

# PAUL MCQUADE QC

YEAR OF CALL: 1990 | YEAR OF SILK: 2014

Paul practices in the area of commercial litigation, with particular emphasis on banking and finance, competition and consumer law, corporate law, contract law, corporate and personal insolvency, equity, partnerships, property, securities and trusts.

The matters in which Paul is involved are factually and legally complex, and utilise the specialist knowledge that Paul has developed in the areas of corporate and personal insolvency and corporate law, and also the skills and experience he gained as a Chartered Accountant.

Chambers & Partners Asia Pacific 2017-2022 rank Paul in Band 1 for Restructuring & Insolvency. He is also listed as a 'Leading' Australian QC and a 'preeminent' Queensland QC for Insolvency and a 'recommended' Queensland QC for Commercial Litigation & Disputes by Doyle's Guide 2015-2020. Paul is also listed in the Australian Financial Review's *Best Lawyers*® 2017-2023 for Insolvency and Reorganisation.

Paul is instructed to act as mediator in matters across a broad range of commercial disputes.

## AREAS OF PRACTICE

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Appellate, Arbitration, Banking, Commercial Equity, Competition & Consumer, Contract, Corporate Insolvency & Bankruptcy, Corporations, Insurance, Judicial Review & Administrative, Land Law & Property, Professional Negligence, Resources & Energy.

## CASES

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***Wallace (Liquidator), in the matter of Avestra Asset Management Ltd (In Liq) v Dempsey***[2021] FCA 1643  
November 2021, Corporate Insolvency & Bankruptcy, Corporations

***The Presbyterian Church of Queensland Incorporated by Letters Patent v Attorney-General for the State of Queensland*** [2021] QSC 219  
August 2021, Corporate Insolvency & Bankruptcy

***Commissioner of Taxation v Lane*** [2020] FCAFC 184  
November 2020, Corporate Insolvency & Bankruptcy

***Faamate & Ors v Congregational Christian Church in Samoa-Australia (Ipswich Congregation) & Ors*** [2020] QCA 87

LEVEL

TWENTY  
SEVEN

CHAMBERS



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April 2020, Corporate Insolvency & Bankruptcy

***LM Investment Management Ltd (receiver apptd) (in liq) v Drake & Ors***[2019] QSC 281

November 2019, Corporations

***Pipe Networks Pty Ltd v 148 Brunswick Street Pty Ltd***[2019] FCA 598

May 2019, Contract, Competition & Consumer

***Parbery & Ors v QNI Metals Pty Ltd & Ors***[2018] QSC 249

November 2018, Corporate Insolvency & Bankruptcy

***Trenfield, In the matter of Crusaders Managers Pty Ltd (Administrators Appointed)***[2018] FCA 876

June 2018, Corporate Insolvency & Bankruptcy, Corporations

***Park & Muller (liquidators of LM Investment Management Ltd) v Whyte (no2)***[2017] QSC 229

October 2017, Corporate Insolvency & Bankruptcy

***LPD Holdings (Aust) Pty Ltd v Russells***[2017] QSC 45

March 2017, Contract

***Tinkler v Melliush (Trustee), in the matter of Tinkler (Bankrupt)***[2017] FCA 52

February 2017, Corporate Insolvency & Bankruptcy

***Equititrust Ltd (in Liq)(Receiver Appointed)(Receivers and Managers Appointed) v Equititrust Ltd (in Liq)(no.3)***[2016] FCA 738

June 2016, Corporate Insolvency & Bankruptcy, Corporations

***Whitton v Perovich***[2016] FCA 595

May 2016, Corporate Insolvency & Bankruptcy

***Bauer Equipment Australia Pty Ltd v ACN 153 866 114 Pty Ltd***[2016] QSC 76

April 2016, Corporations, Corporate Insolvency & Bankruptcy

***Mango Boulevard Pty Ltd v Whitton***[2015] FCA 1295

November 2015, Corporate Insolvency & Bankruptcy

***Mango Boulevard Pty Ltd v Whitton***[2015] FCA 1169

November 2015, Corporate Insolvency & Bankruptcy

***Trust Company (PTAL) Ltd (Trustee for the LM Managed Performance Fund), in the matter of Drake v Drake***[2014] FCA 1445

December 2014, Corporate Insolvency & Bankruptcy, Appellate

***CST Minerals Lady Annie Pty Ltd v Australis Exploration Pty Ltd***[2014] QLC 30

September 2014, Land Law & Property, Resources & Energy

***Tall Trees Tanah Merah Pty Ltd v Trust Company (PTAL) Limited as Custodian for the LM First Mortgage Income Fund***[2014] FCA 963

September 2014, Corporate Insolvency & Bankruptcy, Appellate

***Whitton (Trustee), in the matter of Perovich (Bankrupt) v Neolido Holdings Pty Ltd (Receivers and Managers Appointed) [2014] FCA 832***

August 2014, Corporate Insolvency & Bankruptcy, Appellate

***Official Trustee in Bankruptcy v Selig and Selig & Anor [2013] FCCA 1610***

October 2013, Corporate Insolvency & Bankruptcy, Appellate

***Orthotech Pty Ltd v Minister for Health [2013] FCA 230***

March 2013, Judicial Review & Administrative, Appellate

***Gainsford, in the matter of Tannenbaum v Tannenbaum [2012] FCA 904***

August 2012, Corporate Insolvency & Bankruptcy, Appellate

***Macarthur Coal Ltd v MCG Coal Pty Ltd [2011] QLC 55***

August 2011, Resources & Energy

***Octaviar Ltd, Re; Re Octaviar Administration P/L [2009] QSC 37***

March 2009, Corporations, Corporate Insolvency & Bankruptcy

## RECOMMENDATIONS

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### **Chambers & Partners Asia Pacific** – Ranked in Band 1 for Insolvency & Restructuring (The Bar: Australia)

- 2022 – “*the person who you go to if you need someone to dig into accounting issues*”.
- 2021 – “*widely considered to be the leading QC in insolvency matters*” and “*able to deal with liquidators and receivers and give them confidence because he speaks the same language*”.
- 2020 – “*his technical brilliance is complemented by how easy he is to work with*”.
- 2019 – “*the leader in Queensland on insolvency matters*” and “*he has an encyclopaedic knowledge of insolvency law*” and “*he is not only technically brilliant, he is also easy to work with*” – listed as one of only ten Restructuring/Insolvency leading counsel in Australia in 2019.
- 2018 – “*reputed for his expertise in insolvency and the Personal Property Securities Act*”, “*one of the leaders in the insolvency area*” and “*his knowledge of insolvency is really second to none*” – listed as one of only nine Restructuring/Insolvency leading counsel in Australia in 2018.
- 2017 – “*admired by sources...a very well respected senior insolvency barrister*” – listed as one of only eight Restructuring/Insolvency leading counsel in Australia in 2017.

### **Chambers & Partners Global** – Ranked in Band 1 for Insolvency & Restructuring (The Bar: Australia)

- 2022 “*probably the leading insolvency expert in the country*”.
- 2021 – “*the person who you go to if you need someone to dig into accounting issues*”.

### **Australian Financial Review’s Best Lawyers**

2022-23 – Recognised in Alternative Dispute Resolution and Insolvency and Reorganisation

2021 – Recognised in Alternative Dispute Resolution

2017-2021 – Recognised in Insolvency and Reorganisation

**Doyle's Guide to the Australian Legal Profession 2019**– 'Recommended' for Commercial Litigation & Dispute Resolution (Queensland), 'Preeminent' for Insolvency & Restructuring (Queensland), 'Recommended' for Insolvency & Restructuring (Australia).

**Doyle's Guide to the Australian Legal Profession 2016-2022**– 'Preeminent' QC for Insolvency (Queensland)

**Doyle's Guide to the Australian Legal Profession 2015-2020**– 'Recommended' or 'Leading' QC for Insolvency & Reconstruction (Australia)

**Doyle's Guide to the Australian Legal Profession 2015 & 2017**– 'Recommended QC' for Commercial Litigation & Disputes (Queensland)

## MEMBER

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Member, Bar Association of Queensland

Member, Business Law Section of Law Council of Australia

Member, Institute of Chartered Accountants (Australia and New Zealand)

2013-2017 - Member, Supreme Court Library Committee

## CAREER

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**2014** Queen's Counsel

**1990** Barrister at Law, admitted

**1988–1990** Morris Fletcher & Cross (now Minter Ellison)

**1980–1985** Chartered Accountant

## EDUCATION

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Bachelor of Laws (Hons), University of Queensland

Bachelor of Economics, University of Adelaide

## **PUBLICATIONS**

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### **Insolvency Law Update - Badenoch and the End of the Peak Indebtedness Rule**

June 2021, Corporate Insolvency & Bankruptcy

### **Insolvent corporate and personal trustees, the Re Amerind High Court appeal, what you need to know**

July 2019, Corporate Insolvency & Bankruptcy

### **Damages for Loss of Opportunity - The Essentials**

November 2018, Insurance, Contract

### **Trenfield v Hag Import: Trading Agreements, ROT, PPSA Vesting and Valuing Security Interests**

August 2018, Corporate Insolvency & Bankruptcy

### **Because You're Worth It? All You Need to Know About Valuations**

July 2018, Corporations

### **A novel case of duty of care and the "salient features"**

August 2017, Corporate Insolvency & Bankruptcy, Corporations

### **Companies behaving badly: winding up on grounds other than in insolvency**

May 2017, Corporate Insolvency & Bankruptcy

### **Unreasonable director-related transactions**

March 2017, Corporate Insolvency & Bankruptcy

### **Public Examinations under the Bankruptcy Act and Corporations Act: A Practical Overview**

June 2016, Corporate Insolvency & Bankruptcy

### **Solvency/Insolvency**

July 2015, Corporate Insolvency & Bankruptcy

### **Review of the PPSA**

May 2015, Corporate Insolvency & Bankruptcy, Corporations

### **McDonald Henry & Meek Bankruptcy Law & Practice**

February 2015, Corporate Insolvency & Bankruptcy

### **Enforcement under the PPSA**

August 2014, Corporate Insolvency & Bankruptcy, Corporations

**Bankruptcy, A Guide Book**

June 2012, Corporate Insolvency & Bankruptcy

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