BANCO CHAMBERS

ANAIS
D'ARVILLE
Barrister

+61 2 9376 0643
anais.d'arville@banco.net.au

AREAS OF PRACTICE	Competition, Sports Law, General Commercial, Equity, Insolvency, Corporations.
PROFESSIONAL EXPERIENCE	2012-present: NSW Bar 2008-2012: Associate/Senior Associate, Freshfields Bruckhaus Deringer LLP, London 2005-2008: Solicitor, Litigation, Mallesons Stephen Jaques, Sydney 2004: Tipstaff to the Hon Ipp JA AO, Court of Appeal, NSW Supreme Court
EDUCATION	Bachelor of Laws (First Class Honours) and Bachelor of Economics, Australian National University, 2003 EAP Exchange Program, University of California – Berkeley, USA, 2002
MEMBERSHIPS AND OTHER ACTIVITIES	2023 – Present: Member of Volleyball Australia Internal Tribunal 2019 – Present: Member of FIBA Appeals Panel 2017 – Present: Member of NBL/WNBL Tribunals 2017 – 2024: Substitute Member of FIVB Tribunal 2016 – Present: Member of Australian and New Zealand Sports Law Association 2005-2008, 2012-2017: Downing Centre Duty Solicitor Scheme, Downing Centre Duty Barrister Scheme, Offshore Asylum Support Project (PILCH) 2008-2012: Asylum Support Appeals Project (UK), volunteer duty solicitor, Duty solicitor, Citizens Advice Bureau, Royal Courts of Justice
RECENT SELECTED CASES	Anais has experience in the High Court of Australia, all NSW Courts, the Federal Court and Federal Circuit Court, the Victorian, ACT and West Australian Supreme Courts and various tribunals, including various sporting tribunals and the Australian Competition Tribunal. He has also appeared in the High Court of Fiji. The following are a selection of proceedings in which Anais has appeared.

COMPETITION AND CONSUMER	*Epic Games, Inc v Apple Inc* [2025] FCA 900 *Epic Games, Inc v Google LLC* [2025] FCA 901	Final Hearing: Misuse of Market Power and Exclusive Dealing *With N Young QC, G Rich SC, RCA Higgins SC, T Prince, A Barraclough, O Ciolek, K Lindeman, B Hancock, J Waller, J Apel and R Marsh*
	Glencore Coal Assets Australia Pty Limited v Port of Newcastle Operations Pty Limited [2025] NSWSC 167; [2026] NSWCA 64	Appeal and First Instance Hearing: Dispute about interpretation of ACCC Determination *With DJ Roche SC (first instance); With B Walker SC and DJ Roche SC (appeal)*

ACCC v Meta Platforms, Inc. (formerly Facebook, Inc.) (No 4) [2025] FCA 1084; *ACCC v Meta Platforms, Inc* [2022] FCA 1062; *(No 3)* [2024] FCA 890	Interlocutory Hearings: Strike-out applications *With N Sharp SC and A Campbell*
Williams v Toyota Motor Corporation Australia Limited (Initial Trial) [2022] FCA 344; *Toyota Motor Corporation Australia Limited v Williams* [2023] FCAFC 50 and [2023] FCAFC 70	Initial trial of class action: consumer guarantees; Appeal to Full Court *With R Dick SC and X Teo*
ACCC v Google LLC (No 2) [2021] FCA 367; *ACCC v Google LLC (No 4)* [2022] FCA 942	Final Hearing: Misleading and Deceptive conduct; Penalty Hearing *With K Richardson SC (liability); With K Morgan SC (penalty)*
Re Port of Newcastle Operations Pty Ltd (No 2) [2022] ACompT 1	Review of authorisation in respect of collective bargaining *With CA Moore SC and DJ Roche*
ACCC v Pacific National Pty Limited (No 2) [2019] FCA 669; *ACCC v Pacific National Pty Limited* [2020] FCAFC 77; [2020] HCATrans 213	Final Hearing and Appeal: Competition allegations re: proposed merger *With CA Moore SC, DJ Roche and D Forrester*
ACCC v Ramsay Health Care Australia Pty Limited [2020] FCA 308	Final Hearing: Misuse of Market Power and Exclusive Dealing *With NC Hutley SC and RCA Higgins SC*
Prysmian Cavi E Sistemi S.R.L. v ACCC [2018] FCAFC 30	Appeal: Cartel arrangement or understanding *With CA Moore SC*
ACCC v Australian Competition Tribunal [2017] FCAFC 150	Final Hearing: Judicial review of merger authorisation *With CA Moore SC, N de Young and B Lim*
Application by Tabcorp Holdings Ltd [2017] ACompT 1; [2017] ACompT 5	Final Hearing: Merger authorisation application *With CA Moore SC, N de Young and R Yezerski*
Application by Sea Swift Pty Limited [2016] ACompT *9*	Final Hearing: Merger authorisation application *With N Young QC and R Orr QC*

GENERAL COMMERCIAL / EQUITY	*Luff v Lyons* [2025] NSWSC 1509	Final Hearing: Caveat *Unled*
	Pizzolato v Marques [2026] NSWCA 44 *In the matter of C&V Engineering Co Pty Ltd and Pizzolato Nominees Pty Ltd* [2025] NSWSC 857 and [2025] NSWSC 965	Appeal and Final Hearing: Correction of Share Register *Unled (First instance); With J Giles SC (Appeal)*
	Harris Health Care Pty Ltd (receivers and managers appointed) (in liq) v Hayes (No 2) [2025] NSWCA 60	Third Party Costs Order following appeal *Unled, with J Ibrahim*
	In the matter of the adoption of CEV [2025] ACTSC 377	Final Hearing: Adoption Application *Unled*
	Dexus Capital Investment Services Pty Ltd atf Dexus Diversified Infrastructure Trust A, Australia Pacific Airport Funds & Australia Pacific Airports Fund No.4 v Australia Pacific Airports Corporation Limited [2025] NSWSC 519	Interlocutory injunction *Unled*
	Peninsula Business Services Group Limited v Edward Mallett; Peninsula Business Services Group Limited v Steven John Nicholson [2024] NSWSC 1568	Interlocutory dispute: adequacy of pleadings *Unled*
	In the matter of Gainer Associates Pty Limited [2024] NSWSC 1138	Final Hearing: Application for Judicial Advice *With DL Williams SC*
	Hardy v Coates Hire Operations Pty Ltd [2022] NSWCA 122; District Court of NSW, No 2019/83346, 24 August 2021	Final Hearing and Appeal: Guarantee and claims under *Contracts Review Act* *Unled*
	Blackmores Ltd v Jestins Enterprises Pty Ltd [2020] NSWSC 1177	Final Hearing: Contract, Misleading and Deceptive Conduct *Unled*
	Westpac Banking Corporation v Southern Environmental Services Pty Ltd [2020] NSWSC 448	Final Hearing: Conversion, Detinue, Abandonment, Estoppel *Unled*
	Barrett v Maradaca Pty Ltd [2020] NSWSC 440; *Wormald v Maradaca Pty Ltd* [2020] NSWCA 289; *Wormald v Maradaca Pty Ltd* [2021] NSWCA 307	Final Hearing and Appeal: Contract, Misleading and Deceptive Conduct *Unled at first instance; With I Pike SC on appeal*

	Wigmans v AMP Ltd [2019] NSWCA 243; *Komlotex Pty Ltd v AMP Ltd* [2020] NSWSC 504	Representative proceedings: Continuous Disclosure *With CA Moore SC and G Donnellan*
	Comlin Holdings Pty Ltd v Metlej Developments Pty Ltd [2018] NSWSC 761; [2018] NSWCA 329; [2019] NSWCA 62; [2019] NSWCA 73; [2019] NSWCA 214	Final Hearing and Appeal: Contract, Partnership, Estoppel *Unled on appeal; Unled, with ME Hall at first instance*
	Brisconnections Finance Pty Ltd (Receivers and Managers Appointed) v Arup Pty Ltd [2017] FCA 1268	Final Hearing: Negligence and misleading and deceptive conduct in relation to traffic forecasts *With N Hutley SC, I Pike SC and AE Munro*
	HP Mercantile Pty Ltd v Hartnett & Ors [2015] NSWSC 1475; [2016] NSWCA 342; [2017] NSWCA 79	Separate Question and Appeal: Claim under Loan Agreement *With CRC Newlinds SC*
	Poon v Poon [2017] NSWDC 117	Final Hearing: Loan Agreement dispute *Unled*
	Byers v Frith [2016] NSWDC 209; *Byers v Frith (No 2)* [2017] NSWDC 165	Final Hearing: Product Liability and Breach of Contract *Unled*
	Polo Enterprises Australia Pty Ltd v Pinctada Hotels and Resorts Pty Ltd [2015] NSWSC 756; [2016] NSWSC 717	Final Hearing: Contract, Issue Estoppel, Costs *Unled*
	Raffe v Raffe [2017] FJHC 936; [2017] FJHC 705; [2017] FJHC 657	Final Hearing: Probate – interpretation of will and powers of executors *With A Coleman SC*
	Re Ikon Group Ltd (2015) 107 ACSR 146; [2015] *NSWSC 980; (No 2)* [2015] NSWSC 981; *(No 3)* [2015] NSWSC 982	Interlocutory injunction: Breach of directors' duties and injunction *Unled*
DEFAMATION / MEDIA	*V'landys v Australian Broadcasting Corporation (No 3)* [2023] FCAFC 80; [2023] HCASL 140	Appeal: Defamation *With P Gray SC*
	Herron v HarperCollins Publishers Australia Pty Ltd [2020] FCA 805; *Herron v HarperCollins Publishers Australia Pty Ltd (No 3)* [2020] FCA 1687; *Herron v HarperCollins Publishers Australia Pty Ltd* [2022] FCAFC 68	Final Hearing and Appeal: Defamation *With T D Blackburn SC and M Pulsford*

	Cummings v Fairfax Digital Australia & New Zealand Pty Ltd; Cummings v Fairfax Media Publications Pty Ltd [2018] NSWCA 325	Appeal: Defamation *With ATS Dawson SC*
	Seven Network (Operations) Ltd v Brown [2013] NSWSC 372	Final Hearing: Employment Contract – Termination *With T D Blackburn SC*
TAXATION / REGULATORY	*Mosaic Brands Ltd v Australian Communications and Media Authority* [2021] FCA 669; *Mosaic Brands Ltd v Australian Communications and Media Authority* [2022] FCAFC 79	Judicial Review – First Instance and Appeal: Validity of statutory notice *Unled, with M Pulsford*
	Commissioner of Taxation v Rowntree [2020] FCA 1322; *Commissioner of Taxation v Rowntree* (No 2) [2021] FCA 268; *Commissioner of Taxation v Rowntree (No 3)* [2021] FCA 306	Final Hearing: Promoter Penalty Provisions *With K J Deards SC*
CORPORATIONS / INSOLVENCY / BANKRUPTCY	*In the matter of C&V Engineering Co Pty Ltd and Pizzolato Nominees Pty Ltd* [2025] NSWSC 857; [2025] NSWSC 965	Final Hearing: Application for rectification of Share Register *Unled*
	In the matter of Festival Corp Pty Ltd [2020] NSWSC 1426	Application for interlocutory injunction and production of documents *With A P Coleman SC*
	Ritossa & Anor v Rutland & Anor [2019] FCCA 1219	Application for a sequestration order *Unled*
	White, in the matter of Mossgreen Pty Ltd (Administrators Appointed) (No 3) [2018] FCA 711	Application for directions in respect of property held by insolvent company *Unled*
	In the matter of Golden Sands Hospitality Pty Ltd (in liq) [2017] NSWSC 410; *(No. 2)* [2017] NSWSC 450	Final Hearing: Replacement of liquidator and approval of Deed of Indemnity *Unled*
MIGRATION	*FBX17 v Minister for Immigration and Border Protection* [2024] FedCFamC2G 302	Final Hearing: Migration *Unled*
	BIP18 v Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs [2021] FCCA 827	Final Hearing: Migration *Unled*
	FOE17 v Minister for Immigration & Anor [2019] FCCA 1861; [2020] FCAFC 73	Final Hearing and Appeal: Migration *Unled*

	BIR17 v Minister for Immigration & Anor [2019] FCCA 155; [2019] FCA 850	Final Hearing and Appeal: Migration *Unled*
	SZTIK v Minister for Immigration and Border Protection & Anor [2014] FCCA 1483	Final Hearing: Migration *Unled*
EXPERIENCE IN SPORTS TRIBUNALS	Anais is a member of the NBL Tribunal, a member of the FIBA Appeals Panel and a member of the Volleyball Australia Internal Tribunal. The following are a selection of proceedings in which Anais has presided or appeared.	
AS TRIBUNAL MEMBER	FIBA Appeals Panel	Various disputes involving international transfers of players; Dispute involving extension of sanctions in relation to insolvent club
	NBL Tribunal	Various disciplinary proceeding in respect of: post-match conduct by player; unduly rough play; altercation with spectators
	Basketball Australia Hearing Panel	Various disciplinary proceedings in respect of code of conduct breaches related to: gambling; coach/player relationship
AS ADVOCATE	AFL Tribunal	Numerous appearances for players in respect of disciplinary charges for on-field incidents (*Unled)*
	AFL Appeals Board	Appeared for player in successful appeal of Rough Conduct charge (*Unled*) Appeared for player in respect of AFL Appeal of contact with an umpire charge (*With B Ihle QC)*
	Australian Olympic Committee Appeal Tribunal	Appeared for athlete in respect of non-nomination for Tokyo Olympics (*Unled)*
	NRL Anti-Doping Tribunal	Appeared for five NRL Players in relation to the use of peptides (*With A P Coleman SC)* Appeared for NRL Player in relation to use of supplement (*With A P Coleman SC)* Advised NRL Player in relation anti-doping violation (*With B Ihle QC)*
	NEAFL Tribunal	Appeared as disciplinary counsel for the NEAFL (*Unled)*
	Independent Disciplinary and Ethics Committee of the Football Federation of Australia (A-League)	Appeared as disciplinary counsel in respect of various matters (*Unled*)