

MATTHEW KARAM SC

Bachelor of Laws (First Class Honours) - University of Canterbury
Bachelor of Commerce - University of Canterbury

T +61 2 9151 2005
E mkaram@newchambers.com.au
in matt-karam-962411104

Admitted to the legal profession
2003

Admitted as a barrister in NSW
2014

Appointed Senior Counsel in NSW
2026

Also entitled to practise in
Australian jurisdictions (Commonwealth, State and Territory); Republic of Vanuatu

Matthew specialises in commercial, insolvency and insurance litigation. He appears in complex disputes in the State Supreme Courts and Federal Court at trial and appellate level. Matthew also has an extensive practice in the areas of professional negligence and sports law.

Matthew has a broad appellate practice and has led the conduct of appeals in the Court of Appeal of New South Wales, the Full Court of the Federal Court of Australia, the Court of Appeal of Western Australia, the ACT Court of Appeal, the Full Court of the Supreme Court of Tasmania, the New Zealand Court of Appeal and the Court of Appeal of the Republic of Vanuatu. Matthew also publishes frequently to members of the legal profession and industry bodies in his areas of specialty.

Matthew is recognised in the 2027 Best Lawyers rankings (Insolvency and Reorganisation Law). Matthew was recognised as a Band 1 Leading Junior in the 2026 Legal 500 Australia Bar rankings (Commercial Disputes) where he was described as "an extremely competent commercial barrister. He is technically thorough and takes a commercial approach to disputes." He was also recognised in the 2026, 2025 and 2024 Doyle's Guide rankings for Leading Insolvency & Restructuring Junior Counsel (NSW).

PRINCIPAL AREAS OF PRACTICE

Appellate
Banking and Financial Services
Bankruptcy and Insolvency
Contracts
Corporations
Defamation
Equity and Trusts
Insurance
Professional liability
Property
Restraint of trade
Sports law

PROFESSIONAL MEMBERSHIPS

New South Wales Bar Association
Australian Bar Association
ACT Bar Association
Commercial Law Association of Australia
Communications and Media Law Association
Australian and New Zealand Sports Law Association

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SELECTED CASES

- **Nano v Sound Advice Australia Pty Ltd** [2026] FCA 1608 (Younan J). Appointment of provisional liquidator pursuant to s 472(2) of the Corporations Act 2001 (Cth) (**Act**) where breakdown of relationship between the two company directors and shareholders and solvency concerns.
- **In the matter of Million Up Ltd** [2026] NSWSC 1105 (Black J). Recognition of Hong Kong liquidation as foreign main proceedings for the purposes of the *Cross-Border Insolvency Act 2008* (Cth) and Model Law.
- **Baker v Baker Haulage (Queanbeyan) Pty Ltd (Trustee), in the matter of Baker Haulage (Queanbeyan) Pty Ltd** [2026] FCA 942 (Jackman J). Winding up application by subrogated secured creditor of a trustee company pursuant to s 461(1(k) of the Act and appointment of receivers over the assets of the trust with powers of sale.
- **Sino Iron Pty Ltd & Anor v Mineralogy Pty Ltd** [2026] WASCA 71 (Quinlan CJ; Vaughan JA; Smith J). Counsel for respondents in appeal heard over 7 days. Appeal relating to a contractual dispute regarding obligations under mining lease agreements involving a $13 billion mine in WA.
- **Actgall Pty Ltd (in liq) v Morella (No 2)** [2026] FCA 827 (Stewart J). Counsel for respondent liquidator in successfully resisting application to set aside judgment and in obtaining consequent sequestration orders of the applicant's bankrupt estate.
- **Shinetec (Australia) Pty Ltd v The Gosford Pty Ltd (Receivers and Managers Appointed)** [2025] FCA 1457 (Halley J). Counsel for plaintiff in obtaining a declaration that a sum of $47.8 million paid to the first defendant amounts to "Secured Money" in a general security agreement, with the effect that the plaintiff is secured in priority to other secured creditors of the first defendant in claims upon the fund. Under appeal.
- **Palmer v Australian Securities and Investments Commission** (2025) 312 FCR 151; [2025] FCAFC 151 (Beach, Banks-Smith and Owens JJ). Appeal from decision to temporarily stay a civil proceeding regarding the lawfulness of an examination pursuant to s 19 of the Australian Securities and Investments Commission Act 2001 (Cth) and use of transcripts of the examination.
- **Warrane-Design Construct Fit-Out Pty Ltd v Woonona-Bulli RSL Memorial Club Ltd** [2025] NSWCA 223 (Bell CJ, Sterm JA and Griffiths AJA). Amicus curiae appointed by the Court as contradictor on concurrent application for leave to appeal and substantive appeal in construction dispute relating to proper distribution of funds paid into Court pending substantive disposition.
- **Harris v Moses, in the matter of Harris** [2025] FCA 886 (O'Sullivan J). Counsel for successful respondent in resisting an application to set aside, or extend time for compliance with, a bankruptcy notice in relation to a judgment debt that is the subject of appeal.
- **Actgall Pty Ltd (in liq) v Morella** [2025] FCA 830 (Stewart J). Recovery of director loans, breach of statutory and fiduciary duties, preference payments, unreasonable director-related transactions and creditor-defeating dispositions.
- **Gamage v Riashi & ICAC** (2025) 117 NSWLR 336; [2025] NSWCA 84 (Leeming JA; Basten and Griffiths AJJA). Whether Independent Commission Against Corruption is empowered to commence criminal proceedings for offences arising from its investigations into corrupt conduct.
- **Bridging Capital Holdings Pty Ltd v Self Directed Super Funds Pty Ltd** [2025] FCA 314; [2024] FCA 1016; [2024] FCA 985 (Stewart J). Successful claim for breach of warranties in a share sale agreement relating to the purchase of a financial services business.
- **Mokhtar v Piscopo** [2025] FCA 21; [2024] FCA 493 (Perry J). Successful application for order for removal of bankruptcy trustee on grounds of loss of objectivity and irretrievable breakdown in relations. Costs awarded against trustee personally to be paid without recourse to the bankrupt estate.
- **Sino Iron Pty Ltd v Mineralogy Pty Ltd** [2025] WASC 168; [2025] WASC 154; [2025] WASC 131; [2025] WASC 130; [2025] WASC 105; [2025] WASC 103; [2025] WASC 35 (Lundberg J). Large-scale trial in the Supreme Court of WA relating to the $12B Sino Iron Project involving allegations of breach of contract concerning proposals under a State Agreement. The substantive trial took place in April-May 2025. Judgment reserved.

- **Palmer & Anor v CITIC Ltd & Ors** [2025] WASC 224; [2025] WASC 216; [2025] WASC 202; [2024] WASC 341; [2024] WASC 325; [2024] WASC 210; [2023] WASC 44; [2023] WASC 188; [2023] WASC 202; [2023] WASC 221; (K Martin J; Lundberg J). Proceedings seeking recovery of sums exceeding $1 billion pursuant to a contractual indemnity provision. The substantive trial took place in May-June 2025. Judgment reserved.
- **McCabe, in the matter of Comlek Group Pty Ltd** (2025) 169 ACSR 631; [2023] FCA 1415 (Cheeseman J). Counsel for deed administrators of Comlek group of companies in obtaining relief pursuant to s 90-15 of Schedule 2 of the Act relating to proper construction of Deed of Company Arrangement.
- **Palmer v Australian Securities and Investments Commission** [2024] FCA 1167 (Button J). Use of transcripts obtained pursuant to s 19 of the *Australian Securities and Investments Commission Act 2001* (Cth).
- **Martin v Allianz Australia Workers Compensation (NSW) Ltd** [2024] NSWSC 557 (Davies J). $50m claim relating to a historical workplace injury.
- **Cummins, in the matter of New Wilkie Energy Pty Ltd (Administrators Appointed)** [2024] FCA 1 (Lee J). Urgent orders extending personal liability period for administrators pursuant to ss 443B(8) and 447A(1) of the Act and related relief.
- **Salmon v Albarran** (2023) 414 ALR 36; [2023] NSWSC 1238 (Nixon J). Professional negligence – breach of fiduciary duty and knowing assistance in alleged breach of fiduciary duty claims.
- **DSLB v Comcare** [2023] FCA 1222 (Katzmann J). Judicial review proceedings where two decisions of Comcare and three decisions of the Administrative Appeals Tribunal overturned.
- **Sino Iron & Anor v Mineralogy Pty Ltd** [2023] WASCA 96 (Beech and Vaughan JJA). Stay of execution.
- **Sino Iron Pty Ltd v Mineralogy Pty Ltd [No 15]** [2023] WASC 56 (K Martin J). Claims in breach of contract, estoppel and pursuant to *Australian Consumer Law* relating to $13 billion iron ore mine in WA.
- **McKay v Findex Group Ltd; Findex Group Ltd v McKay** [2023] ACTSC 58; [2023] ACTSC 108 (McCallum CJ). Counsel for McKay in long running dispute involving claims and counterclaims alleging breach of contract, trespass and defamation.
- **Hannover Life Re of Australasia Ltd v Minister for Families and Communities** [2023] FCA 207 (Allsop CJ). *Amicus curiae* appointed by Allsop CJ to assist the Court on issue of appropriate recipient of proceeds of life insurance policy.
- **Hundy (liquidator), in the matter of 3 Property Group 13 Pty Ltd (in liquidation) (No 2)** [2023] FCA 173; [2022] FCA 121 (Wigney J). Retrospective approval of litigation funding agreements and related relief.
- **Reliance Financial Services Pty Ltd v Antalija Developments No 4 Pty Ltd (No 2)** [2023] NSWSC 141 (Robb J). Breach of fiduciary duty.
- **Richards v Han** [2022] FCA 1539 (Halley J). $20 million claim for alleged breaches of contract, the Australian Consumer Law and for restitution assessed on a quantum meruit basis.
- **Paule v McKay (No 2)** (2022) 18 ACTLR 135; [2022] ACTSC 190 (McWilliam AsJ). Defamation – extension of limitation period.
- **Cardiac Defibrillators Australia Pty Ltd (in liq) v Cardiac Defibrillators Australia Pty Ltd (in liq)** [2022] FCA 167 (Halley J). Counsel for applicant on successful application pursuant to s 500(2) of the Corporations Act 2001 (Cth) (**Act**) for leave to proceed against company in liquidation and final mandatory injunctive relief compelling provision of information and production of documents.
- **Bridging Capital Holdings Pty Ltd v Self Directed Super Funds Pty Ltd** (2021) 396 ALR 415; [2021] FCA 1625 (Stewart J). Successful application for relief from oppression pursuant to s 233(1)(d) of the Act requiring purchase of the minority shareholding without applying any minority discount.
- **3 Property Group 13 Pty Ltd (In Liq) v 3 Property Group 17 Pty Ltd** [2021] FCA 1158 (Halley J). Caveat challenge re competing priorities.

- **In the matter of Peak Invest Pty Ltd (admins apptd)** [2021] NSWSC 1714 (Black J). Replacement of trustees and appointment of administrators as receivers over trust property.
- **Kookaburra Educational Resources Pty Limited v MacGear Limited Partnership; in the matter of Kookaburra Educational Resources Pty Limited** [2021] FCA 797; (No 2) [2021] FCA 1049 (Halley J). Statutory demands – necessity of compliance with the *Service and Execution of Process Act 1992* (Cth).
- **Mineralogy Pty Ltd v State of Western Australia** (2021) 274 CLR 219; (2021) 393 ALR 551; (2021) 95 ALJR 832; [2021] HCA 30 (Kiefel CJ, Gageler, Keane, Gordon, Edelman, Steward & Gleeson JJ). Led by D F Jackson QC. Counsel for plaintiff in constitutional challenge to legislation passed by defendant extinguishing contractual liability to plaintiff estimated to be in the order of $30 billion.
- **Colwell (Deed Administrator), re Wealth Mining Pty Ltd (Subject to DOCA) v Wealth Resources Pty Ltd** [2021] FCA 857 (Derrington J). Leave to transfer shares in a company in administration pursuant to s 444GA of the Act.
- **Queensland Nickel Pty Ltd (in liq) v QNI Metals Ltd** [2021] QCA 138 (Fraser and Morrison JJA, Burns J). Whether Queensland Nickel joint venture agreement gives rise to trust obligations.
- **Haider v Gudelj** (2021) 16 ACTLR 1; [2021] ACTCA 9 (Murrell CJ, Loukas-Karlsson and Perry JJ). Equitable contribution between guarantors.
- **ACN 052 469 164 Pty Ltd (in liq) v Newham** [2021] VUCA 3 (Court of Appeal of Republic of Vanuatu: Lunabek CJ, Mansfield, Hansen, Trief, Wiltens and Aru JJ). Reinstatement of proceedings dismissed for asserted failure to comply with Court order.
- **In the matter of Gondon Five Pty Ltd (In Liq)** [2020] NSWSC 1769 (Leeming JA). Unreasonable director related transaction under s 588FDA of the Act.
- **Findex Group Ltd v McKay** [2020] FCAFC 182 (Markovic, Banks-Smith and Anderson JJ). Restraint of trade provisions in a shareholders' agreement.
- **Richards v Han** [2020] FCA 1886 (Thawley J). Summary dismissal and related relief.
- **Reliance Financial Services Pty Ltd v Altair Investments Pty Ltd** [2020] NSWSC 1138 (Kunc J). Indemnity costs on a gross sum basis payable forthwith.
- **Parbery v QNI Metals Pty Ltd** [2020] QSC 143 (Mullins J). Lengthy multi-party trial arising from the collapse of Queensland Nickel Pty Ltd.
- **DWA Insurance Pty Ltd v Community Broker Network Pty Ltd (No 2)** [2020] NSWSC 376 (Robb J). Discharge of *ex parte* injunction on balance of convenience and material non-disclosure grounds.
- **Classic Deco Pty Ltd v Fine Touch Pty Ltd** [2020] ACTSC 209 (Mossop J). Claims to set aside settlement agreements on economic duress grounds.
- **Diamond Ace Super Fund Pty Ltd v Rodapa Development Pty Ltd** [2020] FCA 1582 (Griffiths J). Non-party costs orders.
- **McLennan v Meyer Vandenberg** [2020] ACTCA 35 (Burns and Mossop JJ and Robinson AJ). Damages awarded in professional negligence action.
- **Free v Ma** [2020] FCA 226 (Abraham J). Leave pursuant to s 58(3) of the *Bankruptcy Act 1966* (Cth) in respect of provable debts in a bankrupt estate.
- **Dobrinski v Shepard (Trustee); in the matter of Slade (No 2)** [2020] FCA 197 (Flick J). Claims of breach of duty by trustee in bankruptcy.
- **Coeur De Lion Investments Pty Limited v The President's Club Limited** [2020] FCA 456 (Greenwood J). Financial assistance to acquire shares in contravention of s 260A(1) of the Act and to restrain meeting of shareholders.
- **Palmer Leisure Coolum Pty Ltd v Magistrates Court of Queensland** (2020) 3 QR 546; [2020] QCA 47 (Fraser and Morrison JJA and Boddice J). Challenge to criminal prosecution on abuse of process grounds.

- **Findex Group Ltd v McKay** (2019) 148 IPR 284; [2019] FCA 2129 (Stewart J). Breach of restraint of trade provision in shareholders' agreement.
- **Re Cartwright Transport Pty Ltd** [2019] NSWSC 1367 (Gleeson JA). Winding up on just and equitable ground pursuant to s 461(1)(k) of the Act.
- **Li v Wu** [2019] ACTCA 14 (Elkaim, Loukas-Karlsson and Rangiah JJ). Non-statutory derivative proceeding in the name of a company in liquidation.
- **Cohen v Double Bay Bowling Club** [2019] NSWSC 1625 (Henry J). Criminal contempt.
- **Young v Racing NSW & Ors** [2019] NSWDC 662 (Gibson DCJ). Summary dismissal of defamation proceedings.
- **Findex Group Ltd v iiNet Ltd** [2019] NSWSC 1198 (Ward CJ in Eq). Release of *Harman* undertaking regarding documents seized under search orders.
- **Dobrinski v Shepard (Trustee); In the matter of Slade** [2019] FCA 843 (Flick J). Appointment of litigation representative.
- **Findex Group Ltd v McKay** [2019] NSWCA 93 (Basten JA, Sackville AJA, Emmett AJA). Use of documents seized under search order.
- **Kavanagh v Racing NSW** [2019] NSWSC 40 (Fagan J). Review of decision of Racing Appeals Tribunal obtaining orders quashing decision that the plaintiff horse trainer was liable for administering cobalt for the purpose of affecting race performance.
- **McLennan v Clapham** [2019] ACTSC 1 (McWilliam AsJ). Professional negligence – damages for distress and disappointment for negligence claims in the ACT where no recognised psychiatric illness suffered.
- **The President's Club Limited v Palmer Coolum Resort Pty Ltd** [2019] QSC 209 (Wilson J). Transfer of proceeding pursuant to s 1337H of the Act and s 5 of the *Jurisdiction of Courts (Cross-vesting) Act 1987* (Cth).
- **In the matter of Tresdar Pty Ltd** [2019] NSWSC 179 (Rees J). Delivery up of transfer of shares and related relief on finding of fraud and breach of trust by defendant director/shareholder.
- **Palmer Leisure Coolum Pty Ltd v Magistrates Court of Queensland** [2019] QSC 8 (Ryan J). Challenge to continuation of criminal prosecutions brought under s 631(1) of the Act.
- **Mujkic Family Company Pty Ltd v Clarke & Gee Pty Ltd** [2018] TASFC 4 (Blow CJ, Brett J and Marshall AJ). Professional negligence – whether a company can bring a claim for professional negligence against a solicitor of a shareholder seeking to terminate its winding up under.
- **Hayes, In the matter of Denham Constructions Pty Ltd (in liq)** [2018] FCA 2025 (Gleeson J). Orders relating to liquidator's public examination under s 596B of the Act.
- **ACN 052 469 164 Pty Ltd (in liq) v Newham** [2018] VUCA 30 (Court of Appeal of Republic of Vanuatu: Mansfield, Saksak, Aru, Wiltens JJ). Use of funds subject to a freezing order.
- **Wu v Li** (2018) 181 ACTR 48; [2018] ACTSC 224 (McWilliam AsJ). Leave to bring derivative proceeding by shareholder where company in liquidation.
- **In the matter of Legal Practice Management Group Pty Ltd** (2018) 125 ACSR 513; [2018] NSWSC 527 (Black J). Leave to bring derivative proceedings pursuant to s 237 of the Act and related claims.
- **In the matter of NTLV Pty Ltd (in liq)** [2018] FCA 1000 (Perram J). Termination of winding up of a corporate trustee under s 482(1) of the Act and discharge of receivers appointed over trust assets.
- **Findex Group Ltd v iiNet Ltd** [2018] NSWSC 1567 (Ward CJ in Eq). Use of documents seized under search orders.
- **In the matter of Legal Practice Management Group Pty Ltd & Ors** [2017] NSWSC 1500 (Black J). Interim leave to bring derivative proceedings pursuant to s 237 of the Act to preserve limitation period.

- **In the matter of DH International Pty Ltd (in liq); Challis v Hoffmann** (2017) 121 ACSR 585; [2017] NSWSC 870 (Gleeson JA). Leave to bring derivative action relating to breach of directors' duties in Court's inherent jurisdiction.
- **In the matter of Alford; Fuller Jr v Alford** (2017) 252 FCR 168; [2017] FCA 782 (Perry J). Leading case relating to requirements for bankruptcy notices and creditors' petitions under *Bankruptcy Act 1966* (Cth).
- **Wu v Li** [2017] FCA 500 (Rares J). Sequestration order set aside where creditor's petition had expired.
- **Australian Conservation Services Pty Ltd v Liladel Holdings Pty Ltd (No 2)** [2017] ACTSC 170 (Mossop J). Costs payable on solicitor-client basis by director of plaintiff in his personal capacity.
- **Maviglia Investments v BKSL Investments Pty Ltd (in liq)** [2017] NSWSC 490 (Slattery J). Relief against forfeiture and restraint of mortgagee sale.
- **ACS v Liladel Holdings Pty Ltd** (2017) 12 ACTLR 124; (2017) 319 FLR 401; [2017] ACTSC 162 (Mossop J). Validity of trustee appointment.
- **Sydney Recycling Park Pty Ltd v Cardinal Group Pty Ltd (in liq)** (2016) 93 NSWLR 251; [2016] NSWCA 329 (Bathurst CJ, Beazley P, Ward & Payne JJA, Bergin CJ in Eq). Leave to amend preference proceeding to include transactions occurring after expiry of 3-year period from relation-back day.
- **Jones v University of Canberra** (2016) 311 FLR 1; [2016] ACTSC 78; [2016] ACTSC 99 (Refshauge J). Counsel for directors of ACT Brumbies in dispute with former CEO including in relation to application to dissolve injunction obtained under *Public Interest Disclosures Act 2012* (ACT).
- **Dimarti v Dimarti; In the matter of Naro Investments Pty Ltd** [2016] NSWSC 1887 (White J). Rectification of share register pursuant to s 175 of the Act, damages and related relief.
- **Victory Projects Pty Ltd v AAA Self Storage Pty Ltd** [2016] NSWSC 1758 (Black J). Oppression and derivative claims.
- **In the Matter of J A Westaway Pty Ltd** [2016] NSWSC 868 (Black J). Personal costs against liquidator on unreasonable conduct grounds.
- **In the matter of Therma Truck Pty Ltd** [2016] NSWSC 266 (Black J). Appointment of provisional liquidator under s 472(2) of the Act.
- **In the matter of Cardinal Group Pty Ltd (in liq)** (2015) 110 ACSR 175; [2015] NSWSC 1761 (Black J). Amendment of voidable transaction proceeding under s 588FF of the Act to include additional transactions after expiry of 3-year period after relation-back day.
- **In the matter of Metal Storm Pty Ltd (subject to Deed of Company Arrangement)** [2015] NSWSC 1699 (Black J). Application for specified remuneration without reference to Registrar's assessment.
- **In the matter of Metal Storm Pty Ltd (subject to Deed of Company Arrangement)** [2015] NSWSC 1698 (Black J). Approval of asset sale agreement pursuant to s 424 of the Act.
- **In the matter of Ikon Group Ltd** (2015) 107 ACSR 146; [2015] NSWSC 980 (Brereton J). Interim and final relief relating to Australian arm of multi-national group of foreign exchange companies.
- **Hussey v Ramsay Healthcare Australia Pty Ltd** [2015] NSWSC 1769 (McCallum J). Defamation – imputations, aggravated damages.
- **In the matter of Steel Tigers Pty Ltd (in liq)** [2014] NSWSC 1748 (Black J). Warrant under s 530C of the Act to seize property removed from company prior to liquidation and preservation of property orders pursuant to r 25.3 UCPR (NSW).
- **Slater v Blomfield** [2014] 3 NZLR 835. Defamation – protection to journalists from disclosing identities of sources pursuant to s 68 *Evidence Act 2006* (NZ) (precursor to s 126 *Evidence Act 1995* (Cth) & s 126J *Evidence Act 1995* (NSW)).
- **Skids Programme Management Ltd v McNeill** [2013] 1 NZLR 1; (2012) 98 IPR 324. Restraint of trade provisions in franchise agreements; breach of confidence; additional damages for flagrant breach of copyright.

PUBLICATIONS AND PRESENTATIONS

- **De-Banking: A Comparative Analysis from European, German, and Australian Legal Perspectives** (2026) 41 JIBLR 292 (with Professor Roman Jordans and Shane Anderton)
- **Practical considerations for insolvency practitioners in litigation** – Presentation, ARITA NSW/ACT State Conference, October 2026
- **Navigating the legal landscape of cross-border banking instruments** – Presentation, New Chambers, March 2026
- **Common applications in insolvency cases** – Presentation, New Chambers, February 2025
- **Personal Costs orders** – Presentation, NSW Bar Association, November 2021
- **Winding up of insolvent trading trusts** – Presentation, ARITA, Canberra, May 2018
- **Warrants to liquidators to seize property removed prior to liquidation** (2015) 23 Insolv LJ 45
- **Appointment of Provisional Liquidators** (2006) 16 JBFLP 259
- **Company charges under section 267 of the Corporations Act 2001** (2006) 17 JBFLP 1

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