

# MATTHEW MCGIRR

BARRISTER

## CONTACT

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## EDUCATION

### JURIS DOCTOR (HONOURS)

UNIVERSITY OF NEW SOUTH  
WALES  
2010 – 2013  
*Dean's List Prize 2012 & 2013*  
*1<sup>st</sup> in Restitution*  
*1<sup>st</sup> in Remedies*  
*1<sup>st</sup> 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 wide-ranging practice primarily focussed on commercial law, common law (including intentional torts), superannuation, property law, construction, strata, and general equity. Matthew regularly appears in all Federal and State courts and tribunals. Matthew will accept briefs in all areas of law.

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 practised at law firms Herbert Smith Freehills and Gilbert + Tobin. During this period, Matthew acted for some of Australia's leading companies, including Westpac, CBA, Bupa, Telstra, JP Morgan Australia. Matthew also worked on a number of class actions and commissions of inquiry.

Matthew has also worked as a policy adviser and lawyer at the Australian Institute of Company Directors, where he worked closely with governments, directors, and stakeholders important legal policy issues, including the insolvency safe harbour reforms

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

## 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

## RECENT SELECTED MATTERS (AS COUNSEL)

**Clough v Breen [2022] NSWSC 1759** - 19 December 2022 - 5-day trial before Slattery J – part heard – dispute about rights under easement - SCNSW No. 2020/130704 – led by F Maghami

**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 2<sup>nd</sup> 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 1<sup>st</sup> 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