

MATTHEW MCGIRR

BARRISTER

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EDUCATION

JURIS DOCTOR (HONOURS)

UNIVERSITY OF NEW SOUTH WALES
2010 – 2013
Dean's List Prize 2012 & 2013
1st in Restitution
1st in Remedies
1st in American Public Law

BACHELOR OF ARTS (HONOURS)

UNIVERSITY OF SYDNEY
2006 – 2010
Major in history

ADMISSIONS

**CALLED TO THE
NSW BAR IN 2021**

**ADMITTED AS
LAWYER OF THE
NSW SUPREME
COURT IN 2015**

SUMMARY

Matthew is a highly regarded junior counsel, with a practice primarily focussed on corporate and commercial law, insolvency, strata, general equity, as well as common law claims. Matthew regularly appears in all Federal and State courts, along with state tribunals, and will accept briefs in all areas of law. Matthew has appeared regularly in the Court of Appeal.

Prior to being called to the bar, Matthew was a solicitor for over 7 years. Immediately prior to the bar, Matthew was a Senior Solicitor at the Australian Prudential Regulation Authority (APRA), where he advised APRA in relation to several high profile contentious and non-contentious matters.

Prior to APRA, Matthew's was a solicitor at law firms Herbert Smith Freehills and Gilbert + Tobin. During his time at these firms, Matthew worked on many high-profile disputes for some of Australia's leading companies, including Westpac, CBA, Bupa, Telstra, JP Morgan Australia, and several others. Matthew also worked on class actions and commissions of inquiry.

Matthew was also engaged by the Australian Institute of Company Directors as a policy adviser, where he worked closely with government and stakeholders on the insolvency safe harbour reforms and a number of other complex legal policy issues.

Matthew graduated from the University of Sydney with a Bachelor of Arts with Honours in history. Matthew then graduated from the

PRIOR PROFESSIONAL EXPERIENCE

SENIOR SOLICITOR

AUSTRALIAN PRUDENTIAL REGULATION AUTHORITY | 2020 - 2021

SOLICITOR

HERBERT SMITH FREEHILLS | 2019 - 2020

LAWYER AND POLICY ADVISER

AUSTRALIAN INSTITUTE OF COMPANY DIRECTORS | 2017 - 2019

LAWYER

GILBERT + TOBIN | 2013 - 2016

SELECTED MATTERS (AS COUNSEL)

Gemi Nominees Pty Ltd v Chamoun [2024] NSWSC 926 -24, 27 May 2024, 23 July 2024 – hearing before Faulkner J. Led by H Sommerville.

Toltz Pty Ltd v City Garden Australia Pty Ltd (in liq) (stay application following 2 day appeal) [2024] NSWCA 70 – 26 July 2024 – hearing before Kirk, Stern JJA, Basten AJA. Led by H Somerville.

City Garden Australia Pty Ltd (subject to DOCA) as trustee for Ming Tian City Garden Unit Trust v Gemi 130 Pty Ltd [2024] NSWCA 139– 6 June 2024 – hearing before Meagher JA. Led by H Somerville.

Summer Co Rural Pty Ltd v Gibbon [2023] NSWSC 1643 – 12 February 2024 – 1 day hearing before Slattery J. Unled.

Kramer v Stone [2023] NSWCA 270 – 4 September 2023 – 1 day appeal before Ward P, Leeming JA, Kirk JA. Led by Raoul Wilson SC.

Clough v Breen [2022] NSWSC 1759; Clough v Breen (No 2) [2022] NSWSC 1759; Clough v Breen (no 3) [2023] NSWSC 752; Clough v Breen (no 4) [2023] NSWSC 1155; Clough v Breen (No 5) [2024] NSWSC 337; – various hearings before Slattery J. Led by F Maghami.

Zaya v Damirdjian – 11 October 2022 – before Bell CJ, Gleeson JA, and Griffiths AJA. Led by P Menzies QC and A J Parker.

Breen v Rose [2023] NSWDC – 19 July 2023– appeal hearing before Scotting DCJ. Unled.

Hebbel Constructions Pty Ltd v Bitar Pty Ltd [2022] NSWSC 1594 – 7 November 2022 - 1 day hearing before Hammerschlag CJ in Eq – defending application to set aside statutory demand – unled.

Dealt Holdings Ltd, in the matter of Dealt Holdings Ltd (No 2) [2022] FCA 1266 – 26 October 2022 - 1 day hearing before Halley J – scheme of arrangement 2nd hearing – led by D Barnett.

Watkinson v Western Sydney University [2022] NSWCATAD 321 – 30 September 2022 - 1 day hearing before SC H Dixon SC – access to government information request – unled.

Dealt Holdings Ltd, in the matter of Dealt Holdings Ltd [2022] FCA 1104 – 19 September 2022 - 1 day hearing before Halley J – scheme of arrangement 1st hearing – led by D Barnett.

Ozmen Entertainment Pty Ltd v Neptune Hospitality Pty Ltd (No 8) [2022] FCA 1091 – 5 September 2022 - 1 day hearing before Rares J – adoption of referee’s report – unled.

M&R Etri and Amani Farming Pty Ltd v M&R Desai [2022] NSWCATAP 211 - 29 June 2022 – 1 day appeal hearing before S Westgarth (Deputy President) and C Fougere (Principal Member) – commercial tenancy dispute – unled.

Wiggett v Stone [2022] NSWSC 771 – 10 June 2022 - 1 day hearing before Schmidt AJ – transfer under s 1337H of Corporations Act – unled.

Keyworth v The Owners - Strata Plan No. 45081 & 43487 [2022] NSWCATCD - 7-8 April 2022 - 2-day hearing before Ellis SM – fire safety strata dispute – led by G Sirtes SC.

Group and General Finance Pty Ltd v Samer Tabbaa (NSWSC 2022/0002979) - 2 February 2022 - urgent interlocutory injunction before Ward CJ in Eq – dispute regarding mortgagee in possession – unled.

Rise Distributors Pty Ltd v Slaven Property Pty Ltd (NSWSC 2021/3216433) - 15 December 2021 – hearing before Darke J – obtained urgent relief against forfeiture for commercial lessee – unled.

Valiant Finance Pty Ltd v Allpoints Carpentry Pty Ltd (NSWLC 2021/0030871) – 8 December 2021 - 1-day trial – consumer transaction – unled.

Ozmen Entertainment Group Pty Ltd v Neptune Hospitality Pty Ltd – 12 November 2021 -- reference hearing before The Hon. R Gyles AO QC – damages quantification – Federal Court of Australia – 12 November 2021 – unled.