

Arnold Bloch Leibler

Lawyers and Advisers



Matthew Lees, BSc LLB (Hons) (Melb)

Partner

- commercial litigation and dispute resolution
- competition and consumer law
- regulatory investigations and prosecutions

Matthew Lees is a commercial litigator and a member of Arnold Bloch Leibler's litigation & dispute resolution and competition practices. He is experienced in representing companies and individuals being investigated or prosecuted by the Australian Competition & Consumer Commission (ACCC) or the Australian Securities and Investments Commission (ASIC). Matthew also acts for companies in commercial disputes, including contract disputes, and advises clients on competition and consumer law, including cartel conduct. He often acts in matters involving white collar crime, and has defended companies the target of investor class actions.

Matthew graduated with first class honours in law from The University of Melbourne, winning several prizes. He joined Arnold Bloch Leibler as an articulated clerk in 2003, admitted to practice in 2004, was appointed as a senior associate in 2008 and as a partner in 2011. He has given presentations on competition law and is a published author on contract law.

Practice focus

Matthew is a member of the litigation & dispute resolution team, where his practice focuses on the following areas:

- ACCC and ASIC investigations and prosecutions;
- competition and consumer law, including cartel conduct;
- contract disputes; and
- investor class actions.

Major assignments

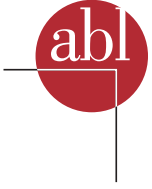
Matthew has acted for clients in a wide variety of matters, including:

- clients subject to ACCC investigations and prosecutions, including:
 - Nufarm Limited: in a cartel investigation and prosecution regarding timber treatment chemicals;
 - JB Hi-Fi Limited: in a cartel investigation regarding entry into a new geographic market;
 - a large Australian construction company: in a cartel investigation into allegations made against the company by one of its competitors;
 - an international franchisor: in an investigation concerning alleged unconscionable conduct and misleading or deceptive conduct towards franchisees; and
 - a Victorian egg producer: in a prosecution for false labelling of organic produce;
- directors of ASX-listed companies and other individuals being investigated or prosecuted by ASIC in relation to suspected insider trading, market manipulation and related offences;

- responsible entities of managed investment schemes: in the defence of class actions brought by investors, including:
 - Challenger Financial Services Group: in a NSW Supreme Court class action concerning a bulky goods retail centre. The class action was partially struck out in a landmark decision on this form of class actions; and
 - Timbercorp Securities Limited: in a Victorian Supreme Court class action concerning agribusiness managed investment schemes;
- the international headquarters of a Japanese religion: in Supreme Court litigation concerning the breakaway of the Australian chapter of the religion. The international headquarters successfully recovered the intellectual property (name and logo) of the religion, as well as subsidies and loans;
- the managing director of an international software company: in a criminal prosecution for fraud and forgery offences. The director was acquitted of all charges and the Victoria Police were ordered to pay his legal costs;
- Telstra Corporation: in various matters, including contract disputes with major corporations, supplier disputes and Supreme Court litigation in which a customer unsuccessfully sought to overturn an arbitral award;
- a private arbitration between two international chemical companies concerning the supply and distribution contracts between them;
- companies that have been defrauded by their employees and suppliers: in civil litigation against the employees and suppliers and in the related criminal prosecutions, including in obtaining compensation orders and preparing victim impact statements;
- a supermarket landlord: in relation to Federal Court litigation concerning the exit of Franklins Supermarkets from the Australian market. It was alleged the landlord was party to a conspiracy with one of the major supermarket chains to prevent Franklins supermarkets being secured by independent operators;
- Breville: in relation to Federal Court litigation in which a competitor challenged marketing claims for a new technology consumer product. The competitor unsuccessfully sought an injunction to prevent the sale of the product in the lead-up to Christmas; and
- for clients in industries such as construction, manufacturing and horticulture, and for trade associations: in relation to the provision of competition and consumer law compliance programmes.

To contact Matthew Lees

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