

GREENS LIST

BARRISTERS



MARK CAMPBELL

BAR ROLL: 1988 | ADMITTED: 1986

Since signing the Bar Roll in 1988 Mark has established a general commercial practice appearing in all jurisdictions in his areas of current practice.

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CHAMBERS: [Owen Dixon Chambers West](#)

EXPERTISE

Alternative Dispute Resolution | Building Law & Construction Law | Commercial Law | Equity & Trusts Law | Property Law | Public Law & Administrative Law | Wills & Estates Law

PROFILE

Mark was admitted to practice in 1986 having completed articles at Lander & Rogers.

Since signing the Bar Roll in 1988 he has established a general commercial practice appearing in all jurisdictions in his areas of current practice. He is an experienced mediator and from 1995 has been accredited by the Victorian Bar.

He conducts mediations as either Counsel for a participating party or as Mediator.

Mark is a casual lecturer in Advanced Contract Law at RMIT University, an advocacy coach at the Australian Catholic University Law School and a Melbourne University Law School student mentor.

MEDIATION FACILITIES

Should Mark be retained as either mediator or Counsel for a mediation he is able to offer rooms and facilities on the 15th floor of Owen Dixon Chambers West suitable for use in the mediation at no cost to the parties.

RECENT CASES



HIGH COURT: Equuscorp Pty Ltd v Haxton & Ors (2012) 246 CLR 498; 86 ALJR 296; 286 ALR 123: restitution – illegal contracts of loan – assignment of remedy for recovery of moneys lent pursuant to unenforceable or illegal contracts – construction
SUPREME/FEDERAL COURT: Welltina Pty Ltd v Mamone [1999] FCA 905: Corporations Act application of deed of assignment



HIGH COURT: Harper v Secretary to the Department of Natural Resources & Energy [2001] HCATrans 255: special leave application – negligence – personal injury



COURT OF APPEAL: Seifert v Chaudhary [2012] VSCA 17: guarantee – stay on execution of judgment pending appeal



COURT OF APPEAL: Hanna v Hanna [2010] VSCA 268: construction of terms of settlement – administration of estate



COURT OF APPEAL: Morton v Elgin-Stuczynski & Anor 19 VR 294: construction of term of contract



COURT OF APPEAL: Haxton & Ors v Equuscorp Pty Ltd 28 VR 499; 265 ALR 336; [2010] VSCA 1: restitution – moneys had and received – illegality of contracts of loan – construction of lending agreements – authority to execute documents under the Companies Code/Corporations Act



COURT OF APPEAL: State of Victoria v Psaila & Anor; State of Victoria v Lamb [1999] VSCA 193: judicial bias



SUPREME/FEDERAL COURT: Charles Lloyd Property Group Pty Ltd v Buchanan [2013] VSC 148: sale of land – misleading or deceptive conduct – silence – vendor's failure to disclose suicide on land – summary judgment



SUPREME/FEDERAL COURT: Bovino Pty Ltd v The Casey Group Holdings Pty Ltd [2010] VSC 391: specific performance – contract for sale of land – misleading or deceptive conduct



SUPREME/FEDERAL COURT: IMO Hyro Ltd [2010] VSC 667: Corporations Act application to wind up company



SUPREME/FEDERAL COURT: Connell & Anor v Pistorino [2009] VSC 289: administration of a deceased estate – misappropriation of estate assets - injunction to enjoin solicitor from continuing to act in proceeding



SUPREME/FEDERAL COURT: Equuscorp Pty Ltd v Percival [2008] VSC 116: contract of loan – stay for want of prosecution



SUPREME/FEDERAL COURT: Equuscorp Pty Ltd v Bassat & Ors (2007) 216 FLR 1: Counsel for 354 defendants - commercial dispute - assigned claims for the recovery of loans made to investors facilitating their participation in a tax driven joint venture scheme – restitution – illegality – breach of prescribed interest provisions



SUPREME/FEDERAL COURT: Kallitsas v Emerson Finance Pty Ltd & Ors [2008] VSC 180: oppression proceedings – discovery of documents



SUPREME/FEDERAL COURT: Kids Campus Holdings Pty Ltd v Kelly & Anor [2007] VSC 282: commercial lease - assignment of term of lease – consent reasonably withheld



SUPREME/FEDERAL COURT: Morton v Elgin-Stuczynski [2006] VSC 279 - contract dispute loan agreement



SUPREME/FEDERAL COURT: Re Alu-Tech Shopfitters Pty Ltd; Dare v Keegan [2004] VSC 342: oppression action – winding up of company - valuation



SUPREME/FEDERAL COURT: Opeka Pty Ltd v Mackie Group Pty Ltd [2003] VSC 183: appeal from Magistrates' Court - exercise of discretion



SUPREME/FEDERAL COURT: Welltina Pty Ltd v Mamone [1999] FCA 905: Corporations Act application



SUPREME/FEDERAL COURT: Latham v Gilmour [2005] VSC 227: oppression proceedings – valuation of shares in company – whether oppressive conduct



SUPREME/FEDERAL COURT: A & C Robins Constructions Pty Ltd and Ors. V Monastery Apartments Pty Ltd and Ors: joint venture - property development



SUPREME/FEDERAL COURT: Bates and Anor. V Sage and Ors: Federal Court: breaches of the Trades Practices Act - ASIC Act and Corporations Act - collapse of the Merchant Pacific Group of companies



SUPREME/FEDERAL COURT: Victoria Amateur Club v R. Grouse and Ors: negligence and breach of contract - design and installation



SUPREME/FEDERAL COURT: In the matter of P. Forrest and Ors v Dissanyake and Anor: restrictive covenants – declarations as to

of "glass curtains" in the grandstand of the Caulfield racecourse

meaning – properties in building schemes



COUNTY COURT: Roadstar Caravans Pty Ltd v Emjay Products Pty Ltd & Anor [2013] VCC 1921: misleading or deceptive conduct – Goods Act – implied warranties as to fitness for purpose – negligence – pure economic loss



COUNTY COURT: J. Borg & Anor v P. Ahchow & Anor [2011] VCC 700: breach of contract – fiduciary duties – property development



COUNTY COURT: Chaudhary V RJ & RC Electrical Solutions Pty Ltd & Anor [2011] VCC 1350: guarantee – perfection of securities – waiver of right to rely on obligation to perfect securities



COUNTY COURT: Chaudhary v Seifert [2011] VCC 1435: enforceability of guarantee



COUNTY COURT: Equuscorp Pty Ltd v Harris and ors [2009] VCC 558: contract – stay for want of prosecution



VCAT: Jordan v Vuletic [2007] VCAT 575: domestic building dispute – implied warranties



VCAT: Salem Enterprises Pty Ltd v CJS Food Enterprises Pty Ltd [2008] VCAT 320: retail tenancy – challenge to expert determination of rent increase



VCAT: Perry v Binios [2006] VCAT 1604: domestic building dispute



VCAT: Smith v Gleneagles Homes Pty Ltd [2005] VCAT 1102: domestic building dispute



VCAT: David v Stonnington CC [2005] VCAT 34: domestic building dispute



INDUSTRIAL RELATIONS: K Wells and K Webb v Ginza Sauna & Spa Pty Ltd Trading as Royal City [1999] 45 ALR 4-019: unfair dismissal



COMMISSIONS/INQUIRES: Victorian Bushfires Royal Commission 2009: retained by Parks Victoria – with J. Langmead SC – to appear and advise.

Publications


"Litigation: Appearing Before VCAT" (August 2003) Published by the Victorian Law Institute. "What is the

Future of Franchising?" - Paper presented at Green's List seminar. Reporter for the Victorian Reports.

Memberships & Committees

[Victorian Bar](#)

To get in touch with Mark Campbell | or for more information please contact the Clerk on:

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Liability limited by a scheme approved under Professional Standards legislation.