



## Lewis Seelenmeyer

### Special Counsel

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## OVERVIEW

Lewis Seelenmeyer is commercially focused in the areas of complex commercial litigation and contentious banking and financial services disputes.

Lewis has represented a range of public and private clients, including Australia's largest financial institutions, individuals, companies, liquidators, receivers, administrators and government authorities and has recognised achievements in a variety of actions with a number of precedent decisions. He has been involved in multiple disputes involving offshore parties, including in the United Kingdom, Hong Kong, Taiwan, China, Italy and the United States. He is a very experienced litigator, often appearing in court personally, with in-depth knowledge of practice and procedure in the superior courts of Australia and New South Wales together with experience in the inferior courts of New South Wales.

Lewis is a "go to" litigator that works closely with clients to provide comprehensive and strategic commercial advice in relation to complex disputes.

## PROFESSIONAL BACKGROUND

Prior to joining K&L Gates, Lewis worked in a number of large Australian commercial law firms, focusing on dispute resolution, class actions, commercial litigation, banking and finance and contentious insolvency matters.

He has also worked in the business banking legal team and extensively in the national Dispute Resolution Group of Westpac Banking Corporation, managing a broad range of disputes and claims arising across the bank's national and international businesses.

## PROFESSIONAL / CIVIC ACTIVITIES

- Australian Restructuring Insolvency and Turnaround Association member
- Law Society of New South Wales member
- Active in relation to the International Association of Restructuring, Insolvency and Bankruptcy Professionals and the Turnaround Management Association

- Regularly provides pro-bono advice, including through Justice Connect

## SPEAKING ENGAGEMENTS

Lewis presents seminars and training on topical litigation, dispute and insolvency related issues.

## EDUCATION

- LL.B., University of Newcastle, 2007
- Bachelor of Environmental Science, University of Newcastle, 2004
- Insolvency Education Program, University of Southern Queensland, 2013

## ADMISSIONS

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

## AREAS OF FOCUS

- Restructuring and Insolvency

## REPRESENTATIVE EXPERIENCE

- Acting for St. George Bank, and the appointed receivers and managers of certain companies in the BBY Group, the largest independent stockbroker in Australia and New Zealand by market share before its collapse.
- Advising Qube Logistics on the Atlas Iron restructure, the first time an Australian mining company has managed to restructure itself with the support of lenders, suppliers and shareholders in such an innovative and consensual way in order to avoid insolvency.
- Extensive experience in connection with determining and resolving claims and entitlements to financial products and their proceeds, particularly in connection with client monies under Part 7.8 of the *Corporations Act 2001* (Cth).
- Acted for the defendant company and liquidator in the successful defence of a multimillion dollar construction claim relating to the design, construct and commission of a coal washing and processing plant, as well as further issues under the Insurance Contracts Act involving insurer's liability, misrepresentation and fraudulent non-disclosure.

- Acted in multiple proceedings in the Federal Court of Australia and Supreme Court of NSW in connection with accounting firms having acted negligently, engaged in misleading and deceptive conduct, and in breach of contract, including in connection with financial services advice and audits.
- Acted in relation to multiple first instance and appeal proceedings relating to competing claims to monies in accounts and property, including on the basis of constructive trust and Quistclose trust.
- Acted in a disputes in the Federal Court of Australia between two public listed mining companies focused on iron ore production in the Jack Hills Region of Western Australia. The claim involved a multimillion dollar constructive trust dispute, tracing and issues around a breach of director's duty.
- Successful enforcements and successful defences of claims against directors and holding companies for liability for insolvent trading and breach of fiduciary duties.
- Successful tracing, enforcement and recoveries of funds transferred offshore through banking fraud and deceit.
- Acting for the liquidators of Halifax Investments Services, a complex multi-jurisdictional winding up involving over AUD200 million of assets and 12,500 investors.