

# Joe De Ruvo

## DIRECTOR

A seasoned, top-shelf law practitioner, renowned for excellence in dispute resolution.

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### Areas of Expertise

Dispute Resolution & Insolvency

You've almost certainly heard the saying, "there's no substitute for experience". It's an oldie but a goodie, and completely true when it comes to the legal arena. Dispute resolution, in particular, can often only be successfully navigated by a legal professional who's been around and seen the lot... so it's a smart idea to engage someone like Joe De Ruvo. Joe has built a formidable reputation over more than 40 years, managing large and complex disputes by formulating innovative strategies and offering astute, perceptive advice to achieve successful outcomes.

When you have access to Joe's expertise, you'll see how quickly and cost-effectively dispute resolution can be done, often deftly avoiding expensive litigation. However, if your matter does head to court, Joe's four decades on the scene help to ensure the right strategies are in place and aimed squarely at the best possible outcome.

### Expertise

Joe has been involved in some of the largest, most complex and longest-running proceedings in Australia, including many matters in the High Court – one of which resulted in a law change on causation and foreseeability in negligence claims. This precedent is one of many successes that put Joe at the cutting edge of his craft.

Even now, after so long in practice, Joe still enjoys the thrill of a new challenge. His experience encompasses



commercial disputes of all kinds for businesses operating in a diverse range of industries and market sectors. He can help you with contractual disputes, trust disputes, corporations law disputes, banking and finance, competition and consumer law issues, professional indemnity, government litigation and advisory and insolvency litigation.

### How Joe can help you.

- Intuitive know-how in commercial litigation and dispute resolution matters.
- Leading-edge know-how in property disputes.
- Sage guidance across all contractual disputes.
- Highly sought-after expertise in trust disputes.
- Insightful advice on insolvency and reconstruction.
- Informed counsel in agribusiness disputes.
- Detailed understanding of banking and finance.
- Shrewd management of competition and consumer law disputes.
- Effective strategising in franchise disputes.
- Strategic direction in corporations law disputes.
- Knowledgeable advice provided in estate disputes.
- Prudent advice in possession disputes.
- Smart, effective skills for judicial review applications.
- Comprehensive expertise relating to professional indemnity issues.
- Proven acumen in intellectual property disputes.
- Recognised success in Government litigation & advisory.

## Highlights

As a dedicated legal practitioner of more than 40 years, Joe has a huge number of commercial litigation and dispute resolution successes to his name, on behalf of a diverse range of local and international clients. Some of his proudest highlights include:

- Acts for San Remo, the largest producer of pasta in Australia. Advises them on all aspects of their business, including employment, international law (operate in multiple jurisdictions), risk management litigation and property legislative compliance.
- Acted for a large financial advice firm in relation to theft of funds and the freezing of crypto assets.
- Acted for many financial advice firms, including one of Australia's largest privately owned financial advice firms, in relation to intellectual property disputes, in particular restraint of trade with respect to clients.
- Acted for Ridley Corporation, one of the largest feed suppliers in the agriculture industry, in a number of large matters dealing with supply, tenancy, dispute and contractual issues.
- Advised Cheetham Salts, the largest producer of table and industrial salts in Australia, in relation to a dispute regarding responsibilities and obligations of parties.
- Acted for German company ZF Lemforder, one of the largest suppliers of parts to Australia, on a number of disputes with manufacturers which involved urgent interlocutory relief.
- Acted for the liquidator of the Riverland Fruit Co-op, which was one of the largest fruit co-op's in Australia. The liquidator issued proceedings resulting in a return of 100 cents in the dollar to creditors.
- Provided advice to the Department of Defence on contractual disputes relating to the supply of equipment, recovery of monies and advice on insolvency.
- Acted for GE Commercial Finance in disputes recovery actions and claims, recently concerning the enforcement of rights under a bailment agreement.
- Acted for Nelson Wheeler in a claim by the liquidator of Duke for the preparation of experts reports in a takeover. Following court judgement for \$117 million, the matter was successfully appealed in the High Court and damages reduced to \$31 million. Running at just over 2 years in trial, it was the longest running case in Australian civil history.
- Acted for Apand (a subsidiary of Coca-Cola Amatil) in relation to a claim by a number of potato growers arising from the supply of potatoes containing bacterial wilt. The

decision resulted in the High Court rewriting the law of foreseeability in negligence cases.

- Acted for the Directors and Underwriters of the Pope Perry Group in relation to an insolvent trading claim, brought by the liquidators of the Group against the Directors and associated entities. The claim was one of the largest insolvent trading claims in Australia.
- Acted for Pope Electric Motors in relation to contractual disputes on the supply of electric motor components for Australian Navy frigates the "Minehunter" and "ANZAC".
- Acted in relation to a claim by the liquidators for the retrieval of assets against the Bond family and other parties, concerning approximately \$45 million.
- Advised Jones Lang LaSalle in relation to litigation by Barbeques Galore, dealing with leasing dispute issues and the management of property.
- Acted for service provider Tyco FFE in one of the largest price fixing investigations carried out by the ACCC, examining the Queensland fire industry.

## Memberships & Affiliations

- Financial Advice Association Australia (FAAA)

## Testimonials

Elston needed a new approach to our legal representation in commercial matters concerning business protection. Joe, Helene and the team at DW Fox Tucker have provided that 'can do' attitude matched with genuine legal knowledge and expertise. In the arena of litigation, in particular, Joe and Helene's experience, resourcefulness and perceptive insights have been invaluable. I highly recommend the services of DW Fox Tucker without reservation.

### Ben McNamara, Chief Operating Officer - Elston

The accolades DW Fox Tucker receive are no accident and highly deserved.

I have some insight into how lawyers and law firms operate and can say without any exaggeration that in my experience DW Fox Tucker are the best. Their lawyers are highly professional and super intelligent. I very much appreciate their work and the knowledge they share, which has helped me to become a better business owner.

### Chris Harris, CEO & SMSF Specialist Adviser - Exelsuper