

Demian Walton

Partner

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Demian Walton is a Partner in our Litigation & Dispute Resolution group.

During his 15 years of legal practice, Demian has conducted complex litigation across all areas of corporate and commercial law, including property, franchising, partnerships, employment, construction and professional negligence.

As an insolvency expert, Demian has extensive experience acting both for and against liquidators and trustees-in-bankruptcy in pursuing or defending claims arising out of insolvency administrations, including claims concerning alleged void or voidable transactions.

Demian draws upon that experience when advising company directors about appropriate structuring to protect their key business and family assets from insolvency risk. He works closely with the firm's Tax group to ensure that the recommended structuring optimises taxation outcomes as well as achieving asset protection objectives.

Demian provides in-depth advice to clients affected by corporate or personal insolvency. This includes formulating and carefully implementing a strategy to preserve and restructure viable business activities, limit any flow-on impact on family wealth, and resolve creditor claims on a final basis, to put his client in the best position to rebuild and regain their financial security.

Expertise

Insolvency & Reconstruction
Litigation & Dispute Resolution
Manufacturing

Significant Experience

- Acted for a lead objector in successfully opposing court approval of a class action settlement relating to a failed forestry MIS.
- Conducted hard-fought litigation on behalf of a franchisee against a major retail franchisor for misleading and deceptive conduct, which resulted in the court awarding substantial compensation to his client.
- Settled a dispute on behalf of a major property developer with his bank by procuring their support for a personal insolvency agreement.
- Successfully defended litigation against a controller appointed under the *Corporations Act* who had sold the debtor company's business assets to an associated entity of the controller.
- Successfully defended an accounting firm against a multi-million dollar professional negligence claim involving complex international tax structures; then brought successful litigation to recover the legal costs from the insurer who had incorrectly denied cover.

Qualifications

Bachelor of Laws (Honours),
University of Melbourne

Bachelor of Commerce,
University of Melbourne

Memberships

Law Institute of Victoria