

Liam Magowan has a broad commercial practice that includes corporations, insolvency, competition and consumer protection law, franchise disputes, equity, building and construction, insurance, trusts, property and leasing law.

Prior to coming to the Bar, Liam was a solicitor in the Litigation and Dispute Resolution Group at Blake Dawson (now Ashurst).

Liam read with John Dixon (now Justice Dixon of the Supreme Court).

Since coming to the Bar in 2007, Liam has appeared in the following proceedings of note:

Supreme Court of Victoria - Court of Appeal

- *Trailer Trash Franchise Systems Pty Ltd v GM Fascia & Gutter Pty Ltd* [2017] VSCA 293: acted for Respondent in appeal concerning security for costs.
- *St Kilda Arts and Events Company (Vic) Pty Ltd & Ors v Apes with Wings Pty Ltd & Anor* [2015] VSCA 199: acted for owner/Respondent in appeal from the County Court of Victoria.
- *Cornerstone Hardware Brokers (Australia) Pty Ltd v Methven Australia Pty Ltd* [2015] VSCA 128 (with S Horgan QC): acted for Appellant in contract dispute.
- *HIH Claims Support Limited v Insurance Australia Limited* [2010] VSCA 255 (with Cliff Pannam QC): acted for Appellant in proceeding involving contribution

Supreme Court of Victoria

- *Down Town Visuals v Panorama Investments (No 3)* [2018] VSC 691; *Panorama Investments Pty Ltd v Mellos (No 2)* [2017] VSC 639; *Down Town Visuals v Panorama Investments* [2018] VSC 427; *Panorama Investments v Mellos & Ors* [2017] VSC 608 and others: acted for lender in relation to six complex debt recovery and related proceedings.
- *Chapman v Chief Officer of Victoria State Emergency Service* [2017] VSC 547: acted for Plaintiffs in complex administrative law proceedings.
- *Frilay v Walsh* [2016] VSC 368: acted for Defendant in dispute concerning the Guardianship and Administration Act 1986.
- *Asset Flooring v North* [2016] VSC 31: acted for Respondent in appeal from Magistrates' Court of Victoria.
- *McGuinness v ACM Group Ltd* [2015] VSC 216: acted for Appellant in appeal from Magistrates' Court of Victoria.
- *Play Australia Pty Ltd v Papadimitriou* [2014] VSC 608: acted for Plaintiff in relation to debt / misleading and deceptive claim.
- *Bernstone v Almack-Kelly* [2014] VSC 358: acted for Appellant in appeal from the Magistrates' Court of Victoria.
- *McGarry v 14 Hiscock Street Pty Ltd & Ors* [2012] VSC 573: acted for the Plaintiff in dispute as to nature of equitable interest of the Plaintiff and dispute between caveators as to priority of equitable interest of the Plaintiff.

- *Humphries v Southern Cross Ski Club* [2012] VSC 232 (with Stephen O’Bryan SC): acted for Plaintiff in relation to his removal from Ski Club.
- *Powell v Athanasopoulos* [2010] VSC 558 (with Stephen O’Bryan QC): acted for Defendant councillor in proceeding brought by the Minister responsible under the Local Government Act to oust the sitting councillor.
- *Galanopoulos v Moustafa & Ors* [2010] VSC 380: acted for Plaintiff in oppression proceedings.
- *HIH Claims Support v Insurance Australia v Insurance Australia* [2009] VSC 434 (with John Dixon SC (as he then was)): acted for the Plaintiff in proceedings involving contribution.

Court of Appeal, Supreme Court of New South Wales

- *Darkinjung Local Aboriginal Land Council v Darkinjung Pty Ltd (In Liq) & Anor* [2010] NSWCA 351 (with Rob Shepherd): acted for cross claimant in relation to entitlement to legal fees.

Supreme Court of New South Wales

- *Darkinjung Local Aboriginal Land Council v Darkinjung Pty Ltd & Ors* [2010] NSWSC 132 (with Rob Shepherd): acted for cross claimant in relation to entitlement to legal fees.

District Court of New South Wales

- *Paperlinx Australia Pty Ltd v Angus Agencies & Ors*: acted for Defendant in debt proceeding.

Federal Court of Australia

- *Domain Paper (Australia) Pty Ltd v Galloway* [2014] FCA 936 (with Tim North QC): acted for Applicant in dispute concerning legal professional privilege.
- *Transfield ER Futures Limited v The Ship ‘Giovanna Iuliano* [2012] FCA 548 (with Sam Horgan QC): acted for ship owner in relation to release from arrest of ship (order for release obtained).
- *Rio Tinto Alcan Inc and Ors v EF Maritime Navigations SA* (with Sam Horgan SC): acted for Rio Tinto in relation to a claim under the Hague-Visby Rules concerning a shipment of alumina to Canada.

County Court

- *Nguyen v Shah* [2018] VCC 1340: acted for Plaintiff in trial concerning indemnity.
- *Auluvalu International (PVT) Ltd & Anor v GS Logistics Pty Ltd* [2017] VCC 1204: acted for Plaintiff in trial concerning sale of goods, conversion and unconscionable conduct
- *Cornerstone Hardware Brokers (Aust) Pty Ltd v Methven Australia Pty Ltd* [2014] VCC 945: acted for Plaintiff in trial of contract dispute.

- *Apes With Wings Pty Ltd & Anor v St Kilda Arts and Events Company (Vic) Pty Ltd & Ors* [2014] VCC 2023: acted for Plaintiff in trial of property and leasing dispute.
- *J Renee Nominees Pty Ltd v Mastrogiannis & Anor* [2013] VCC 1381: acted for purchaser in relation to trial concerning sale of property.
- *Singleton v Marina Apartments* [2012] VCC 1341: acted for purchaser in relation to dispute concerning property (summary judgment obtained).
- *Kingisland Meatworks and Cellars Pty Ltd v Piero Mastromano and Bonjust Pty Ltd* [2012] VCC 25: acted for Defendant in trial of commercial dispute.
- *Coles Group Property Developments Ltd v Hill* [2011] VCC 683: acted for owner/Plaintiff in leasing dispute.
- *Mastromano v Mastromano* [2011] VCC 327: acted for Plaintiff in dispute in relation to a trustee's entitlement to legal costs.
- *Slater & Gordon Limited v Klinger Partners Lawyers & Ors* [2010] VCC 0487: acted for Plaintiff in dispute regarding entitlement to legal fees.
- *Capital Finance Australia v Norton White Services (Vic) Pty Ltd* [2009] VCC 0830: acted for the Defendants in trial of dispute in relation to leased equipment.
- *Martin v Ian Fraser representing the Estate of Sally Anne Fraser* [2009] VCC 683: acted for the Defendants in relation to trial concerning the applicability of the Civil Aviation (Carriers' Liability Act) 1959 to an aviation accident.

VCAT

- *GDM Technologies Pty Ltd v Questco Pty Ltd* [2018] VCAT 544 (Building and Property): acted for Applicant in injunction application to restrain settlement of contract in relation to property
- *109 Fitzroy Street Pty Ltd v Frelane Pty Ltd* (Building and Property) [2017] VCAT 140 and *109 Fitzroy Street Pty Ltd v Frelane Pty Ltd* (Building and Property) [2017] VCAT 1987: acted for tenant/Applicant in trial of retail leases dispute and costs dispute.
- *Florina Furniture Pty Ltd v Itrix Corporation Pty Ltd (Civil Claims)* [2015] VCAT 543: acted for tenant / Respondent in leases dispute.
- *Hallmark Group (Aust) Pty Ltd v Owners Corporation PS300042M* (Owners Corporations) [2014] VCAT 1268: acted for owner / Applicant in owners corporation dispute.
- *St Kilda Arts & Events Company (Vic) Pty Ltd v Apes with Wings Pty Ltd* (Building and Property) [2014] VCAT 1055: acted for owner / Respondent in relation to property and retail leases dispute.
- *Kounelis v Ross Horton Homes Pty Ltd* (Domestic Building) [2014] VCAT 319: acted for builder / Respondent in domestic building dispute.
- *Tien v Pho & Anor* (Real Property) [2013] VCAT 265: acted for owner/Respondent in trial concerning Part IV of the Property Law Act.
- *Michell v Winch* (Real Property) [2012] VCAT 1524: acted for Respondent in trial.

- *South East Timber Supplies Pty Ltd v Finrent Pty Ltd & Anor* (Civil Claims) [2010] VCAT 1051: acted for an Applicant against a financier in relation to a “bundled service” agreement.
- *Eugene Snopkowski v Lorraine Jones* [2008] VCAT 1943: acted for the Applicant in relation to a civil dispute with his former solicitor brought under Part 4.3 of the Legal Profession Act 2004, the first such case of its kind.

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