

YUDI (YEHUDAH) NEW



PROFILE

Name:

Yudi (Yehudah) New

Address:

5 Lempriere Avenue
East St Kilda VIC 3183

Phone:

(03) 9530 3605

Mobile:

0434 152 914

Email:

yudi@newstrategicadvice.com.au

Linkedin:

/yudinew

Yudi is the founder and principal of New Strategic Advice.

Yudi is a highly regarded litigator with a keen strategic eye for achieving commercial outcomes. He is passionate about providing innovative legal solutions in an evolving legal market.

Prior to forming New Strategic Advice, Yudi was a Senior Associate in the internationally recognised class actions and product liability team at Clayton Utz. He has nearly 15 years in acting for multi-national corporations in “bet the company” class actions and remediation programs relating to financial institutions, pharmaceutical products, the automotive industry, allegedly defective products, toxic waste and agribusiness.

Yudi has been an embedded team member with the Commonwealth Bank of Australia; Victorian Government and the Australian Securities and Investments Commission.

Outside of the law, Yudi is committed to spending quality time with his wonderful family. He is also a Board Member of the Melbourne Jewish Charity Fund and a mad test cricket fan.

QUALIFICATIONS

Yudi is admitted as a barrister and solicitor to the Supreme Court of Victoria and High Court of Australia. He has acted in matters in almost all Australian jurisdictions.

EDUCATION

Yudi holds an LLB (Hons) and BEc from Monash University. He has also completed a Bachelor of Talmudic Studies at the Shaalvim Institute for Talmudic Studies in Israel.

CLASS ACTIONS

Yudi has been a senior team member acting in the following leading Australian class actions:

- **Vioxx:** successfully defended Merck & Co. Inc., (US) and Merck Sharp & Dohme (Australia) Pty Ltd in the largest product liability class action in Australian legal history. The initial judgment against Merck was unanimously overturned by a Full Federal Court and the High Court declined to grant the Applicant special leave to appeal;
- **Banksia:** acted for the Trust Company with respect to the class action led by Mark Elliot and commenced against it and others in the Supreme Court of Victoria by debenture holders in the wake of the collapse of the Banksia Group and;
- **Toxic Waste:** advised an international client with respect to its exposure to the City of Casey landfill class action commenced in the Supreme Court of Victoria;
- **Thalidomide:** defended the thalidomide class action commenced in the Supreme Court of Victoria including developing defences relating to jurisdiction, forum and limitations.
- **Permax:** defending Eli Lilly Australia Pty Ltd in defending a class action commenced against it in the Federal Court of Australia in relation to its Parkinson’s drug known as Permax.
- **Abalone litigation:** embedded as a senior legal adviser to General Counsel of the then Department of Primary Industry in the defence of the class action commenced by holders of abalone fishing licences, divers and processors.

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FINANCIAL REGULATION

CBA

Yudi was an embedded member of the legal team working on the Commonwealth Bank of Australia's Open Advice Review program in relation to the financial advice given by licensees of that bank from 2003 until 2012.

ASIC

Prior to working with CBA, Yudi was embedded for 6 months as a senior lawyer in the Australian Securities and Investments Commission's Corporations and Corporate Governance enforcement team.

COMMERCIAL DISPUTES

Yudi has acted in a range of commercial disputes, including relating to leasing, debt recovery and agricultural products

TOXIC TORTS

Yudi has extensive experience in acting for large Australian and overseas organisations with legacy toxic torts, primarily asbestos, related exposure. This includes defending and settling claims in most Australian jurisdictions and advising clients about their long tail liabilities.

AUTOMOTIVE INDUSTRY

Yudi has worked extensively with the automotive industry in relation to claims management, customer care issues, the Australian Consumer Law and recalls. This includes acting for Ford US, Mazda Japan, Toyota Motor Company of Australia, Ford Australia and Triumph Motorcycles.

ENERGY INDUSTRY

Yudi has worked closely with the energy industry, including advising the local subsidiary of an international alternative energy provider in relation to risk and reputation management issues, potential litigation and planning issues.

AUSTRALIAN CONSUMER LAW

Yudi regularly advises clients in relation to the application of the Australian Consumer Law, including in relation to implied warranties, standards and product recalls.

FOREIGN CORRUPTION AND BRIBERY

Yudi advises and presents to multinational corporations in relation to anti-corruption and bribery and the application of the Criminal Code Act 1995 (Cth).

PRO BONO

Throughout his career, Yudi has been committed to pro bono work on behalf of organisations including Vision Australia, Allergy and Anaphylaxis Australia as well as victims of child sex abuse in relation to the Royal Commission into Institutional Responses to Child Sex Abuse.

SEMINARS

Yudi regularly presents to corporate counsel and has written on topics including:

- Civil litigation – obligations and strategy;
- Class actions – the law and the lore;
- Australian Consumer Law; and
- Foreign corruption and bribery.