



**KELLIE DYON**  
Barrister

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## PROFESSIONAL

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- Since 2022** Barrister, Banco Chambers, Sydney
- 2021** Senior Legal Consultant, Sydney
- 2012 - 2020** Senior Associate, Dispute Resolution, Freshfields Bruckhaus Deringer, London
- 2008 - 2012** Associate, Dispute Resolution, Freshfields Bruckhaus Deringer, London
- 2007** Associate, Mallesons Stephen Jaques, Melbourne

## QUALIFICATIONS & EDUCATION

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- 2012** Higher Rights of Audience, Courts of England and Wales
- 2011** Solicitor, England and Wales
- 2007** Australian Lawyer, Supreme Court of Victoria; High Court of Australia
- 2005** Bachelor of Laws (Hons), Bachelor of Arts (Mandarin Chinese major) University of Melbourne  
*Prize for first ranked student in Copyright, Patent and Allied Rights*  
*Dean's Award for Academic Achievement in Arts*

## SELECTED MATTERS (LED)

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*Greensill proceedings* (Federal Court of Australia (Lee J))

Acting for BCC Trade Credit Pty Ltd in Federal Court insurance litigation involving multiple proceedings related to the billion dollar Greensill collapse (authority; fraud; misleading or deceptive conduct).

Led by Peter Braham SC, Justin Williams SC, James Hutton SC and others; instructed by Kennedys.

*SMBC Leasing and Finance Inc v Flexirent Capital Pty Ltd & Anor* (Federal Court of Australia (Lee J))

Acting for SMBC Leasing and Finance Inc in proceedings related to a multi-million dollar fraud (breach of

contract; indemnity; negligence; misleading or deceptive conduct).

Led by Michael Izzo SC and Emma Beechey; instructed by Jones Day.

*European Brickworks Pty Ltd & Ors v Johan Steyn & Anor; Mecmoh Pty Ltd v Steyn & Ors* (Federal Court of Australia (Halley J))

Acting for Attvest Finance Pty Ltd and related entities in relation to a post management-buyout shareholder dispute in two proceedings in the Federal Court (breach of fiduciary duty; knowing receipt; misleading or deceptive conduct; oppression).

Led by James Hutton SC; instructed by Arnold Bloch Leibler.

*Pirrottina v Pirrottina* [2024] NSWSC 558 (Supreme Court of NSW (Rees J))

Acted for the defendant/cross-claimant in partnership proceedings and a related counter-claim and external reference (proprietary estoppel; constructive trusts; receivership; identification of partnership assets).

Led by Mark Ashurst SC (with speaking role); instructed by Cara Marasco & Company.

*In the matter of ASP Aluminium Holdings Pty Ltd* [2024] NSWSC 183 (Supreme Court of NSW (Black J))

Acted for the defendant in an application for leave to bring derivative proceedings under s 237 of the *Corporations Act 2001* (Cth) (breach of fiduciary duty; oppression).

Led by Chris Withers SC; instructed by Thomson Geer Lawyers.

*ASIC v Nuix Limited & Ors* (Federal Court of Australia (Goodman J))

Acted for a former director of Nuix Limited/Chair of the Audit & Risk Committee in a four week trial involving allegations of breach of continuous disclosure obligations and misleading or deceptive conduct in financial forecasting/market disclosures (disclosure obligations; misleading or deceptive conduct; breach of fiduciary duty).

Led by Declan Roche SC; instructed by Horton Rhodes Lawyers.

*Sino Iron Pty Ltd & Ors v Mineralogy Pty Ltd & Ors* (Supreme Court of Western Australia, Court of Appeal)

Advised CITIC Limited and related entities in proceedings involving a tenement dispute regarding the Cape Preston Sino Iron magnetite ore project (breach of contract; contractual construction; estoppel).

Led by Noel Hutley SC and Sebastian Hartford Davis; instructed by Allens Linklaters and Herbert Smith Freehills.

*Hakea Holdings Pty Ltd v Neon Underwriting Limited for and on behalf of the Underwriting Members of Lloyds Syndicate 2468* [2023] FCAFC 34 (Full Court of the Federal Court of Australia (Colvin, Button and Jackman JJ))

Acted for Hakea Holdings Pty Ltd in an appeal in relation to an insurance dispute arising from director misconduct (insurance; contractual construction; breach of fiduciary duty).

Led by Chris Withers SC and Sebastian Hartford Davis; instructed by Holding Redlich.

*G&G Mikhael Pty Ltd v Chalak* (Supreme Court of NSW, Equity Division Possession List)

Acted for the defendant/cross-claimant in possession/breach of contract proceedings (possession; breach of contract; unconscionable conduct).

Led by David Sulan SC; instructed by Auslex; Led by Nick Bender SC; instructed by O'Halloran Deal.

## SELECTED MATTERS (UNLED)

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*Pacific National Constructions Pty Ltd v Geurts Trucks Besloten Venootschap* [2024] NSWSC 813 (Supreme Court of NSW, Common Law Division)

Application for permanent stay of proceedings on jurisdictional grounds (private international law).

Instructed by Koffels Solicitors & Barristers.

*Pirrottina v Pirrottina* (Supreme Court of NSW, Equity Division General List (Parker JJ))

Discovery applications (appearing against Chris Wood SC); application to oppose access to documents produced under subpoena on the grounds of privilege; application for release from Harman undertaking.

Instructed by Cara Marasco & Company.

*Disrupt Group Holdings Pty Ltd v iQNovate Limited & Ors* (Supreme Court of NSW, Equity Division Commercial List (Stevenson JJ))

Discovery application (appearing against Stefan Balafoutis SC).

Instructed by Webb Henderson.

*Wang v Yang* [2022] NSWSC 1757 (Supreme Court of NSW, Equity Division Duty List (Kunc JJ))

Application for the removal of a caveat (caveats; constructive trusts; resulting trusts).

Instructed by Katsikaris Family Lawyers.

*TL Commercial Finance Pty Ltd v Lisa Moore* (Local Court of New South Wales)

Application to set aside garnishee order.

Instructed by Bridges Lawyers.

*Compulsory examination* (Independent Commission Against Corruption)

Representing an individual in a compulsory examination before the Independent Commission Against Corruption.

Instructed by Company (Giles).

*Muscat v Qin & Anor* (Supreme Court of NSW, Equity Division General List)

Advising on matters arising in connection with a preliminary discovery application, including issues of estoppel.

Instructed by DINA Lawyers

**SELECTED ADVICE WORK**

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Advice to the Australian Council of Superannuation Investors regarding potential liability of directors under the ISSB Draft Standards for Forward Looking Statements; together with Dr S H Hartford Davis:  
<https://acsi.org.au/submissions/legal-opinion-on-issb-draft-standards/>

Advice to Environmental Defenders Office on climate-related business and regulatory issues