

Eleanor Doyle-Markwick

Tenth Floor Chambers
Level 10, 174-180 Phillip Street, Sydney, NSW 2000
T: (02) 9232 4609 | M: 0400 113 560 | E: doyle-markwick@tenthfloor.org

PROFESSIONAL EXPERIENCE

Barrister – Tenth Floor Chambers

May 2018

- Proceedings concerning undue influence, gifts (*Sybil Dawne Hintze v Ratna Tsering & Anor* [2018] NSWSC 1190 – led by S Balafoutis)
- Proceedings concerning real property (*Ideal Business Centres Pty Ltd v Violin Holdings Pty Ltd atf The Violin Investment Trust* [2018] NSWSC 1249 – led by S Balafoutis)
- Proceedings concerning Corporations Act / Schemes of Arrangement (*Fairfax Media Limited, in the matter of Fairfax Media Limited (No 2)* [2018] FCA 1930 – led by A Broadfoot QC)
- Proceedings concerning contract (*Aurizon Network P/L v Glencore Coal Queensland P/L and Ors* (QLDSC – led by D Clothier QC and M Lyons)

* these proceedings are ongoing

Associate at Quinn Emanuel Urquhart & Sullivan

Sydney, Australia
Aug 2014 – Apr 2018

General commercial litigation, with particular experience in:

- contractual interpretation
- misleading or deceptive conduct
- private international law
- judicial review
- shareholder disputes
- directors' duties
- oppressive conduct

Instructed on the following matters:

- *Aurizon Network Pty Ltd v Glencore Coal Queensland Pty Ltd and Ors* (QLDSC) (interpretation of contract; A Archibald QC, R McHugh SC, D Clothier QC, D Thomas, T Breakspear)
- *Macquarie Bank v Juno Holdings S.a.r.l* (NSWSC)
 - Final – [2015] 1260 (enforcement of foreign judgment; IM Jackman SC and DFC Thomas)
 - Interlocutory - [2015] NSWSC 919 (stay; IM Jackman SC, J Hogan-Doran)
 - Interlocutory – unreported (freezing order; J Hogan-Doran)
- *Bicheno Investments Pty Ltd v Winterbottom* (NSWSC)
 - Final – [2017] NSWSC 536 (contractual interpretation; misleading conduct; J Williams)
 - Interlocutory – [2017] NSWSC 413 (evidence by video link; J Williams)
 - Interlocutory – [2017] NSWSC 402 (amendment application; J Williams)
- *Ricky Blinco Transport Pty Ltd v Aurizon Operations Ltd* (settled) (QLDSC) (misleading conduct; M Hickey)
- *Slea Pty Ltd v Connective Services Pty Ltd & Ors; Connective Services Pty Ltd & Ors v Slea Pty Ltd* (VSC) (oppression and derivative leave)
 - Interlocutory – [2017] VSC 361 (privilege; B Quinn QC with D Guidolin)
 - Interlocutory – [2017] VSC 182 (pre-emptive rights and implied undertaking; A Myers QC, B Quinn, D Guidolin)
- *Grocon Pty Ltd v RMIT* (settled) (VSC) (contractual interpretation and pre-action discovery; R McHugh SC with A Broadfoot)

Advised on the following matters:

- Examination by ASIC of allegations of white collar crime and *Corporations Act* contraventions in relation to management of a fund (M Thangaraj, V Whittaker)

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- Examination by ASIC of alleged *Corporations Act* contraventions in relation to BBSW (P Silver)
- Aspects of misleading or deceptive conduct and contractual interpretation for a leading construction company in relation to a dispute with a 'big four' bank (J Williams)
- Administrative law issues arising out of a dispute between a transport operator and a regulator
- Interpretation of a joint venture document in relation to a dispute between a coal mining company and its joint venture partner
- Non-disclosure provisions of the *Corporations Act* in relation to directors of an insolvent company
- Shareholder disputes involving a start-up technology company (A Bell SC)
- Aspects of the penalties doctrine for a leading construction company
- Confidentiality and the iniquity exception for a mortgage aggregator
- Contractual interpretation of an agreement between a consulting firm and an investment bank and the preparation of pleadings for the Northern Territory Supreme Court

Associate to the Honourable Justice Basten, NSW Court of Appeal

Sydney, Australia
Jan 2013 – Sept 2013

- *Van Dyk v Sidhu* [2013] NSWCA 198 (proprietary estoppel)
- *D'Amore v Independent Commission Against Corruption* [2013] NSWCA 187 (jurisdictional error)
- *Crossman v Macquarie Leasing Pty Limited* [2013] NSWCA 155 (authenticity of signature)
- *Hoffmann v Boland* [2013] NSWCA 158 (duty of care)
- *Baden Cranes Pty Ltd v Smith; Brambles Australia Ltd v Smith* [2013] NSWCA 136 (proportionate liability)
- *Varipatis v Almario* [2013] NSWCA 76 (breach / causation)

Legal intern at the United Nations in the ECCC

Phnom Penh, Cambodia
July 2012 – Dec 2012

Graduate lawyer at King & Wood Mallesons

Sydney, Australia
Feb 2012 – July 2012

Research assistant in Law Faculty, UNSW

Sydney, Australia
Nov 2011 – Feb 2012

Paralegal at King & Wood Mallesons

Sydney, Australia
Nov 2010 – Nov 2011

Paralegal at Jones Day

Sydney, Australia
Feb 2007 – Dec 2007

EDUCATION

Bachelor of Civil Law (Dist) Oxford University

- Restitution of Unjust Enrichment, Conflict of Laws, Civil Procedure, Comparative Public Law

Oxford, United Kingdom
Sept 2013 – July 2014

Bachelor of Arts / Bachelor of Laws (First Class Hons) UNSW

Sydney, Australia
Mar 2007 – Jan 2012

LANGUAGES

Spanish