OWEN LUNNEY

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OVERVIEW

Owen has experience in all aspects of commercial litigation. Before being called to the Bar, Owen was a Senior Associate in Herbert Smith Freehills Kramer's disputes team and was a solicitor for 9 years.

Owen has advised on a broad range of disputes, from the investigation of claims and defences, commencing proceedings, the preparation of evidence, interlocutory disputes, final hearings and settlements. Those disputes:

- have related to clients in various sectors, including mining, gas and heavy industry, gaming and wagering, banking and financial services, insurance, logistics, individuals and small to medium sized enterprises; and,
- concerned areas such as contract, corporations law, consumer law and trade practices, class actions, white collar crime, arbitration, regulatory investigations and proceedings and tax.

Owen obtained a Bachelor of International and Global Studies from the University of Sydney, a Juris Doctor from the University of New South Wales and is a Master of Laws candidate at the University of Melbourne.

Owen was an Associate to the Hon Justice Stewart at the Federal Court of Australia in 2021.

ADMISSIONS

Barrister, New South Wales | 2025

Solicitor, Supreme Court of New South Wales and High Court of Australia | 2017

ACADEMIC QUALIFICATIONS

University of Melbourne, Master of Laws (Cand) | 2022 – present

University of New South Wales, Juris Doctor | 2016

University of Sydney, Bachelor of International and Global Studies | 2012

PROFESSIONAL EXPERIENCE

Barrister, 5 Wentworth Chambers | September 2025 – Present

Senior Associate, Herbert Smith Freehills Kramer | July 2022 – August 2025

Associate to the Hon Justice Stewart, Federal Court of Australia | January 2021 – January 2022

Solicitor, Herbert Smith Freehills Kramer | December 2018 – June 2022

Solicitor, Brown Wright Stein | August 2016 – December 2018

AREAS OF PRACTICE

- Commercial Litigation; Commercial Law (incl Property, Real Property & Retail); Corporate; Regulatory; Trade Practices; Consumer Protection; Banking, Securities & Insolvency; Alternative Dispute Resolution (incl Mediation and Arbitration); Class Actions & Representative Proceedings; Commissions & Inquiries; Equity; Appellate

SELECT CASES (AS A BARRISTER)

- Acted for a trading firm in Federal Court proceeding against a former employee in respect of breach of contract, breach of confidence and restraint of trade (*The Epoch Holding Group Pty Ltd v Katz* (NSD 527 of 2022)). Led by Patrick Flynn SC.
- Acting for Tokio Marine/BCC in multiple disputes in the Supreme Court of NSW regarding trade credit insurance (the *Rhodium proceedings*). Led by Elizabeth Collins SC.
- Acting for Tokio Marine/BCC in a further dispute in the Supreme Court of NSW regarding trade credit insurance (the *Lemarc proceeding*). Led by Chris Withers SC.
- Acted for the plaintiffs in a Supreme Court of Victoria shareholder class action (*Bogan v The Estate of Peter John Smedley Deceased & Ors* (No. S-ECI 2020 03281). Led by Chris Withers SC and Charles Parkinson KC.
- Acting for property development entities in relation to a loan dispute and restitutionary relief in the Supreme Court of NSW. Led by Jonathan Adamopoulos.
- Acted for a construction company in a Local Court debt and defects dispute. Unled.

SELECT CASES (AS A SOLICITOR)

- Acted for a number of Australian universities in Federal Court proceedings against the ATO in respect of the application of an untested provision of the income tax law (*Federation University Australia v Commissioner of Taxation*, Federal Court of Australia (VID308/2025)).
- Acted for a major heavy industry company in a Federal Court shareholder class action (*Parkin v Boral Ltd; Martini Family Investments ATF Martini Family Investments Super Fund v Boral Ltd*, Federal Court of Australia (NSD605/2020; NSD935/2020)).
- Acted for a major gaming and wagering company in Supreme Court of NSW proceedings against a competitor in relation to ACL and tort claims (*Tabcorp Holdings Ltd v Entain Group Pty Ltd* [2023] NSWSC 220).
- Acted for a stock-exchange in Federal Court proceedings in relation to ACL claims and other public law issues (*Isignthis v ASX Ltd*, Federal Court of Australia (VID1315/2019)).
- Acted for a global logistics company in Supreme Court of NSW proceedings in relation to a lease dispute with a competitor.
- Acted for an individual financial advisor in relation to ASIC claims where a banning order was sought.
- Acted for a multinational mining company on a number of related contractual disputes.
- Acted for a global insurer in a confidential domestic arbitration concerning a dispute over a reinsurance treaty between the reinsurer and insurer.
- Acted for a multinational pharmaceutical company in a tax dispute, involving untested and emerging areas of international taxation law.

Owen has also acted in a number of other disputes relating to the construction of contract and deeds, directors' duties, shareholder disputes, financial services obligations and licensing, fraud, superannuation, misleading and deceptive conduct and other consumer law claims, torts, ESG related matters and regulatory investigations.