

ELIOT OLIVIER

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Admissions

Barrister, 2018
Solicitor, 2013

Qualifications

Master of Laws (Distinction), University College London, 2014
Bachelor of Laws (Honours I), University of Sydney, 2011
Bachelor of International Studies (Government and International Relations), University of Sydney, 2008

Areas of practice

Banking, securities & insolvency	Employment law
Class actions & representative proceedings	Equity
Commercial litigation	Insurance
Competition & consumer law	Regulatory & professional disciplinary proceedings
Corporations law	Public law

Professional history

Barrister, 5 Wentworth Chambers, Sydney, 2018-present
Associate (Class Actions), Phi Finney McDonald, Sydney, 2017-2018
Associate (Banking & Commercial Litigation), Hausfeld & Co LLP, London, 2016-2017
Lawyer (Class Actions & Project Litigation), Slater and Gordon, Melbourne, 2014-2015
Ministerial Advisor, Australian Government, 2012-2013
Tipstaff (Law Clerk), New South Wales Supreme Court and Court of Appeal, 2012

Selected cases

Class actions

Impiombato -v- BHP Billiton Limited (Federal Court, ongoing) – shareholder class action – securities and corporations law – interlocutory decisions including [2018] FCA 1272 (common fund application), [2018] FCA 2045; 364 ALR 162 (multiplicity of proceedings), [2019] FCAFC 107; 369 ALR 583 (multiplicity, appellate) – with PW Collinson KC and A Pound SC for the applicants

Stack -v- AMP Financial Planning Pty Ltd (Federal Court, ongoing) – financial services class action – FOFA regulations, fiduciary duties, trade practices, contract – interlocutory decisions including [2020] FCA 1839 (consolidation of representative proceedings, contradictors); [2021] FCA 1479; 401 ALR 113 (s 33N declassing) – with AS Martin SC and others for the applicants

Giabal Pty Ltd & Anor -v- Chapman & Ors (NSW Supreme Court, ongoing) – financial products class actions – with G Donnellan for the litigation funder

Webb -v- GetSwift Limited [2023] FCA 90 (settlement approved) – shareholder class action – securities and corporations law — with E Collins SC, O Bigos KC and others for the applicant

Barker -v- Santos Limited (Federal Court) – employment class action, settlement distribution – with D Chin SC as the independent arbiter

St Mary's Hog's Pty Ltd -v- HBCA Pty Ltd [2022] FCA 52 – franchising class action, security for costs – with T Castle SC for the applicants

Davison -v- Commissioner of Police & Ors [2021] FCA 1324 (settlement approved) – discrimination class action – racial discrimination – with C Ronalds SC for the applicants

Cantor -v- Audi Australia Pty Ltd [2020] FCA 637 – consumer class action, settlement approval – [2020] FCA 658 (confidentiality) – with LWL Armstrong KC for the litigation funder

Rushleigh Services Pty Ltd -v- Forge Group Ltd (In Liq) [2019] FCA 2113 (settlement approved) – shareholder class action – securities and corporations law – with M Darke SC and O Bigos KC for the applicants

Commercial disputes

AHG WA (2015) Pty Ltd -v- Mercedes-Benz Australia/Pacific Pty Ltd (Federal Court, judgment reserved) – multiparty commercial dispute – franchising law, trade practices, commercial contracts – with T Castle SC, C Parkinson KC and others for the applicants

In the matter of Murray Park Developers (NSW Supreme Court, settled 2021) – corporations law, oppression, commercial contracts – unled for the applicant

In the matter of Systema AI Holdings Pty Ltd (NSW Supreme Court, settled 2021) – corporations law, oppression, commercial contracts, employment law

On Kee Dry Seafood Pty Ltd -v- Clem Tech Pty Ltd (NSW District Court, settled 2020) – commercial contracts, equity – unled for the defendants

Angelis as trustee for the Angelis Family Trust -v- Pemba Capital Partners Fund I Partnership, LP [2019] NSWSC 1759 – commercial contracts, equity, corporations law – with F Corsaro SC for the plaintiff

Horseshoe Properties Pty Limited -v- Sterling & Freeman Advisory Pty Limited (NSW Supreme Court, settled 2019) – financial services, commercial contracts, equity – interlocutory injunction obtained – with F Douglas QC for the plaintiff

Professional liability & disciplinary proceedings

Assaf v Assaf & Ors (Supreme Court, ongoing) – professional liability, contract, fiduciary duties – unled for the solicitor defendant

Skalvos -v- Aon Hewitt Financial Advice Limited (Supreme Court, ongoing) – professional liability, misleading or deceptive conduct, fiduciary duties

Muriniti & Anor -v- Lawcover Insurance Pty Ltd & Ors [2022] NSWCA 159 – summary dismissal, appeal – unled for a barrister respondent

Muriniti & Anor -v- Lawcover Insurance Pty Ltd & Ors [2022] NSWSC 90 (summary dismissal) – professional liability, torts – interlocutory decisions including [2022] NSWSC 1593 (lump sum costs), [2022] NSWSC 1683 (stay of costs orders) – unled for a barrister defendant

Smith and Australian Securities & Investments Commission (AAT, settled 2022) – professional conduct, merits review – temporary stay of banning order obtained – unled for the applicant

Livers -v- Legal Services Commissioner (No 2) [2021] NSWCA 164 – costs – application for payment from Public Purpose Fund – with S Prince SC for the appellant

Livers -v- Legal Services Commissioner [2020] NSWCA 317; 103 NSWLR 738 – disciplinary proceedings, appeal – with S Prince SC for the appellant – with S Prince SC for the appellant

Legal Services Commissioner -v- Livers [2019] NSWCATOD 180 – disciplinary proceedings, solicitor – with S Prince SC for the respondent

Livers -v- Legal Services Commissioner [2018] NSWCA 319 – disciplinary proceedings, appeal – with S Prince SC for the appellant

Public law

SZTVU -v- Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs & Anor [2020] FCCA 2607 – judicial review – unled for the applicant

ARY18 -v- Minister for Home Affairs [2020] FCCA 739 – judicial review – unled for the applicant

SZTVU -v- Minister for Home Affairs & Anor [2019] FCAFC 30; 268 FCR 497 – judicial review, appellate – with S Prince SC

Minister for Immigration and Border Protection -v- CTW17 [2019] FCAFC 156; 271 FCR 173 – judicial review, appellate – with S Prince SC

Selected publications

‘Recent Developments in Common Fund Applications’ (2018) *Commercial Law Quarterly*, 31(4) with O McDonald.

‘Proroguing the Parliament of Australia’ (2012) *Federal Law Review* 40(1).