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DAVID A GRANT

**B.A. (MELBOURNE, 1988) LL.B (MELBOURNE, 1988), I.P
PARTNER**

PRINCIPAL AREAS OF PRACTICE

- ◆ Insolvency litigation
- ◆ Commercial litigation
- ◆ Corporations Law applications
- ◆ Debt recovery

PROFESSIONAL WORK EXPERIENCE

Minter Ellison Morris Fletcher (now Minter Ellison)

- ◆ Employed 1987 to 1994 originally as Articled Clerk and finally as Senior Associate in Commercial Litigation

Australian Securities and Investments Commission

- ◆ Seconded to Australian Securities Commission May 1991 - November 1991, involved in enforcement and compliance, liaising with investigators and conducting litigation on behalf of the Australian Securities Commission.

Stynes Grant/Pointon Grant

- ◆ Founding Partner: 1994 – 2000. Litigation.
Left Minter Ellison to set up own firm, based in the CBD of Melbourne.

Logie-Smith Lanyon

- ◆ 2000 to date.
- ◆ Senior Partner, Litigation.

LITIGATION EXPERIENCE:

- ◆ Representing clients examined before the Australian Securities Commission and general advice regarding compliance with notices served under the Australian Securities Commission Act.
- ◆ Conducting litigation for plaintiffs and defendants in the Magistrates, County and Supreme Courts of Victoria, the Federal Court of Australia.
- ◆ Appearances in Magistrates, County, Supreme, Federal and High Courts representing individuals and corporations.

- ◆ Advising on and conducting litigation in relation to directors and officers fiduciary duties as well as acting on behalf of shareholders and creditors in disputes with companies and their directors.
- ◆ Conducting litigation under the Trade Practices Act and Fair Trading Act.
- ◆ Conducting Companies Code and Corporations Law litigation.
- ◆ Conducting litigation relating to takeovers.
- ◆ Class Actions, Defences and Advice.
- ◆ Conducting leasehold litigation including actions pursuant to the Property Law Act and the Transfer of Land Act.
- ◆ Advising and conducting litigation pursuant to the Food Act.
- ◆ Reviewing and advising on debt collection procedures by corporations and individuals.
- ◆ Obtaining and enforcing judgments internationally.
- ◆ Have acted recently on matters involving:
 - ◆ Pacific National Ltd (now Asciano Ltd), including in relation to the takeover of Patrick by Toll;
 - ◆ Brambles Ltd in relation to the Chep division;
 - ◆ Lockheed Martin Inc;
 - ◆ Salta Corporation;
 - ◆ Westpoint collapse;
 - ◆ AWB officers;
 - ◆ Babcock and Brown;
 - ◆ Admiralty Resources Ltd; and
 - ◆ Swish Group Limited.

Insolvency

- ◆ Conducting and defending corporate windings up in the Federal and Supreme Courts.
- ◆ Conducting and defending bankruptcy applications in Federal Court of Australia.
- ◆ Providing advice on a variety of insolvency issues including corporate and individual reconstructions and Part X arrangements under the Bankruptcy Act.
- ◆ Enforcing judgments internationally.
- ◆ Advising Receivers and Managers, Liquidators, Voluntary Administrators and Trustees in all aspects of their obligations and responsibilities.
- ◆ Appointment of Voluntary Administrators and Receivers and Managers.
- ◆ Advice on Creditors Trusts.
- ◆ Have acted in the Insolvency Administrators of:
 - ◆ Ansett Australia;
 - ◆ National Investment Institute and Henry Kaye;
 - ◆ Money for Living; and
 - ◆ Opes Prime.

Banking and Finance

- ◆ Providing advice on the enforcement of securities, mortgages and charges on behalf of Australian and International banks and corporations.
- ◆ Implementing schemes of arrangement, reductions of capital and returns of capital.
- ◆ Litigation against Financial Institutions, including Insurance companies.

Royal Commissions

- ◆ Acted for seven individuals named before the Cole Inquiry into certain Australian companies in relation to the Oil-for-food program, including appearances before the Inquiry from January 2006 to October 2006.
- ◆ Acting for an officer of AWB in proceedings for a civil penalty commenced by ASIC: *Australian Securities and Investment Commission –v- Ingleby*.

ASIC Investigations

- ◆ Acting in relation to examinations under Section 19 of the ASIC Act.
- ◆ Acting in relation to Banning Order hearings in relation to Section 600 of the Corporations Law.
- ◆ Acting in relation to AFSL reviews and Section 915c notices, including obtaining Enforceable Undertakings.

Recent Matters:

- ◆ AWB (various matters).
- ◆ Insider trading allegations.
- ◆ Breaches of Directors duties.
- ◆ PTLZ –v- Australian Securities and Investments Commission.
- ◆ VLDP –v- Australian Securities and Investments Commission.

Other:

- ◆ Mediation
Completed 'Solutionist' 5 day Mediation Course.
- ◆ Committee member Triathlon Victoria 2005-2007.
- ◆ President, Triathlon Victoria – 2007/2008.
- ◆ Member Insolvency Practitioners Association of Australia.

Last updated September 2008