

# GREENS LIST

BARRISTERS



## ANDREW SILVER

BAR ROLL: 2013 | ADMITTED: 2009

Andrew has a broad commercial and equity practice at the Bar. He is regularly briefed in respect of contract, trust, property, insolvency, partnership and corporations law disputes.

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## EXPERTISE

**Alternative Dispute Resolution | Appellate | Banking & Finance | Bankruptcy Law & Insolvency Law | Building Law & Construction Law | Commercial Law | Common Law | Corporations Law & Securities Law | Equity & Trusts Law | Property Law | Tax Law & Revenue Law | Wills & Estates Law**

## PROFILE

Andrew has a broad commercial and equity practice at the Bar. He is regularly briefed in respect of contract, trust, property, insolvency, partnership and corporations law disputes.

In addition to his trial and appellate practice, Andrew is regularly briefed to mediate disputes, both prior to and post the commencement of court proceedings. He is listed by Doyle's Guide in 'Victoria's Leading Mediators' for 2019, 2020, 2021, 2022 and 2023. Andrew holds a Victorian Bar Advanced Mediator accreditation.

Andrew accepts briefs to advise, appear and to mediate in all Australian jurisdictions.

A selection of recent matters in which Andrew has appeared include:

- *Re Training and International Certification Pty Ltd* (in liq) [2023] VSC 550 (led by Fary SC): claims of fraud and breach of fiduciary duty, Barnes v Addy claims, equitable tracing and voidable transactions
- *Burhala v Yeo* [2023] FCA 962 (led by Fary SC): security for costs in appeal proceeding
- *Southside Industries (Aust) Pty Ltd & Ors v D.B. CLS-B1 Pty Ltd & Anor* [2023] VSC 187: judicial sale of land
- *Tucker v Victoria* [2022] FCA 1449: appeal from interlocutory decision of Federal Circuit Court Judge
- *International Assets Pty Ltd v Richard Rubin* [2022] VSC 250 (led by J Evans QC): freezing orders (allegations of fraud)
- *Re Blockchain Global Ltd* (Admins Apptd) [2021] VSC 762: extension of convening period for second meeting of creditors of company involved in complex cryptocurrency trading platform
- *Rysze International Pty Ltd v Guan & Anor* [2021] VSC 706: voidable transaction claim - stay of proceedings
- *Kennedy v Proctor* [2021] VSC 521: appeal of decision concerning inter vivos gift of chattels
- *Walsh Engineering Services Pty Ltd (in liq) & Ors v Walsh Group (Aust) Pty Ltd & Ors* [2021] VSC 206: insolvent trading claim and contract dispute
- *Du v Georgiadis* [2020] VSCA 306 (led by T Messer): appeal relating to breach of trust, interpretation of arbitral award and limitation of actions
- *Commissioner of Taxation v Yeo as Liquidator of Ready Kit Cabinets Pty Ltd* (in liq) [2020] FCAFC 199 (led by L Glick QC): appeal relating to voidable preference claim pursuant to s588FE(2B) of the *Corporations Act 2001*
- *Yeo, Bradi Transport Pty Ltd (In Liq) v Sklenovski* (No 2) [2020] FCA 1541: freezing orders to prevent dissipation of assets post judgment
- *Yeo, Bradi Transport Pty Ltd (in Liq) v Sklenovski* [2020] FCA 1540: insolvent trading claim
- *Yeo, Ready Kit Cabinets Pty Ltd (In Liq) v Commissioner of Taxation* [2020] FCA 632 (led by P Fary): voidable preference claim pursuant to s588FE(2B) of the *Corporations Act 2001*
- *CAG v Cheruku and Kosaraju* [2020] VCC 13: contractual dispute
- *Re Regulated Debtor's Estate of Bensimon* [2020] FCCA 596 (led by S Maiden QC): determination of application for bankrupt to have passport returned
- *Georgiadis v Du* [2019] VCC 1911: breach of trust, interpretation of arbitral award, limitation of actions
- *MCCA Asset Management Ltd v Kamata Homes Pty Ltd* (admin's appt'ed) [2019] VSC 742: review of deed of company arrangement and application to set aside same
- *Australian Securities and Investments Commission (ASIC) v Merlin Diamonds Ltd* [2019] FCA 1546: appointment of provisional liquidators to company
- *Saba v Hakim & Anor* [2019] VCC 1624: debt claim, summary judgment
- *AAD Services Pty Ltd (In liq) v ALD Wholesale Pty Ltd (No 3)* [2019] VSC 564: validity of equitable assignment of rights in funds held in trust
- *Re New Homes Shop (Vic) Pty Ltd* [2019] VSC 317: corporation winding up application and application pursuant to s 459S of the *Corporations Act 2001*
- *Suzhou Haishun Investment Management Co Ltd v Zhao* [2019] VSC 110: registration of Chinese judgments in Victoria in the face of allegations of fraud
- *AAD Services Pty Ltd (in Liq) v ALD Wholesale Pty Ltd (No 2)* [2019] VSC 99: dispute over ownership of

## RECENT CASES



Rysze International Pty Ltd v Guan & Anor [2021] VSC 706: voidable transaction claim - stay of proceedings



Kennedy v Proctor [2021] VSC 521: appeal of decision concerning inter vivos gift of chattels



Walsh Engineering Services Pty Ltd (in liq) & Ors v Walsh Group (Aust) Pty Ltd & Ors [2021] VSC 206: insolvent trading claim and contract dispute



Du v Georgiadis [2020] VSCA 306 (led by T Messer): appeal relating to breach of trust - interpretation of arbitral award and limitation of actions



Commissioner of Taxation v Yeo as Liquidator of Ready Kit Cabinets Pty Ltd (in liq) [2020] FCAFC 199 (led by L Glick QC): appeal relating to voidable preference claim pursuant to s588FE(2B) of the Corporations Act 2001



Yeo - Bradi Transport Pty Ltd (In Liq) v Sklenovski (No 2) [2020] FCA 1541: freezing orders to prevent dissipation of assets post judgment



Yeo - Bradi Transport Pty Ltd (in Liq) v Sklenovski [2020] FCA 1540: insolvent trading claim



Yeo - Ready Kit Cabinets Pty Ltd (In Liq) v Commissioner of Taxation [2020] FCA 632 (led by P Fary): voidable preference claim pursuant to s588FE(2B) of the Corporations Act 2001



CAG v Cheruku and Kosaraju [2020] VCC 13: contractual dispute



Re Regulated Debtor's Estate of Bensimon [2020] FCCA 596 (led by S Maiden QC): determination of application for bankrupt to have passport returned



Georgiadis v Du [2019] VCC 1911: breach of trust - interpretation of arbitral award - limitation of actions



MCCA Asset Management Ltd v Kamata Homes Pty Ltd (admin's appt'ed) [2019] VSC 742: review of deed of company arrangement and application to set aside same



Australian Securities and Investments Commission (ASIC) v Merlin Diamonds Ltd



Saba v Hakim & Anor [2019] VCC 1624: debt claim - summary judgment

[2019] FCA 1546: appointment of provisional liquidators to company



AAD Services Pty Ltd (In liq) v ALD Wholesale Pty Ltd (No 3) [2019] VSC 564: validity of equitable assignment of rights in funds held in trust



Re New Homes Shop (Vic) Pty Ltd [2019] VSC 317: corporation winding up application and application pursuant to s 459S of the Corporations Act 2001



Suzhou Haishun Investment Management Co Ltd v Zhao [2019] VSC 110: registration of Chinese judgments in Victoria in the face of allegations of fraud



AAD Services Pty Ltd (in Liq) v ALD Wholesale Pty Ltd (No 2) [2019] VSC 99: dispute over ownership of funds in court

## Memberships & Committees

[Victorian Bar](#)

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