



OWEN NANLOHY

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LEGAL EXPERIENCE

Reader at the Victorian Bar

Young's List (20 October 2022)

Class Actions

- Huang v The Star Entertainment Group (Supreme Court of Victoria, ongoing) – misleading or deceptive conduct – continuous disclosure (for the plaintiff, led by Fiona Forsyth KC and Tim Chalke, instructed by Shine Lawyers).
- Mumford & Anor v EML Payments (Supreme Court of Victoria, ongoing) – misleading or deceptive conduct – continuous disclosure (for the plaintiff, led by William Edwards SC, instructed by Shine Lawyers).
- Iddles v Fonterra & Ors (Supreme Court of Victoria, ongoing) – settlement approval (for the Intervenor, LLS, led by William Edwards SC, instructed by William Roberts Lawyers).
- Boulos v M.R.V.L. Investments Pty Ltd (Merivale) (Federal Court of Australia) – interlocutory application – ss 33X and 33Y (for the applicant, led by William Edwards SC, instructed by Adero Law).

Consumer protection

- Gomes v Medibank Private Limited (Office of the Australian Information Commissioner) – interlocutory application – s 41 of the Privacy Act 1988 (Cth) (for the Complainant, led by Rachel Doyle SC, instructed by Maurice Blackburn).

Commercial

- FAL v Interair Pty Ltd (Federal Court of Australia, ongoing) – misleading or deceptive conduct, breach of contract and negligence (for the third and fourth respondent, led by Christian Juebner SC, instructed by SBA Law).

Public law

- BBC18 v The Minister for Immigration (Federal Circuit and Family Court of Australia, resolved) – judicial review – denial of procedural fairness – for the Commonwealth (unled, instructed by Sparke Helmore).
- Petro Tech Pty Ltd v Minister for Energy and Resources (Supreme Court of Victoria, settled) – judicial review – denial of procedural fairness (for the plaintiff, led by Matthew Harvey KC, instructed by Piper Alderman).



Senior Associate

Phi Finney McDonald (March 2019 – July 2020 and November 2021 to August 2022)

- Securities class actions against CIMIC, Getswift and Lendlease.
- Preparation of consumer class actions against various financial institutions.
- Various smaller matters for individuals in relation to defamation claims, IBAC investigations, and commercial disputes.

Associate to the Honourable Justice Murphy

Federal Court of Australia (July 2020 – July 2021)

Notable cases included

- *Prygodicz v The Commonwealth (No. 2)* [2021] FCA 634 (Robodebt).
- *Ethicon Sarl v Gill* [2021] FCAFC 29 (Pelvic mesh product liability).
- *Civil Air Operations Officers Association of Australia v Airservices Australia* [2020] FCA 1665 (Jurisdiction of the FCA to determine claims following arbitration in the FWC).
- *Gall v Domino's Pizza Enterprises Limited (No 2)* [2021] FCA 345 (Strike out).
- *Zantran Pty Limited v Crown Resorts Limited (No 3)* [2021] FCA 659 (Questions relating to discovery of documents tendered in the Bergin Royal Commission).
- *ACCC v Employsure Pty Ltd* [2021] FCAFC 142 (Misleading and deceptive conduct).
- *ACCC v Superfone Pty Ltd* [2021] FCA 278 (Pecuniary penalties for breach of ACL).
- *ACCC v Samsung* (Settled).
- *Southernwood v Brambles Limited* (Reserved).

Associate

Allens Linklaters (July 2018 – February 2019)

- Advice on the FITS and Modern Slavery Acts, contractual disputes, parliamentary privilege, quistclose trusts, fraud allegations, and the constitutional validity of Commonwealth legislation.
- Preparation of evidence for the coronial inquest into the death in custody of Ms Tanya Day for VALS.
- Mandatory injunction for a medical evacuation from Nauru for the HRLC.
- Drafting a Senate Committee submission.



Policy Adviser (January 2018 – July 2018)

The Hon Mark Dreyfus QC MP, Shadow Attorney General and Shadow Minister for National Security

- Legal analysis and advice on Bills in the then Shadow Attorney General's portfolios, including:
 - National Security Legislation Amendment (Espionage and Foreign Interference) Bill 2017.
 - Foreign Influence Transparency Scheme Bill 2017.
 - Home Affairs Integrity Bill 2017.
 - Counter Terrorism Legislation Amendment Bill 2017.
 - Providing advice on recommendations and committee comment for reports by the Parliamentary Joint Committee on Intelligence and Security (PJCIS) and the Senate Legal and Constitutional Affairs Committee.
 - Briefing Senator Wong, Leader of the Opposition in the Senate on Bills in Mr Dreyfus' portfolio.
 - Meeting with stakeholders (particularly the Law Council of Australia, HRLC, ALHR and CLCs).
 - Briefing members of the FPLP on various legislation.

Lawyer (Law Graduate – Admission 11 December 2017 (NSW))

Piper Alderman (April 2016 – December 2017), Sydney

- Research and drafting advice in claims for breach of contract, negligence, breaches of trust, contempt of court, misleading and deceptive conduct, breaches of the Corporations and ASIC Acts.
- Drafting lay evidence and evidence in reply in proceedings in NSW Supreme Court proceedings.
- Preparing expert instructions for proceedings in the NSW Supreme Court.
- Drafting pleadings for proceedings filed in the NSWSC Commercial List and the Federal Court of Australia.
- Drafting correspondence on a wide range of interlocutory steps in various proceedings.

Honorary Fellow and Lecturer

University of Melbourne Law School (March 2021 – July 2021)

Lecturer and Tutor for Remedies (Juris Doctor), Semester One 2021.

Tutor

University of Sydney Law School (March 2016 – August 2017), Sydney

- Tutor for Torts (Juris Doctor and LLB) March 2016 – August 2017.
- Tutor for Contracts (LLB) Semester One 2017.



LEGAL RESEARCH

Research Assistant

Professor David Rolph, University of Sydney Law School

- Research into the role of vindication in defamation proceedings.
- Research into a statutory tort of invasion of privacy.

Research Assistant

The Hon. Michael Kirby AC CMG, former Justice of the High Court of Australia, Sydney

- Research for and drafting of 2013 Tagore Lecture series.
- Provided research and drafting on other occasional speeches given by the former Justice in Sydney and Oxford.

QUALIFICATIONS

B.A. Jurisprudence (Hons 2.i Senior Status)

University of Oxford

B.A. (Hons I) History & Government

University of Sydney

Higher School Certificate 2005

Fort Street Selective High School

PUBLICATIONS AND LECTURES

Author – Oxford University Undergraduate Law Journal, 'A failure to protect: the shortcomings of the United Kingdom's judicial response to the privatisation of the public realm'

Author – Book Chapter for Praeger Press, '*Constitutional Protections for LGBTI Persons Globally*' in Gerber, P eds. *Worldwide Perspective on Gays, Lesbians and Bisexuals: History, Culture and Law* (2020).

Researcher & Editorial Assistant – Tagore Lectures 'Sexual Orientation & Gender Identity – A New Province of Law for India' 2013 - The Hon. Michael Kirby AC, CMG

SCHOLARSHIPS

Lincoln's Inn

Lord Bowen Scholar (one of six Lord Bowen scholarships given out by Lincoln's Inn in 2014)

Lincoln's Inn

Hardwicke Scholarship