

# Cam Huy Truong

**Personal Information** Date of birth: 23 March 1975

- Education**
- 2001 – 2004 Melbourne University Melbourne, Victoria**  
**LLM**
- Upper Second Class Honours average
  - Advanced Restrictive Trade Practices (Distinction)
  - International Law and Children's Rights (High Distinction)
  - Principles of International Law (Distinction)
- 1993 – 1998 Monash University Clayton, Victoria**  
**BA/LLB (Honours)**
- Upper Second Class Honours law degree
  - Corrs Chambers Westgarth Prize for best result in Restrictive Trade Practices (High Distinction)
  - Major in Politics (High Distinction), Minor in Economic Studies (High Distinction)
  - Professional Practice (High Distinction)
  - Membership with Golden Key National Honour Society recognising academic excellence
- 1987-1992 Norwood Secondary College Ringwood, Victoria**  
**Victorian Certificate of Education**
- Honours Certificate (1987)
  - Recognition of Academic Excellence (1991)
- Professional Experience**
- 2005 - present Commercial Barrister**  
**Some recent cases**
- Junior Counsel for plaintiff in mistaken payment case in the Supreme Court (*Focus Metals v Babicci* [2014] VSC 380 led by Norman O'Bryan SC). Successfully argued indemnity costs without leader
  - Counsel for plaintiff in defamation proceedings in the Supreme Court (*Lee v Korean Society of Victoria* [2014] VSC 316 (successfully resisted an application to restrain plaintiff as solicitor-litigant from representing himself)
  - Junior Counsel in complex trusts dispute in the Supreme Court (*Hoh v Frosthollow Pty Ltd* [2014] VSC 77) (led by Norman O'Bryan SC) (strike out application)
  - Junior Counsel in Timbercorp Supreme Court class action proceeding brought by investors in various managed investment schemes (*Woodcraft-Brown v Timbercorp Securities Limited (in liq) (No 2) (20 11) 253 FLR 240* (led by Julian Burnside QC and Phillip Crennan) and on appeal (*Woodcraft-Brown v Timbercorp Securities* (2013) 96 ACSR 307) (led by Julian Burnside QC). Special leave application (led by Bret Walker SC) (*Woodcraft-Brown v Timbercorp Securities Limited* [2014] HCAT Trans 85 (11 April 2014)
  - Counsel in Supreme Court proceeding between luxury French lingerie label Simone Perele's Australian subsidiary and Hong Kong manufacturer concerning defective product claims (*Bogart Lingerie Ltd v Steadmark Pty Ltd* [2012] VSC 212) and on appeal (*Steadmark Pty Limited t/as Lingerie Co of Australia v Bogart Limited* [2013] VSC 402

(led by David Collins SC) (application to stay proceedings based on exclusive jurisdiction clause and *forum non conveniens* arguments)

- Counsel in successful County Court proceeding brought by real estate agent for outstanding commissions against property developer (*Boss Partners Estate Agents Pty Ltd v Rivacourt Pty Ltd* [2012] VCC 1884) and on appeal
- Junior Counsel in Supreme Court proceeding concerning an easement dispute between the RSPCA and neighbouring property owner (*Royal Society for the Prevention of Cruelty to Animals (Vic) Inc v Burwood Developments Pty Ltd* [2012] VSC 628 (led by Dr Kristine Hanscombe SC (application for evidence by video-link made at commencement of trial))
- Junior Counsel in numerous Supreme Court civil penalty proceedings brought by ASIC against former AWB officers, which resulted in many interlocutory applications and commencement of a trial against Andrew Lindberg (led by Norman O' Bryan SC and Jonathon Moore) and a successful appeal of a decision to stay a second proceeding (*ASIC v Lindberg (No 2)* (2010) 26 VR 355) (led by Michael Colbran QC and Marita Wall) (appeal against finding that second proceeding was an abuse of process)
- Junior Counsel in complex breach of fiduciary duty claim in the Supreme Court between two brothers ( *Surya Deep Singh v Pradeep Singh* [2011] VSC 82) (led by Craig Harrison SC) (discovery application)
- Counsel for ASIC in creditor's examination of former Bill Express officers (*Re Bill Express (No 4)* [2011] VSC 319; *Re Bill Express Ltd (No 2)* (2010) 250 FLR 42) (application to prevent access to transcript)
- Counsel in High Court special leave application concerning an express trust (*Owens v Lofthouse* [2008] HCATrans 216 (23 May 2008))

## 2002 – 2005

### **Slater & Gordon Lawyers Melbourne, Victoria**

#### **Senior Associate**

- Advising and representing clients in a wide range of commercial and disputes including consumer protection matters, intellectual property disputes, partnership disputes, shareholder disputes
- A range of advocacy experience at directions hearings and interlocutory applications
- Advising and representing clients including the Australian Competition and Consumer Commission on a range of trade practices and consumer protection issues
- Representing parties in a number of large property law disputes including acting for a group of purchasers in the "Gold Tower" case against Mirvac, actions for a large number of victims of two-tier marketing of properties, and other actions for victims of misleading or deceptive conduct by agents
- Representing shareholders in various actions against companies
- Representing a number of franchisees in franchise disputes
- Representing a number of victims of stockbroking misconduct.

## 1999 – 2002

### **Corrs Chambers Westgarth**

Melbourne, Victoria

#### **Solicitor**

- Admitted to practice in April 2000
- Commercial lawyer focusing on trade practices, competition law, intellectual property and franchising
- Advising national and international clients on all aspects of competition and consumer laws including merger clearances, notifications, compliance programs, Part IV, Part IVA, Part V and Part IIIA of the *Trade Practices Act*
- Advising on and responding to significant ACCC investigations
- Negotiating and drafting significant commercial agreements
  
- Significant transactions include:

- preparing merger submissions on behalf of Berringer Blass, Pillsbury and General Mills, and Powercor
- providing Citadel with competition law advice in relation to the Wesfarmers' acquisition of Howard Smith
- drafting gas supply agreements for Shell and Woodside
- performing due diligence on newly created Pulse Energy
- assisting Tabcorp with a significant US domain names dispute
- providing ALH Group with strategic legal advice in relation to possible action in the racing industry
- providing Forty Winks with franchising and competition law advice in relation to one of its outlets
- providing Foster's Group with strategic competition law advice in relation to mergers and acquisitions
- providing BP with strategic legal advice in relation to supply agreements and joint ventures with other petroleum companies
- advising and representing the Victorian Automobile Chamber of Commerce and its members on various franchising issues
- representing various motor vehicle dealers in franchising disputes and in responding to major ACCC GST pricing investigation
- providing various Subaru dealers with strategic legal advice and facilitating settlement in relation to a significant franchising dispute with Subaru
- providing Bob Jane with strategic franchising advice including preparing new franchising agreements and related documents
- preparing and/or lodging notifications to the ACCC on behalf of Telstra, Mazda Australia and Australian Unity
- providing Melbourne Airport with access and general competition advice in relation to proposed action at the airport
- assisting La Trobe University with various joint ventures including providing comprehensive regulatory advice for such ventures
- advising and assisting Foster's Group in responding to a significant ACCC price fixing investigation
- advising Foster's Group and Carlton & United Breweries on various advertising promotions
- preparing government submissions for legislative reform on behalf of Foster's Group
- assisting Bob Jane in responding to various ACCC advertising investigations.

## **Publications**

"Aspects of Trade Practices Regulation in an Era of Globalisation and E-commerce", published in March 2002 edition of *Trade Practices Law Journal*

"The ACCC's immunity policy: A new application of the "Prisoner's Dilemma", published in December 2007 edition of *Trade Practices Law Journal*

"Accessorial and Vicarious Liability under the Trade Practices Act", Joint Paper with Norman O' Bryan SC, 11 February 2008

"Transnational commerce and the problem of market definition", published in December 2010 edition of *Trade Practices Law Journal*

## **Professional Memberships**

Victorian Bar  
Co-founder and secretary of Asian Australian Lawyers Association

## **Other Languages**

Cantonese (conversational)

**Interests and activities**

Spending time with family and friends, most sports, reading and travelling

**References**

Available on request