

TIMOTHY BOYLE

Eleven Wentworth
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PROFESSIONAL

Barrister, Eleven Wentworth (2020 -)

Barrister, Tenth Floor Chambers (2016 - 2020)

Associate to the Hon Justice Perram, Federal Court of Australia (2015 - 2016)

Solicitor, Herbert Smith Freehills (2012 - 2014)

Commercial List Researcher, Supreme Court of New South Wales (2011 - 2012)

EDUCATION

Bachelor of Civil Law, Magdalen College, University of Oxford (2014)

- Advanced Property and Trusts; Conflict of Laws; International Dispute Settlement; Restitution of Unjust Enrichment

Bachelor of Laws (First Class Honours), University of Newcastle (2010)

- University Medal; Evatt Medal (awarded to the top-ranked law graduate)

Bachelor of Commerce (Finance), University of Newcastle (2008)

SELECTED MATTERS:

Commercial:

- *Brett Cattle Company v Minister for Agriculture, Fisheries and Forestry & Anor* [2020] FCA 732 (led by Noel Hutley SC, Stephen Free and Christopher Withers) - class action; misfeasance in public office
- *Encompass Corporation Pty Ltd v InfoTrack Pty Ltd* [2018] FCA 421; (2018) 130 IPR 387 (led by David Shavin QC and Angus Lang) - intellectual property; patents; patentable subject matter
- *First Property Holdings Pte Ltd v Nyunt* [2019] NSWSC 249 (led by Charles Colquhoun) - private international law; registration of foreign judgments
- *Arbitration* (ICC Rules, Singapore seat) (led by Ian Pike SC, Tim Breakspear and Sebastian Hartford Davis) - AUD\$300 million ICC arbitration in relation to a large LNG project
- *In the matter of ACT Builders Pty Ltd* [2017] FCA 25 (unled) - corporations law; winding up application; judgment debt unsatisfied
- *In the matter of Global Advanced Metals Pty Ltd* [2019] NSWSC 1804 (led by Ian Pike SC and Alan Shearer) - corporations law; statutory derivative action; whether shareholder should be given leave to bring case for breach of directors duties
- *Oreb v Australian Securities and Investments Commission (No 2)* [2017] FCAFC 49; (2017) 247 FCR 323 (led by Richard Lancaster SC and Henry El-Hage) - corporations law; statutory construction; disqualification from management of corporation
- *Takata Airbags Class Action* (NSWSC proceedings, ongoing) - class action; product liability claims (led by Matthew Darke SC and James Sheller SC)

Public and Administrative Law:

- *Anaki v Minister for Immigration and Border Protection* [2018] FCA 77 (unled) – judicial review; migration
- *DEF v Trappett* [2017] NSWCA 163; *DEF v Trappett* [2016] NSWSC 1698 (led by Richard Lancaster SC) – judicial review of Church disciplinary proceeding; judicial intervention in affairs of private domestic bodies; basis of jurisdiction
- *Elford v Minty (No 2)* [2017] NSWSC 1643 (unled) – application for transfer of proceedings to Family Court; cross-vesting legislation
- *Insurance Australia Limited t/as NRMA Insurance v Warren* [2019] NSWSC 1126 (unled) – judicial review of decisions of medical assessor and State Insurance Regulatory Authority; adequacy of reasons; procedural fairness; construction of Permanent Impairment Guidelines
- *Lazarus v Independent Commission Against Corruption* [2017] NSWCA 37; (2017) 94 NSWLR 36 (led by Stephen Free) – judicial review of decision of District Court; statutory construction; whether retrospective legislation contravened Ch III of the Constitution
- *James McDonald v Racing New South Wales* [2017] NSWSC 1511 (led by Bret Walker SC) – judicial review of Racing NSW disciplinary proceeding; proper construction of rules of racing
- *Millers Point Community Assoc. Incorporated v Property NSW* [2017] NSWLEC 92; (2017) 224 LGERA 407 (led by Stephen Free) – Class 4 proceedings; judicial review of decision not to heritage list building; statutory construction
- *Reisner v NSW Land and Housing Corporation* [2016] NSWSC 1071 (unled) – judicial review of decision of NCAT; statutory construction
- *Robbie v Strasburger Enterprises Pty Ltd t/as Quix Food Stores & Ors* [2017] NSWSC 363 (unled) – judicial review of decision of Workers Compensation Commission; construction of workers compensation guidelines
- *Secretary, Department of Planning and Environment v T W Perram & Partners Pty Limited* [2017] NSWLEC 170 (led by David Jordan) – prosecution for undisclosed political donations
- *Vu v Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs* [2019] FCA 1808 (unled) – judicial review; migration

ADMISSIONS

New South Wales Bar (May 2016)

Supreme Court of New South Wales (April 2012)

High Court of Australia and Federal Court of Australia (April 2012)