

# John Stragalinos

## Partner and Head of Office



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## Overview

John Stragalinos is a partner in our Restructuring & Insolvency and Commercial Litigation team in Melbourne.

John has acted for banks, creditors, major corporates, boards of directors, administrators, receivers, and liquidators on a wide range of restructurings and insolvency administrations for more than 23 years. As an expert in restructuring and insolvency, John has been entrusted to act on many of Australia's largest restructurings or insolvencies including: Slater & Gordon, Ansett Australia, Allco Finance Group, Raptis Group (Southport Central project), Timbercorp, ABC Learning, Westpoint Corporation and ForceCorp.

John has also acted for major corporates, banks, financial institutions and government bodies on a range of commercial disputes, litigation and arbitrations. He has extensive experience in property, contractual, banking and shareholder disputes. He has advised on complex corporate and regulatory matters including proceedings commenced by ASIC and APRA.

John has been recognized by his peers in the Best Lawyers Peer Review Australia for Insolvency & Re-organisation since 2009, Litigation since 2010 and Alternative Dispute Resolution since 2016. Since 2011, John has also been recognized by global directory Chambers & Partners (Asia Pacific) as a leading Restructuring & Insolvency practitioner.

John is a member of ARITA (Australian Restructuring Insolvency & Turnaround Association), INSOL and the TMA (Turnaround Management Association).

## Experience

### Restructuring and Insolvency

- **Slater & Gordon Limited:** Acting for a major stakeholder in relation to the company's financial restructure and creditor's scheme of arrangement.
- **Force Corp:** Acting for Challenger/Lease Collateral on the attempted restructure of its facilities to Force Corp and the subsequent receivership.

- **Forge Group:** Acting for GE in relation to the administration and receivership of Forge Group.
- **Timbercorp:** Acting for KordaMentha as liquidators of the Timbercorp Group on complex MIS issues, creditor claims, sales of timber plantations and horticultural assets including water rights.
- **Southport Central:** Serving as lead adviser to Capital Finance and KordaMentha as receivers and managers of the Southport Central project on the Gold Coast (part of the Raptis Group).
- **Confidential clients:** Acting for various stakeholders on a range of confidential workouts/ restructurings including debtors, directors, creditors and secured creditors.
- **IBM Australia:** Defending in the Supreme Court proceedings concerning alleged unfair preference claims arising out of the collapse of the Leading Solutions Group.
- **Westpoint Corporation:** Advising KordaMentha as receivers and managers of Westpoint Corporation.
- **Ansett Airlines:** Acting for KordaMentha as Administrators of the Ansett Group on a wide range of issues including statutory responsibilities, creditors meetings, ROT claims, creditor claims, sale of assets, trading and ASIC liaison.

## Dispute Resolution and general commercial

- **Ansett Australia:** Representing Ansett Australia in a substantial contractual claim against Diners Club Australia and Diners Club International in the Supreme Court of Victoria and the Court of Appeal and an international arbitration seated in New York. The matter involved claims arising out of Ansett's Global Rewards program and included complex issues of contractual interpretation, implied terms and causation of economic loss.
- **AXA Staff Superannuation Fund:** Acting for one of the board members in long running disqualification proceedings brought by APRA in both the Federal Court and Federal AAT. This involved difficult questions of superannuation law and administrative law.
- **JP Morgan:** Representing in the long running Supreme Court proceedings brought by Mrs Oswal against the ANZ Bank.
- **BP:** Acting in a long running Supreme Court proceeding covering complex breach of contract, waiver, misrepresentation and soil contamination issues.
- **ZHJ Industries:** Acting for the majority shareholders in defending an oppression action in the Supreme Court of Victoria.

## Recognition

- John is recognized as a leading lawyer in *Chambers & Partners* (Asia Pacific) in Restructuring & Insolvency: "Acknowledged for his very strong technical insolvency skills and general commercial skills", "Praised by clients as a solutions-orientated and proactive adviser who understands the need to balance the technical with the overarching commercial dynamics" (Chambers Asia Pacific).
- John is recognised in Doyles Guide as a Leading Insolvency & Reconstruction Lawyer – Victoria 2016 and 2017
- John is also recognised in the Best Lawyers Peer Review Australia for:
  - Insolvency & Re-organisation since 2009;
  - Litigation since 2010 and
  - Alternative Dispute Resolution since 2016

# Insights

- "What directors in Australia should do when faced with financial difficulties," Dentons Client Alert, 23 March, 2020
- Co-author, "When will courts grant leave to proceed against a company in liquidation," *DibbsBarker [Dentons] article*, 25 January 2017
- Co-author, "Safe Harbour defence unveiled:insolvency law reform to save business and jobs," *DibbsBarker [Dentons] article*, 6 April 2017
- Author, "Insolvent trading – safe harbour is on the way but what should directors do today If faced with financial difficulty," *Financial Services Newsletter (Lexis Nexis)*, July 2017
- Co-author, "How do courts deal with shareholder disputes and why are early independent valuations so important," *DibbsBarker [Dentons] article*, 14 September 2017
- "Who may be considered an officer – High Court provides clarification on test - ASIC v King," April 9, 2020

# Activities and Affiliations

## Community Involvement and Pro Bono

- Senior Fellow (Honorary), University of Melbourne Law School

## Presentations

- Joint Presenter, "Technical session – Recent decisions on Liquidator's Remuneration, Set off and Holding DOCAs" – ARITA Victorian conference, Melbourne, 26 April 2017
- Presenter, "Changing Times for Directors Duties and Their Exposure – Safe Harbour reforms" – Legalwise Seminar, Melbourne, 14 September 2017

## Memberships

- ARITA (Australian Restructuring Insolvency & Turnaround Association) and INSOL
- TMA (Turnaround Management Association)
- Law Council of Australia – Insolvency and Restructuring Committee
- Supreme Court of Victoria- Commercial Court and Corporations Court Users Group
- Law Institute of Victoria

# Areas of focus

## Practices

- Arbitration
- Litigation and Dispute Resolution
- Alternative Dispute Resolution (ADR)
- Commercial Litigation

- Financial Services Litigation
- Fraud, Corruption and Asset Recovery
- Real Estate Litigation and Dispute Resolution
- Restructuring, Insolvency and Bankruptcy

## Industry sectors

- Financial Institutions

## Education

- University of Melbourne, 1998, Graduate Diploma
- University of Melbourne, 1994, Bachelor of Laws (Honours)
- University of Melbourne, 1993, Bachelor of Commerce

## Admissions and qualifications

- High Court and Federal Court of Australia, 1995

## Languages

- Greek