



Justin Hogan-Doran SC

FCIArb, FACICA

PROFESSIONAL EXPERIENCE

2020 – current	Senior Counsel
2003 – current	Barrister, New South Wales Bar
2001 – 2003	Management Consultant, Boston Consulting Group
2006 – 2018	ADF Legal Officer (Captain, Australian Army Legal Corps)
1996 – 1998	United Nations Legal Officer International Criminal Tribunal for the former Yugoslavia, The Hague
1994 – 1996	Solicitor, Mallesons Stephen Jaques (King & Wood Mallesons) Banking and Finance Practice Group

Specialist Practice Areas

- International Commercial Arbitration
- Cross-Border Litigation / Private International Law
- Public international law
- Admiralty & Maritime Law and Aviation & Transportation Law
- Class Actions
- Insolvency & Bankruptcy
- Construction Litigation and Arbitration

Peer & Industry Recognition

Doyle's Guide

- Leading Arbitration Barristers – Australia – Senior Counsel (2022-2026)
- Doyle's Guide – Leading Transport Barristers – Australia – Senior Counsel (2022-2026)

Chambers & Partners

- Asia-Pacific Australia, The Bar – Shipping: 2022-2025 (Band 2)



“Justin Hogan-Doran displays all-round excellence in very complex matters.”

“Justin has a clear passion for his work and a great depth of knowledge and expertise.”

Best Lawyers – Australia

- Alternative Dispute Resolution: 2014 – 2021; Lawyer of the Year: 2019

ACADEMIC APPOINTMENTS

- Senior Lecturer in Law, University of Sydney: Private International Law, Transnational Commercial Law, Public International Law, Equity

MEMBERSHIPS & APPOINTMENTS

- Fellow, Chartered Institute of Arbitrators (FCIArb)
- Fellow, Australian Centre for International Commercial Arbitration (FACICA)
- Treasurer, NSW Bar Association: 2014 – 2015

ACADEMIC QUALIFICATIONS

- Diploma of International Commercial Arbitration (Chartered Institute of Arbitrators): 2009 (Fellow from 2016)
- Bachelor of Civil Laws (First Class Honours), University of Oxford: 1999 (Sir Robert Gordon Menzies Scholar in Law 1998)
- Master of Philosophy (Distinction), University of Oxford: 2001
- Bachelor of Laws (First Class Honors), University of Sydney: 1996
- Bachelor of Economics, University of Sydney: 1994
- Graduate Diploma in Military Law, Australian National University: 2005

SELECT CASES & ARBITRATIONS AS SENIOR COUNSEL (OCTOBER 2020 +)

(Bold names in cases below denotes appearing / appeared for)

Admiralty, Maritime and Transport

- **Maersk** v Waste Tyre Facilitators Pty Ltd FCA 2022, ongoing – container fraud claim
- **COSCO Container Lines Co Ltd** v ANL Singapore Pte Ltd – arbitration, ongoing, container casualty claims
- **Port Authority of New South Wales** ats MEL Logistics NSW Supreme Court, Commercial List – claim in relation to bulk goods terminal development in Sydney
- Advice to **West of England P&I Club** on loss of MV Gulf Livestock – marine casualty – total loss of vessel and crew/supercargoes – private international law – on all class



action claims by crew estates (Philippines), supercargoes (Australia and New Zealand) and families (Philippines, Australia and New Zealand)

- Advice to in-house counsel at **Carnival Plc** regarding class action claims in relation to *MV Ruby Princess* (Covid)

Appeals (High Court of Australia)

- **CCDM Holdings LLC v The Republic of India** [\[2026\] HCA 9](#) – counsel for US hedge funds investors in appeal proceedings against orders in their favour for recognition and enforcement under 1958 New York Convention of US\$400m+ investor-State arbitral award against India in connection with broadband satellite services (instructed by Singapore and US/UK-based firms)
- *Carmichael Rail Network Pty Ltd v BBC Chartering Carriers GmbH & Co KG* [\[2024\] HCA 4](#) – international arbitration – stay application – counsel for respondent in appeal to High Court of Australia from stay orders
- *Kingdom of Spain v Infrastructure Services Luxembourg S.à.r.l.* [\[2023\] HCA 11](#) – counsel for international investors enforcing an award under the Energy Charter Treaty and the ICSID Convention (instructed by US, UK and local firms)

Appeals (Intermediate Appellate Courts)

New South Wales Court of Appeal

- *Dnata Airport Services Pty Ltd v Polar Air Cargo Worldwide, Inc* [\[2026\] NSWCA 105](#) – arbitration – interpretation of arbitration agreement – whether binding or mere agreement to agree – counsel for successful respondent to the appeal
- *Argentine Republic v Petersen Energia Inversora, S.A.U.* [\[2026\] NSWCA 96](#) – foreign state immunity – counsel for investors on recognition and enforcement in Australia of USD18 billion judgments; successful in responding to an appeal from decision of Bell CJ
- *Huang v Aquamore* [\[2022\] NSWCA 272](#) (NSWCA) – doctrine of penalties
- **Commonwealth of Australia** *ats Sims* [\[2022\] NSWCA 194](#) application of Limitation Act to claims under the special constitutional principle in *Auckland Harbour Board*

Full Court of the Federal Court of Australia

- *Kingdom of Spain v Infrastructure Services SARL* [\[2021\] FCAFC 3](#); (No 3) [\[2021\] FCAFC 112](#) foreign state immunity / €101m ICSID Award (advocacy shared with Bret Walker SC)
- *Allan Endresz v Commonwealth of Australia* [\[2021\] FCAFC 18](#) – before Griffiths, Thawley, O'Bryan JJ (successful defence of bankruptcy orders)



ACT Court of Appeal

- *Joy Endresz v Commonwealth of Australia* [2020] ACTCA 48 –successful opposition to application to appeal out of time

Arbitration / Expert Determination

- **COSCO Container Lines Co Ltd v ANL Singapore Pte Ltd** – arbitration, ongoing, container casualty claims
- **KG Pacific Ltd v Australian Naval Architects** – arbitration, ongoing, ship design defects claims
- Expert determination in a dispute between a construction company and a local government entity (value of dispute, \$15m) (Australian Disputes Centre).
- *CC/Devas Ltd & Ors v Republic of India* (Federal Court of Australia, ongoing) – foreign state immunity and UNCITRAL award
- *Kingdom of Spain v Infrastructure Services SARL* [2021] FCAFC 3; (No 3) [2021] FCAFC 112 – foreign state immunity / €101m ICSID Award (HCA judgment pending)
- **Watkins Holdings S.à.r.l. v Kingdom of Spain** (2020, FCA, ongoing) – €77m ICSID award – Case Stated (decision awaited)
- **9REN Holding S.à.r.l v Kingdom of Spain** (2020, FCA, ongoing) – €41.8m ICSID award
- **RREEF Infrastructure (G.P.) Limited v Kingdom of Spain** (2019, FCA, ongoing) – €59.6m ICSID award
- **Tethyan Copper Ltd v Islamic Republic of Pakistan** (2020, FCA, ongoing) – US\$5 billion ICSID award (hearing April 2021)

Private International Law

- *Argentine Republic v Petersen Energia Inversora, S.A.U.* [2026] NSWCA 96 – service on a foreign State under Foreign State Immunity Act and Hague Service Convention
- **Fujian Rongtaiyuan Industrial Co Ltd v ZHAN** [2024] NSWSC 1318 – recognition and enforcement of judgment of Fujian High People's Court

Class Actions

- **Kelly v Scenic Tours Pty Ltd** (NSWSC – ongoing) – similar to *Moore* below
- **Moore v Scenic Tours Pty Ltd** (No 4) [2022] NSWSC 270 – and responding to current appeal to NSW Court of Appeal (judgment pending)



- **Furnell v Shahin Enterprises Pty Ltd** (FCA proceedings no. SAD76/2020) – wage theft class action by 6,000–8,000 employees against major South Australian retail site employer, counsel for the lead plaintiffs and class

SELECT CASES & ARBITRATIONS AS SENIOR JUNIOR BARRISTER (PRE-OCTOBER 2020)

(Bold names in cases below denotes appearing / appeared for)

Admiralty, Maritime and Transport

- *Villa Maria Pty Ltd v Mainfreight SA* (FCA 2021, settled)
- *Pluto Shipowning Inc v Hui Xiong* (FCA 2020) – claim against former owner of shipping company (resolved)
- *Wollongong Coal Limited v PCL (Shipping) Pte Ltd* (No 2) [\[2020\] NSWSC 534](#) – claim on voyage charter party and bills of lading
- **Moore v Scenic Tours Pty Ltd** [\[2020\] HCA 17](#) – holiday consumer class action by passengers on European river cruise
- **Carnival Cruise Lines ats De Jong** [\[2016\] NSWSC 347](#); (No 2) [\[2016\] NSWSC 1024](#); (No 3) [\[2016\] NSWSC 1461](#) – defending class action against Cruise Line
- *Virtu Fast Ferries Ltd v The Ship “Cape Leveque”* [\[2015\] FCA 324](#), [\[2015\] FCAFC 58](#) – for **Commonwealth of Australia** opposing arrest of ship

Arbitration – Investor-State, International and Domestic

Arbitral Law and Enforcement

- **Blasket Renewable Investments LLC v Kingdom of Spain** [\[2025\] FCA 1028](#) (reasons); [\[2025\] FCA 1469](#) (relief)
- **Eiser Infrastructure Sarl v Kingdom of Spain** [\[2020\] FCA 157](#) – €229m award
- **Hyundai Engineering & Steel Industries Co Ltd v Alfasi Constructions Pty Ltd** [\[2018\] FCA 1054](#); [\[2018\] FCA 1427](#)
- *Aircraft Support Industries Pty Ltd v William Hare UAE LLC* [\[2015\] NSWCA 229](#); [\[2014\] NSWSC 1403](#) – enforcement of foreign award

Arbitrations

- As Arbitrator – In the matter of an arbitration concerning pricing of access to regional Australian Airports (Australian Disputes Centre, 2018)
- In the matter of an arbitration concerning the transport of equipment from the New Caledonia to Australia (SIAC, 2018)
- In the matter of an arbitration concerning supply of goods from Quebec, Canada to Australia (Quebec *ad hoc* arbitration, 2017/2018)



- *ICC Arbitration 17402/CYK Ivanhoe Mines Ltd v Stemcor Pellets & Ors* – Arbitration of dispute over mining royalty payments (as counsel for Ivanhoe Mines Ltd of Canada)

Class Actions

- **Moore v Scenic Tours Pty Ltd** [\[2020\] HCA 17](#) – holiday consumer class action; now counsel for representative plaintiff on all further and damages claims
- **Furnell v Shahin Enterprises Pty Ltd** (FCA proceedings no. SAD76/2020) – wage theft class action by 6,000-8,000 employees against major South Australian retail site employer, counsel for the lead plaintiffs and class
- Claim by nationwide class of caravan resellers and dealers against national distributor for global brand – 2019 (FCA, settled)
- **Carnival Plc ats De Jong** [\[2016\] NSWSC 347](#); (No 2) [\[2016\] NSWSC 1024](#); (No 3) [\[2016\] NSWSC 1461](#)

Construction (Non-Arbitration)

- Expert determination in a dispute between a construction company and a local government entity (value of dispute, \$15m) (Australian Disputes Centre).
- **BGC Contracting Pty Ltd and Laing O'Rourke Australia Contracting Pty Ltd v Golder Associates Pty Ltd** (Construction List, SCNSW, resolved 2020)
- *Walker Group Constructions Pty Ltd v Tzaneros Investments Pty Ltd* [\[2017\] NSWCA 27](#) – assignment of building warranties

Cross-Border Insolvency, Insolvency and Bankruptcy

- *Endresz v Commonwealth of Australia* [\[2019\] FCAFC 197](#) – appeal to Full Court – going behind a judgment
- *In the Matter of Coin Co International PLC (Administrators Appointed)* [\[2015\] FCA 354](#) – intervening for **United Nations International Childrens Emergency Fund** as creditor on cross-border insolvency application
- *Katter v Melhem (No 2)* [\[2014\] FCA 1176](#) – bankruptcy – opposition to going behind judgment – judgment confirmed
- **Katayama v Japan Airlines Corporation** [\[2010\] FCA 794](#) – Australian counsel for the Japan Airlines group in its US\$5billion cross-border insolvency / restructuring

Equity – Complex Fraud and Tracing Claims



- *Kupang Resources Ltd v Commonwealth of Australia* (2020, NSWSC, Commercial List) (ongoing)
- *Commonwealth of Australia v Davis Samuel Pty Ltd* (No 7) [\[2013\] ACTSC 146](#), No 8 [\[2014\] ACTSC 312](#) and No 9 [\[2015\] ACTSC 127](#) – complex fraud and tracing action by the Commonwealth of Australia against thirty-four defendants – proceedings running since 1999
- *Beluga Shipping GmbH v Headway Shipping; Suzlon Energy Ltd v Bangad* [\[2014\] FCA 1105](#) – above

Foreign State Immunity, Public International Law (Non-Arbitration)

- *Gibson v Official Trustee in Bankruptcy of New Zealand* (FCA NSD186 of 2015) – appearing for Government of NZ – asserting foreign state immunity – proceedings struck out
- Advice for a South Pacific Government (2015) – immunity from jurisdiction in Australian proceedings
- Advice to Australian mining company (2014) – claims against Middle East government in respect of mineral exploration rights
- Advice for a Middle East Government (2013, 2014) – immunity from enforcement of claims against assets of consulate in Sydney

Private International Law (Other)

- *David v Kazal & Ors* [\[2019\] NSWSC 1763](#) – recognition and enforcement of US penalties judgment
- *Surgibit IP Holdings Pty Limited v Ellis* [\[2016\] NSWSC 359](#) – recognition and enforcement of US judgment for treble damages (first such case in Australia)
- *Macquarie Bank Ltd v Juno Holdings S.a.r.l* [\[2015\] NSWSC 919](#) – resisting stay of proceedings to enforce foreign judgment from the Netherlands Antilles
- *J P Morgan Chase Bank N.A. v PT Indah Kiat Pulp and Paper Corporation* [\[2012\] NSWSC 1279](#) – recognition and enforcement of US Federal District Court judgment

Appeals – NSW Court of Appeal, Full Court of Federal Court of Australia, and High Court Appeals

- *Moore v Scenic Tours Pty Ltd* [\[2020\] HCA 17](#) – holiday consumer class action), led by Justin Gleeson SC
- *Endresz v Commonwealth of Australia* [\[2019\] FCAFC 197](#) (appeal to FCA Full Court) – sole counsel for Commonwealth



- *Walker Group Constructions Pty Ltd v Tzaneros Investments Pty Ltd* [2017] NSWCA 27 – assignment of building warranties
- *Davis Samuel Pty Ltd v Commonwealth of Australia* (No 2) [2016] ACTCA 26 – application to set aside judgment *ex debito justitiae* – abuse of process
- *Aircraft Support Industries Pty Ltd v William Hare UAE LLC* – special leave application from [2015] NSWCA 229, appeal not yet determined
- *Virtu Fast Ferries Ltd v The Ship “Cape Leveque”* [2015] FCAFC 58 (for the Commonwealth of Australia as intervener, leading Q Rares)
- *Aircraft Support Industries Pty Ltd v William Hare UAE LLC* [2015] NSWCA 229 (leading Q Rares)
- *Galea v Farrugia* [2013] NSWCA 164 – sole counsel
- *Franks v Moribund Pty Limited (formerly Equitiloan Securities Pty Ltd) (in liq.)* [2011] NSWCA 216
- *AssetInsure Pty Ltd v New Cap Reinsurance Corporation Limited (in liq.)* (2006) 225 CLR 331

Military Law

- Counsel Assisting the Royal Australian Navy *HMAS Parramatta* inquiry
- Counsel Assisting the Royal Australian Navy *Sea King Board of Inquiry*
- *White v Director of Military Prosecutions* (2007) 235 ALR 455 – Counsel in challenge to constitutionality of Australian Military Court

SELECTED PUBLICATIONS

- “[Enforcement of Foreign Judgments and Awards in Australia – the Complete Guide and Checklist \(2019\)](#)”
- “[Freezing \(Mareva\) Orders: a rough guide \(2016\)](#)”
- “[The Harman Undertaking – The Litigator’s Rough Guide \(2019\)](#)”
- J A Hogan-Doran, “Enforcing Australian Judgments in the United States (and vice versa) – how the long arm of Australian courts reaches across the Pacific” (2008) 80 *Australian Law Journal* 361
- J A Hogan-Doran, “Jurisdiction in Cyberspace: The when and where of on-line contracts” (2003) 77 *Australian Law Journal* 377

RECENT AND FREQUENT BRIEFING FIRMS & PRINCIPALS

- Norton Rose Fulbright (Sydney / Singapore, Arbitration) – Andrew Battisson, Tamlyn Mills



- Allen & Overy (Perth, Arbitration) – Mark van Brakel
- King & Wood Mallesons (Sydney, Arbitration) – Daisy Mallett
- HWL Ebsworth (Sydney, Maritime) – Joe Hurley
- Norton White (Sydney, Maritime) – Danella Wilmshurst
- Russells (Sydney, Commercial Lit) – Andrew Sutherland (ex-Mallesons)

RECENT CLIENT LIST

Arbitration	Investor-State: Diverse clients from UK, Europe, BVI, Mauritius, US, usually associated with US and other international hedge funds and Venture Capital funds, investing in investor-state awards Maritime: COSCO Container Lines Co Ltd,
Maritime and Shipping	Maersk Carnival Cruise Lines West of England P&I Club PCL Shipping Singapore (Ltd)
Construction / Infrastructure	Hyundai Heavy Engineering & Steel Industries Co Ltd NSW Ports (Port Authority) Australian Container Freight Services
Financial Institutions	Morgan Stanley Macquarie Bank Korean Deposit Insurance Corporation
Commonwealth of Australia	Prosecution and defence of commercial claims Admiralty and maritime matters