

Elizabeth Guerra-Stolfa

Partner

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Elizabeth Guerra-Stolfa is the leader of our Litigation & Dispute Resolution group. With over 30 years of experience, she specialises in complex superior court, specialist tribunal litigation, Royal Commission hearings, mediation and alternative dispute resolution.

Her practice includes all areas of commercial litigation, including contractual disputes, competition law, franchising disputes, property and retail leasing disputes, family business disputes and professional negligence claims.

Elizabeth combines her extensive experience and commercial acumen to ensure that all disputes are managed in a strategic and focussed way to achieve her client's commercial objective and contribute to their success.

Elizabeth is an Accredited Specialist Family Business Adviser with the Family Business Association (formerly Family Business Australia) and an Accredited Mediator. Her facilitative style recognises that underlying relationships and tensions are just as important as the overriding legal considerations.

Expertise

Litigation & Dispute Resolution

Specialisation

Family Business

Sectors

Transport & Logistics

Significant experience

- Successfully defending a landowner in a claim brought by its development partner alleging the existence of a joint venture and the fiduciary duties that flow therefrom.
- Representing a party before the Royal Commission into Institutional Responses to Child Sexual Abuse.
- Representing a party before the Royal Commission into Trade Union Governance and Corruption at four hearings and preparing submissions.
- Successfully obtaining freezing orders in cases where former employees have breached restraint and confidentiality provisions, and generally where proceeds are at risk of dissipation.
- Acting for an overseas insurer in defending a complex claim made on an insurance policy alleged to indemnify outstanding employee entitlements in an event of insolvency.
- Defending a large Chain of Responsibility prosecution in the Supreme Court of New South Wales seeking penalties for breach of load restraint requirements and compensation for damage to infrastructure.
- Litigating multi-million dollar warranty and product liability claims in a sale of business.
- Acting in a variety of shareholder disputes including oppression claims under the *Corporations Act 2001* (Cth).

Qualifications

Accredited Mediator

Accredited Specialist Family Business Adviser, *Family Business Australia*

Bachelor of Laws (Hons), *The University of Melbourne*

Bachelor of Arts, *The University of Melbourne*

Memberships

Law Institute of Victoria

Victorian Transport Association

Supply Chain and Logistics Association of Australia

Secretary, Hong Kong Australia Business Association (Victoria)

Family Business Australia

Executive Committee, Women in Supply Chain

Significant experience, cont.

- Acting for a publicly listed construction materials company in a variety of commercial disputes involving royalty claims, construction projects, defective materials claims and large scale debt recovery.
- Acting for a petrochemical company challenging price review mechanisms in the Federal Court, supply disputes and force majeure claims.
- Equity and trust cases involving large family disputes.
- Representing a mortgagee on the sale of mortgaged property where consideration of a mortgagee's duties was taken (unsuccessfully by the mortgagor) to special leave application status in the High Court of Australia.
- Acting in a multitude of Federal Court cases brought on behalf of persons who invested in film and live production tax schemes against the promoters and financiers of those schemes.
- Over 20 years of experience acting for a key player in the construction materials and extractive industry in Australia.