



Mark Dobbie

Partner

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OVERVIEW

Mark Dobbie has over 40 years experience as a litigator and has acted in some of the largest high profile litigation conducted in Australia, including multi party class actions and complex corporate litigation. He focuses on commercial litigation for corporate clients including matters in Victoria, interstate and overseas, concentrating mainly on major litigation involving trade practices, commercial and contracts, professional indemnity and directors and officers. Notably, Mark has acted as one of a select group of panel lawyers for the Victorian Legal Practitioners Liability Committee since 1992, defending barristers and solicitors in professional negligence claims and also acts for New South Wales LawCover.

Mark also represents corporations and their senior executives in Federal and State regulatory inquiries and investigations as well as in insurance coverage disputes in respect of professional indemnity, director and officer and third party liability issues. He is a qualified mediator and provides valuable commercial and strategic input which helps to deliver desired outcomes for his clients.

ACHIEVEMENTS

- *Best Lawyers in Australia*, listed in Alternative Dispute Resolution (2012-present)
- *Best Lawyers in Australia*, listed in Class Action Litigation (2019-present)
- *Best Lawyers in Australia*, listed in Insurance Law (2019-present)
- *Best Lawyers in Australia*, listed in Litigation (2014-present)
- *Best Lawyers in Australia*, listed in Product Liability Litigation (2021-present)
- *Legal 500 Asia Pacific*, recognised for Regulatory Compliance and Investigations (2018-2020)
- *Legal 500 Asia Pacific*, recognised for Dispute Resolution (2018-2019)
- *Doyles Guide*, recognised as a Leading Commercial Litigation & Dispute Resolution Lawyer – Victoria (2015-2019)

PROFESSIONAL / CIVIC ACTIVITIES

- Australian Insurance Law Association member
- Australian Professional Indemnity Group member

SPEAKING ENGAGEMENTS

- "D&O Liability Insurance: Issues for the Board", presented to the Australian Institute of Company Directors, June 2010

EDUCATION

- Diploma of Commercial Law, Monash University, 1983
- LL.B., Monash University, 1976
- Bachelor of Economics, Monash University, 1974

ADMISSIONS

- High Court of Australia
- Supreme Court of New South Wales
- Supreme Court of Queensland
- Supreme Court of Victoria

OTHER PUBLICATIONS

- "Directors and Officers Insurance – Auditors Entitled to Indemnity" *Insurance Law Journal*, August 1999

AREAS OF FOCUS

- Complex Commercial Litigation and Disputes
- Class Action Litigation Defense
- Insurance Recovery and Counseling
- Professional Liability
- Securities and Transactional Litigation

REPRESENTATIVE EXPERIENCE

- Advising the directors and officers of the former State Bank Victoria and Tricontinental Corporation Limited before the Royal Commission established by the Victorian Government to inquire into the collapse of the Tricontinental Merchant Bank.
- Representing Oz Minerals Holdings Limited in the multi party securities class action commenced in relation to the merger of Oxiana Limited and Zinifex Limited.
- Representing a former director of Banksia Securities Limited in the class action and Australian Securities and Investments Commission investigation arising out of the collapse of Banksia in late 2012.
- Representing the Melbourne Market Authority in the class action commenced by stall holders concerned by the relocation of the market from Footscray to Epping.
- Representing and advising barristers and solicitors since 1992 on instructions from the Legal Practitioners Liability Committee and LawCover in connection with negligence and breach of contract claims, including the successful defence in the High Court of Australia challenge to barristers immunity from suit.
- Advising one of Australia's big four banks in its capacity as trustee of a number of large industry based superannuation funds. This includes acting for the trustee in the defence of numerous total (TPD) and partial (PPD) disability claims made by members of the superannuation funds throughout Australia, where the trustee has formed the view that the members did not qualify for payment of a disability benefit.
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- Acting for ExxonMobil in an arbitration with a customer over liability under a long term gas supply agreement due to an interruption to supply following the explosion and fire at Longford in Victoria.
- Acting for ExxonMobil and BHP Billiton in Federal Court of Australia proceedings against the Comptroller of Customs and the Commonwealth of Australia in relation to the classification of certain oil and gas wells for excise purposes.
- Acting for ExxonMobil in a Royal Commission in respect of an explosion and fire at Longford in Victoria.
- Acting for Centro Retail Trust in a Federal Court of Australia class action by unit holders for breach of continuous disclosure obligations.
- Representing Esso Australia Ltd over a period of ten years before the Royal Commission into the 1998 Longford explosion and fire and in the defence to the Victorian WorkCover Authority (VWA) prosecution, compensation claims, joint venture dispute and Supreme Court class action. This involved complex causation issues in respect of engineering and other process related outcomes.