



## Kimberley Wittner

### Lawyer

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## OVERVIEW

Kimberley Wittner is a Melbourne based lawyer in the complex commercial litigation and disputes group.

She joined K&L Gates as a winter clerk, before commencing the firm's graduate program in 2021. During the graduate program, Kimberley gained experience rotating through the litigation and dispute resolution, mergers and acquisitions and labour, employment and workplace safety practice groups.

Following her graduate year, Kimberley settled in the litigation and dispute resolution practice. She has experience in a range of areas including public liability, professional indemnity and advising clients on defamation and related media issues.

Kimberley volunteers with the not-for-profit organisation, Flying Fox, which provides meaningful social opportunities for young people with a disability. She is also a member of the Melbourne Pro Bono Committee.

During 2022, Kimberley completed a secondment at Crown Melbourne Limited where she worked in the Legal and Insurance team.

## PROFESSIONAL BACKGROUND

Kimberley gained invaluable experience when studying the Juris Doctor at Melbourne University, during which she spent a semester at the College of Transnational Legal Studies in London where she participated in a semester-long intensive program in international, comparative and transnational law.

## PROFESSIONAL / CIVIC ACTIVITIES

- Law Institute of Victoria, member

## EDUCATION

- Bachelor of Arts, University of Melbourne, 2015
- Juris Doctor, University of Melbourne, 2019

## ADMISSIONS

- Supreme Court of Victoria

## THOUGHT LEADERSHIP *POWERED BY HUB*

- 21 September 2023, Some "Serious" Developments in Defamation Law
- 6 September 2023, "You Promised Not to Say That!" Non-Disparagement Clauses in Settlement Agreements
- 12 May 2022, Google Reviews - Qualified Privilege Defence Upheld in Defamation Claim
- 28 March 2022, And So It Begins...First Consideration of "Serious Harm" Threshold in Australian Defamation Claim
- 8 December 2021, Vaccine Mandates and the Importance of Consultation
- 15 September 2021, Social Media Users and Operators Beware! High Court Confirms that Facebook Page Operators are 'Publishers' of Third Party Comments

## AREAS OF FOCUS

- Commercial Disputes

## REPRESENTATIVE EXPERIENCE

- Advising clients in regards to various defamation and media related matters, including initiating defamation proceedings in the Supreme Court of Victoria.
- Acting for, and advising, clients (including an ASX listed company) on seeking preliminary discovery orders to identify anonymous internet users publishing offending material.
- Acting for Crown Melbourne Limited in defence of personal injury, public liability, and intentional tort claims.
- Representing an individual in respect of a dispute concerning the *Planning and Environment Act 1987* (Vic) and the construction of an "illegal road" on a neighbouring property.
- Providing advice to the Legal Practitioners' Liability Committee and defending Victorian lawyers in professional negligence matters.
- Acting for, and advising, plaintiffs and defendants in a wide range of commercial litigation matters including in proceedings in the Supreme Court of Victoria and the County Court of Victoria.