to Royal Commission into Trade Union Governance and Corruption (unled, 2014).

ASIC v Murray Goulburn Responsible Entity Limited (2017-2018)

Investigation and proceedings against a listed entity (Australia's largest milk supplier) in relation to breaches of the Corporations Act including continuous disclosure obligations. Penalties imposed of \$650,000 (led by J Peters KC).

ASIC v Eustace Senese and Ors (2017 - ongoing)

Contempt proceedings against parties and their solicitors for alleged breach of freezing orders (led by M Pearce SC).

Kmart & Coles v George Rydell Pty Ltd & Ors (2014 - 2017)

Acting for Kmart & Coles in relation to a claim for breach of contract and negligence in the context of fire damage and other loss following major commercial property refurbishment works (led by R Manly KC).

ASIC v One Tech Media Ltd & Ors (2016 - ongoing)

Enforcement proceedings for alleged contraventions of the Corporations Act in respect of financial services businesses and related contempt proceedings (led by M Pearce SC).

ASIC v McDermott (2016)

Court enquiry into the conduct of a registered liquidator, involving allegations of conflict of interest, lack of independence and inadequate remuneration reports (led by T Woodward SC).

ASIC v Sino Australia Oil & Gas Ltd (2014 - 2016)

Enforcement proceedings against a listed company and directors in respect of breaches of the Corporations Act including continuous disclosure obligations and directors' duties (led by M Pearce SC).

Melbourne Water Corporation v Aurecon Australia & Ors (2014)

Defending allegations of breach of contract and negligence in the context of a major construction project involving the Eastern Treatment Plan, including claims for liquidated damages, variations, extensions of time and delay claims (led by T Shnookal KC).

Ambridge Investments (in liq) v Tresscox Lawyers & Anor (2014)

Acting for Ambridge Investments in relation to a professional negligence claim against Tresscox Lawyers (led by M Pearce SC).

Kirby & Ors v Centro Properties Group (2012)

Major class action litigation involving breaches of Corporations Act including breach of directors' duties a (led by T Woodward SC, with C Archibald).

Memberships

Victorian Bar - Commercial Bar Association