



Simon Lees

PRINCIPAL AREAS OF PRACTICE

- Administrative
- Banking and financial services
- Commercial
- Competition
- Corporations
- Equity
- Insolvency (corporate and personal)
- Restraints of trade
- Regulatory actions and tax offences
- Succession
- Taxation
- Trusts

ADMISSIONS

2014	New South Wales Bar
2010	Lawyer, Supreme Court of New South Wales

EDUCATION

2010	University of Technology, Sydney LLB (Hons 1)
2002	University of Sydney BComm

A SELECTION OF RECENT CASES

Corporations and insolvency

- *Edmonds v Bayfoyle Pty Ltd* (2025) NSWSC – winding up, dismissal application, unled.
- *In the matter of B & B Legal Pty Ltd trading as Borthwick and Butler Solicitors* [2025] NSWSC 587 – application to set aside a statutory demand, unled.
- *Watson, in the matter of Lin* [2025] FedCFamC2G 566 – costs
- *Watson v Deng, in the matter of Cheng Deng* [2024] FedCFamC2G 1451 – review of registrar’s decision – setting aside sequestration order.



- *In the matter of 47 Industrial Pty Ltd* [2024] NSWSC 1166 - application to set aside a statutory demand, abuse of process, unled.
- *Commissioner of Taxation v Iannuzzi* (No 3) [2024] FCA 45 - interaction of ss 601AH(3)(d) and 588FF Corporations Act, unled against senior counsel, for two of the successful applicants.
- *Amirbeaggi as trustee of the bankrupt estate of Hanna v Hanna* (No 3) [2024] FCA 1171 - acting for a trustee in bankruptcy to recover property, unled, settled prior to judgment.
- *MF Lady Pty Ltd (Trustee) v Henry Morgan Ltd* [2022] FCA 978 - winding up on just and equitable grounds, unled for the company)
- *In the matter of Myao Travel Pty Ltd* [2020] NSWSC 1672 - s459S Corporations Act, opposing a winding up, dismissed by consent, costs, unled.
- Advised a listed company on Corporations Act issues and ASIC inquiries.
- Represented individuals in ASIC and bankruptcy trustee examinations.
- Advised a liquidator on application of *Personal Property Securities Act 2009* (Cth) to a dispute over company property.

Commercial / Equity

- Multiple current proceedings involving breaches of directors' Corporations Act and fiduciary duties, and breaches of trust.
- *Shirota v Liu and Others* (2025) FCA – Significant Investor Visa investment, guarantee, misleading or deceptive conduct, unconscionable conduct, settled, unled against senior counsel.
- *Nicita v Nicita* [2025] NSWSC 585 – cross vesting application, unled against senior counsel.
- *Qiu v Westpac Banking Corporation trading as St George Bank* [2025] NSWSC 579 – applications for security for costs and freezing order, unled.
- *Xie v Qin* [2024] NSWCA 26 - breach of trust/ account/ share and unit-holders dispute, pleadings, application to amend on appeal, led by E Muston SC.



- *Skybridge Financial Pty Ltd atf the MTP Unit Trust v Buckpitt* [2024] NSWSC 1050 - restraint of trade, leave to amend, unled.
- *Xie v Qin; Qin v Taylor International Investment Pty Ltd* [2023] NSWSC 254 - breach of trust/ account/ share and unit-holders dispute, unled.
- *Australia Capital Financial Management Pty Ltd v Australian Financial Complaints Authority Limited* [2022] NSWCA 204 - appeal challenging a determination made by AFCA, led by E Cox SC.
- *Cao v Parkmeng Pty Ltd* (2022) NSWSC - enforcement of settlement deed, settled at hearing, unled.
- *Spence's Coaches Western Pty Ltd v McMahon* [2021] NSWSC 786 - restraint of trade, injunction, unled.
- *Linvest DM Pty Ltd v CPDM Pty Ltd* [2020] NSWSC 1290 - Security of Payment Act, strike out, abuse of process, unled against senior counsel.
- *Heroco Pty Ltd v Allianz Australia Insurance Ltd* (2019) Federal Court - s40(3) Insurance Contracts Act, settled, led by E Muston SC.

Tax

- Regularly briefed to provide opinions on tax questions, both state and Commonwealth.

Property

- *JWI (NSW) Pty Ltd v Rathbate Pty Ltd* (2020) NSWSC - urgent application for declarations and relief against forfeiture of a lease, application of COVID commercial leasing code, settled.

PREVIOUS PROFESSIONAL EXPERIENCE

2010 – 2014

King & Wood Mallesons (formerly Mallesons Stephen Jacques)
Solicitor
Tax and commercial litigation

2004 – 2009

NSW Attorney General, Minister for Justice, Minister for Health,
John Hatzistergos
Senior Advisor



Pro bono
2014 – 2020

Board Member, AIDS Trust of Australia

Advising charities and non-government organisations on
charitable status, tax and governance issues.