



Eli Ball

Barrister

EDUCATION

University of Oxford (Magdalen College)

2014 Doctor of Philosophy in Law

2011 Master of Philosophy in Law

2010 Bachelor of Civil Law

Macquarie University

2007 Bachelor of Laws (First Class Honours)

Bachelor of Commerce (Accounting)

EXPERIENCE

2017 – Present 7 Wentworth Selborne, Barrister

2014 – 2017 Ashurst Australia, Solicitor

2012 – 2014 University of Oxford (Magdalen and St John's Colleges),
Lecturer in Law

2008 – 2009 NSW Court of Appeal
Tipstaff to the Honourable Justice David Ipp AO

ADMISSIONS

2017 New South Wales Bar

2009 New York State Bar

2008 Supreme Court of New South Wales

RECOGNITION

Doyles Guide | NSW Construction & Infrastructure Junior Counsel 2024 to 2026 – Recommended

Legal 500 Australia | Construction, Infrastructure & Property 2023 to 2026 – Leading Junior

Legal 500 Australia | Commercial Disputes 2023 to 2026 – Leading Junior



SELECT LED MATTERS

Kwik Flo Pty Ltd v SE Ware Street Dev Pty Ltd [2026] NSWCA 9; *SE Ware Street Dev Pty Ltd v Kwik Flo Pty Ltd* [2025] NSWSC 1060 – Briefed by HWLE and led by Greg Sirtes SC – acting for the plaintiff in proceedings concerning the nature of a “determination” under the *Building and Construction Industry Security of Payment Act 1999 (NSW)*.

Kupang Resources Pty Ltd v Commonwealth of Australia (No 4) [2025] NSWSC 1477 – Briefed by Australian Government Solicitors and led by Justin Hogan-Doran SC – acting for the Commonwealth in proceedings alleging knowing receipt of trust property. (Appeal ongoing)

CPB Contractors Pty Limited v Transport for NSW [2025] NSWSC 1005 – Briefed by HWLE and led by Robert Dick SC – acting for CPB in proceedings concerning a claim for delay and disruption costs in connection with the construction of a highway.

One Lake Macquarie Pty Ltd (In Liquidation) v Athena Rose Capital Pty Ltd (No 2) [2025] NSWSC 780 – Briefed by Mack Lions and led by Nick Kidd SC – acting for the defendant in proceedings concerning the variation of consent orders for security for costs.

Builtcom Constructions Pty Ltd v VSD Investments Pty Ltd as trustee for The VSD Investments Trust (No 2) [2025] NSWCA 134 – Briefed by HWLE and led by Greg Sirtes SC – acting for the successful respondent in an appeal concerning allegations of jurisdictional error in respect of an adjudication issued under the *Building and Construction Industry Security of Payment Act 1999 (NSW)*.

Boyded Industries Pty Ltd v Bluth & Ors [2023] NSWSC 915; [2024] NSWCA 67 – Briefed by Norton Rose Fulbright and led by Jeremy Giles SC – acting for Boyded in proceedings against its former solicitors for professional negligence.

G&S Engineering Services Pty Ltd v MACH Energy Australia Pty Ltd [2024] NSWSC 955; [2020] NSWSC 1721 – Briefed by Corrs Chambers Westgarth and led by Duncan Miller SC, Nick Kidd SC, and Gerald Ng SC – acting for the principal of a coal plant in proceedings against the contractor alleging misleading or deceptive conduct.

TMA Australia Pty Limited v 100% Bottling Company [2024] NSWCA 80 – Briefed by Russell Kennedy and led by Nick Kidd SC – acting for the successful respondent in proceedings concerning an alleged supply contract.

J&J Richards Super Pty Ltd v Nielsen & Ors [2024] FCA 1472 – Briefed by Clyde & Co and led by Jeremy Giles SC – acting for an insurer (AIG Australia) in investor class action proceedings concerning the collapse of Linchpin Capital.

Siemens WLL v BIC Contracting LLC (garnishee order) [2023] FCA 1664 – Briefed by Clayton Utz and led by Jonathon Redwood SC – acting for Siemens in proceedings concerning a garnishee order obtained to enforce an overseas arbitral award.

Premier Protection Agency (Aust) Pty Ltd v Australian Securities and Investments Commission [2022] NSWSC 374 – Briefed by Ashurst and led by Anna Mitchelmore SC – successfully acting for ASIC in a dispute with a former security services provider.



Quintis Ltd (Subject to DOCA) v Certain Underwriters at Lloyd's [2021] FCA 19; [2022] FCAFC 86 – Briefed by Wotton+Kearney and led by Michael Jones SC – acting for excess layer insurers in proceedings seeking rectification of an insurance policy to provide an additional \$40 million cover.

Insurance Australia Limited t/as CGU Insurance | Arbitration (2021) – Briefed by Lander & Rogers and led by Edward Muston SC – successfully acting for CGU in arbitral proceedings against reinsurer in a dispute concerning the meaning and application of an averaging clause.

In the matter of the NSW Rural Fire Service & Brigades Donations Fund [2020] NSWSC 604 – Briefed by Norton Rose Fulbright and led by Jeremy Giles SC – acting for the trustees of the Fund in judicial advice proceedings concerning \$51 million received from a Facebook fundraising appeal.

In the matter of Atlas Construction Group Pty Ltd (In Liquidation) | NSWSC (2019) – Briefed by Matthews Folbigg and led by Duncan Miller SC – Advising and appearing for the liquidator in the examinations of the affairs of a construction company.

Evolution Precast Systems Pty Ltd v Chubb Insurance Australia Limited [2020] FCA 1690 – Briefed by Meridian Lawyers and led by Michael Jones SC – acting for Chubb in insurance proceedings relating to the Opal Tower development.

Environmental Protection Authority v CPB Contractors Pty Ltd [2019] NSWLEC 134 – Briefed by the EPA and led by Edward Muston SC – acting for the prosecutor in sentencing proceedings relating to offences relating to the construction of the WestConnex project.

Crown Sydney Property Pty Ltd v Barangaroo Delivery Authority [2018] NSWSC 1931 – Briefed by Ashurst and led by Neil Young QC, Andrew Bell SC, Kristina Stern SC, and Sebastian Hartford-Davis – acting for Crown in a dispute concerning its integrated hotel and casino complex at Barangaroo in Sydney.

Mobis Parts Australia Pty Ltd v XL Insurance Company SE [2017] NSWSC 1321 – Briefed by Ashurst and led by Neil Young QC and Terry Mehigan – acting for a major automotive spare parts supplier in proceedings against its insurer following the collapse of a warehouse.

SELECT UNLED MATTERS

Rosemont Capital Investments Pty Ltd v Weinberg [2026] FCA 224 – Briefed by Gillis Delaney – acting for the successful applicant (Rosemont) in proceedings concerning breach of a *Quistclose* trust, knowing receipt, deceit and misleading conduct.

Moolarben Coal Operations Pty Ltd v Komatsu Australia Pty Ltd [2026] NSWSC 34 – Briefed by Hamilton Locke – acting for the successful applicant (Komatsu) in proceedings challenging privilege, including issues of waiver and application of the principle in *Sevic v Roarty*.

CBEM Holdings Pty Ltd v Sunshine East Pty Ltd [2025] NSWCA 250 – Briefed by Hamilton Mott with Mark Sheldon – acting for the appellant principal in construction proceedings concerning a claim for money paid by mistake in respect of an earthworks contract.

Max Build Pty Ltd v The Owners – Strata Plan No 54026 (No 3) [2025] NSWSC 1531 – Briefed by Moray & Agnew – acting for the successful second defendant in proceedings resisting an application to produce documents based upon an alleged agency arrangement.



Kuatro Build Pty Ltd v Elite Formwork Group Pty Ltd [2025] NSWSC 372 – Briefed by Vincent Young – Acting for the plaintiff in proceedings challenging the issue of a determination under the *Building and Construction Industry Security of Payment Act 1999* (NSW).

Hann v Hann [2025] NSWSC 80 – Brief by Collins Clare Solicitors – Acting for the sibling executors in complex proceedings concerning a cattle partnership and probate dispute, including in respect of attempts to obtain banking records through subpoenas issued before the closure of pleadings.

In the matter of Platypus Impact Housing Australia Limited [2024] NSWSC 753 – Briefed by McLachlan Thorpe & Partners – acting for the successful plaintiff company in a dispute against a former director concerning diversion of a business opportunity.

Elite Realty Development Pty Ltd v Sadek & Ors [2023] NSWCA 165 – Briefed by Vincent Young – acting for the successful respondent developer in an appeal concerning allegations of duress, breaches of director's duties, and tracing into property.

McDonagh v Huxley & Ors [2021] NSWSC 987 – Advising and appearing for three successful defendants in a two-week trial alleging fraud and misleading conduct.

Tomanovic Multiown Pty Limited v Interlux Projects Pty Ltd [2021] NSWSC 190 – Briefed by Doyles Construction Lawyers – acting for the successful defendants in proceedings concerning the enforcement of a deed of loan and claims of undue influence.

SELECT PUBLICATIONS

Enrichment at the Claimant's Expense: Attribution Rules in Unjust Enrichment (Doctoral thesis and book published by Bloomsbury, 2016).

"The Contraction of Restitution in the 21st Century" in *John Eldridge and Timothy Pilkington (eds) Australian Contract Law in the 21st Century* (Federation Press, 2021).

Advocate's Immunity in Australia: Private Law Form, Public Law Substance (Paper presented to the Obligations IX Conference | University of Melbourne, July 2018).

OTHER

Volunteer Surf Lifesaver (Narrabeen Beach SLSC), 1999 onwards.

National Medal recipient for services to Surf Lifesaving.

Rottneest Channel Swim Association, Record Holder for Fastest Butterfly Crossing (19.7km, 2018).

Avid Peloton cyclist and runner.

Doting Dad of Freddie, Tottie, and CC.

July 2026