

# ELLEMWARREN LAWYERS

## BEN WARREN

Ben Warren is a principal of Ellem Warren Lawyers and leads the Dispute Resolution, Litigation, and Employment and Workplace sections of the firm. Ben has over 15 years of private-practice experience, including over 13 years in Brisbane CBD firms, having previously been a partner at Praeger Ellem Solicitors. He is one of approximately 30 lawyers (of more than 9,000 in Queensland) accredited by the Queensland Law Society as a specialist in commercial litigation.

He has seen numerous occasions where court proceedings, often costing tens or hundreds of thousands of dollars should have been avoided. His extensive experience and strategic thinking can often resolve an existing dispute to the client's advantage.

Ben is passionate about really getting to know a client and its business, planning risk mitigation strategies and early intervention. He strives to give clients the luxury of choosing when and how to engage with the legal system - strategically - rather than being "swept up" in it against the client's will.

### Experience and Expertise

Ben has acted for a wide variety of clients, including ASX200 listed companies, litigation "virgins", as well as insurance and finance companies. However, his primary focus for several years has been the Construction and Resource industries, where he has developed a deep understanding of the issues, including; industry specific payments legislation, safety concerns, licensing, insurance and contracting regulations, and contractor-employee issues. Ben's experience finds him able to advise commercial and corporate based clients on all aspects of their business.

- Acting regularly for a range of private enterprises, including an insurer, a credit union, a fuel distributor and all levels of the construction industry in debt claims and more complex disputes, including contested guarantees, enforcement and insolvency.
- Contracts advisory, risk mitigation and regulatory compliance advice in a range of industries, including particularly construction, mining, transport, and financial services.
- Insolvency and securities disputes, including numerous preference claims, insolvent trading, "shadow director" claims and phoenix activity.

- Many building and construction disputes, ranging in value between \$20k and \$59million, including design -v- construct disputes, and with particular expertise in the use of the Building and Construction Industry Payments legislation, across QLD, NSW and WA.
- Reviewing engagement arrangements for a range of construction and resources industry clients, a large medical chain, a national accounting practice and clients in the transport industry, and providing advice in relation to the preparation of employment and independent contractor agreements; workplace health and safety issues, including incident management, investigations and prosecutions; bullying, dismissal and discrimination.
- Conducting investigations and public examinations for liquidators of the responsible entity of a managed investment scheme with over \$90 million investor funds were lost; extensive Ponzi scheme litigation in which over \$160m investor funds were lost, advising related financial advisors; advising in regard to securities and insurance issues, and advising regarding claims against directors for misleading and deceptive conduct, negligence and breach of fiduciary duties.
- Training the claims department of an insurance company in litigation procedure and how to identify and avoid problems before they arise.
- Partnership, shareholder and JV disputes.
- Intellectual property advisory and disputes.

### Memberships and Community

- Admitted to the Supreme Court of Queensland and the High Court of Australia
- Board Member and Past President – Rotary Club Brisbane Mid-City, and PHF
- Founding President – Business referral group

### Contact Details

**M:** 0402 003 364  
**E:** [bwarren@ellemwarren.com.au](mailto:bwarren@ellemwarren.com.au)