

TIMOTHY BOYLE

Tenth Floor Chambers | 180 Phillip Street, Sydney, NSW 2000 | 9232 4609 | boyle@tenthfloor.org

EDUCATION

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

- Papers taken: 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)

PROFESSIONAL EXPERIENCE

Barrister, Tenth Floor Chambers; Sydney (May 2016 –)

I accept briefs in a wide range of areas including administrative and constitutional law, commercial law, equity, private international law, environment and local government and trade practices and competition.

Selected cases:

Commercial:

- *Brett Cattle Company v Minister for Agriculture, Fisheries and Forestry & Anor* (FCA proceedings, part-heard) (led by Noel Hutley SC and Stephen Free) – class action; misfeasance in public office
- *Cho v Park* [2016] NSWSC 871 (unled) – application for transfer of proceedings to Supreme Court; oppression claim
- *Dimitropoulos and Australian Securities and Investments Commission* [2017] AATA 1513 (led by Matthew Darke SC) – application for stay pending appeal in the Tribunal
- *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* (NSWSC proceedings, judgment reserved) (led by Charles Colquhoun) – private international law; registration of foreign judgments
- *In the matter of ACT Builders Pty Ltd* [2017] FCA 25 (unled) – corporations law; winding up application; judgment debt unsatisfied
- *Oreb v Australian Securities and Investments Commission* [2016] FCAFC 192; (2016) 247 FCR 316 (led by Richard Lancaster SC and Henry El-Hage) – practice and procedure; suppression orders
- *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

- *Whisson v Subaru (Aust) Pty Ltd & Ors* – (NSWSC proceedings) class action; product liability claims (airbags) (led by Matthew Darke SC and James Sheller)

Public/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
- *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 D Jordan) – prosecution for undisclosed political donations

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)

PUBLICATIONS

'Never 'Say-Dee': The ongoing relevance of the 'first limb' of *Barnes v Addy* in modern Australian law' (2011) 5 *Journal of Equity* 123

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)