

## Elizabeth Guerra-Stolfa

*Partner*

T: +61 3 9321 7864

E: EGuerra@rigbycooke.com.au

Skype: elizabeth.guerra-stolfa



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 litigation & retail leasing, family business disputes, and professional negligence claims.

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

She is an Accredited Specialist Family Business Adviser with Family Business Australia and is an Accredited Mediator. Elizabeth's facilitative style recognises that underlying relationships and tensions are just as important as the overriding legal considerations.

### Expertise

Litigation & Dispute Resolution

Transport & Logistics

International

Family Business

### Significant Experience

- Successfully defending a land owner 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

Bachelor of Laws (Hons)  
*University of Melbourne*

Bachelor of Arts  
*University of Melbourne*

Accredited Specialist Family  
Business Adviser  
*Family Business Australia*

Accredited Mediator

### Memberships

Associate Member, Victorian  
Transport Association

Member, Supply Chain and  
Logistics Association of Australia

Secretary, Hong Kong Australia  
Business Association (Victoria)

## RIGBY COOKE LAWYERS

- 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.
- Adviser Member, Family Business Australia  
Executive Committee Member, Women in Supply Chain