

Rachel Kong

SENIOR ASSOCIATE

Restaurant and hospitality industry

Fraud, confidential information and restraints of trade


Commercial litigation



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 @marquelawyers

Extremely good at

- Restaurant and hospitality related legal issues
- Corporate disputes
- Fraud, confidential information and restraints of trade disputes
- Franchising disputes, advice and Franchising Code compliance

Highlights

- *Everest Ice Cream v CBA* – recovery of fraudulent payments, including obtaining freezing orders
- *Birchan v Austrolex* – breach of contract, statutory warranties and negligence arising from listeria contamination in Christmas hams and resulting in significant reputational damage
- *Salt Meats Cheese Gasworks* – successful preliminary discovery application for documents regarding underpayment of employees and inaccurate due diligence materials
- *Mirus Australia v Nicholas Gage* – recovery of confidential information following end of employment and competing business allegations
- *Acquire Asia Pacific Philippines v Smith* – breaches of contractual warranties following sale of call centre business in the Philippines
- *Artcraft v Dickson & Ferris* – recoupment of \$1.2 million of stolen aluminium involving fraudulent transactions
- Pizza Hut – advising in respect of franchising, defaults, Code compliance and all things litigious
- KeepCup – advising on, and enforcing, IP infringements
- Royal Commission into Institutional Responses to Child Sexual Abuse – Case Studies 42 and 52

Claim to fame

Managed to only say “Kong for the plaintiff” in my first ever court appearance

Useless niche expertise

Filipino tax laws for call centres

Food Phobia

Tomato sauce