

Michael Collins

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Michael's practice encompasses a broad range of commercial and financial disputes, in addition to corporations and insolvency matters. Michael regularly appears for major banks and financial institutions. Where appropriate, Michael accepts direct briefs from in-house counsel and insolvency practitioners.

Principal areas of practice

Banking and financial services
Commercial
Competition and consumer
Corporations

Equity and trusts
Insolvency and bankruptcy
Insurance
Property

Admissions

Barrister: 2020
Solicitor: 2009

Selected cases

Commercial

- *AHG WA (2015) Pty Ltd v Mercedes-Benz Australia/Pacific Pty Ltd* [2023] FCA 1022 – franchise dispute between 38 dealerships and the manufacturer (led by T Castle SC, Dr C Parkinson KC and others).
- *LCM Operations Pty Ltd v Rabah Enterprises Pty Ltd* [2023] NSWSC 590 – dispute arising from a property development (led by D Robinson SC).
- *J & J Richards Super Pty Ltd v Linchpin Capital Group Limited (No 2)* [2023] FCA 509 - investor class action (final judgment reserved, led by D Lloyd SC and R Pietriche).
- *Site Demolition Pty Limited v Kang* [2023] NSWDC 487 – dispute regarding disposal of contaminated material (unled).
- International commercial arbitration – IT contract dispute on behalf of a foreign state-owned company (Resolution Institute, 2022, led by A Horvath SC).
- *DSE Transport Pty Ltd v Conglomeration Pty Ltd* [2021] NSWDC 251 – claim under services agreement (unled).
- *Ewok Pty Ltd v Wellard Limited* – shareholder class action (Federal Court of Australia, led by W Edwards KC).

Corporations, insolvency and bankruptcy

- *Atidote Pty Ltd t/as Harcourts, The Property People Sydney v Mohammad Najjar as receiver & manager of Trinity Investments (NSW) Pty Ltd (receiver & manager appointed)* [2024] NSWSC 206 – competing claims over rental proceeds by an owners corporation, property manager, and receiver and manager of the registered proprietor (unled).
- *Kazzi v KR Properties Global Pty Ltd* – application to extend time for compliance with a bankruptcy notice (Federal Court of Australia NSD277/2024, unreported, unled).

- *In the matter of Wholesome Child Holdings Pty Ltd* [2023] NSWSC 1530 – application to bring proceedings on behalf of a company (unled).
- *Chief Disruption Officer Pty Ltd as Trustee for the McDonald Family Trust v Michel, in the matter of Laava ID Pty Ltd (No 3)* [2022] FCA 1302; *(No 4)* [2023] FCA 25– shareholder oppression proceedings (led by D Rayment SC).
- *Naidenov, in the matter of Quoterite Pty Ltd (administrators appointed)* [2023] FCA 1169 – application by administrators for orders expanding the operation of s 440D of the *Corporations Act* to apply to a foreign arbitration (unled).
- *Kite (Trustee), in the matter of Murray (a Bankrupt) v Murray* [2023] FCA 198 – claim by bankruptcy trustee to recover property (led by R Marshall SC).
- *Mansfield (Liquidator) v Fortrust International Pty Ltd, in the matter of Palladium Investments International Pty Ltd (in liq)* [2023] FCA 350 – application to join parties to voidable transaction proceedings, consideration of impact of arbitration clause on joinder of foreign defendant (unled).
- *Mansfield in his capacity as the trustee in the bankruptcy of Yang v Palladium Investments International Pty Ltd* [2023] FCA 690 – application by liquidators and receivers for orders and directions relating to trust property (unled).
- *Aravanis and Roy as trustees of the bankrupt estate of Francis-Wright v Francis-Wright* – application by bankruptcy trustee for possession of property (Federal Circuit and Family Court of Australia, 2022, unreported, unled).
- *In the matter of Waratah on Alstonville Pty Ltd (administrators appointed)* [2021] FCA 953 – application to extend convening period for the second meeting of creditors of a company in administration (unled).
- *Snell v Glatis (No 4)* [2021] NSWCA 42 – application to vary orders made in shareholder oppression proceedings (unled).
- *In the matter of 316 Group Pty Ltd (In Liquidation)* [2021] FCA 324 – regarding implied undertakings in public examination proceedings (led by D Robinson SC).
- *Perpetual Corporate Trust Limited v Xu* [2021] FCCA 1178 – application to appoint interim bankruptcy trustee (unled).
- *Hogan as the liquidator of Garage 88 Employment Pty Limited v May* – successful insolvent trading claim by liquidator (District Court of NSW, 2021, unreported, unled).
- *Oppenheim Legal v McCabe* [2020] FCCA 3086 – question of jurisdiction under Bankruptcy Act where respondent out of Australia (unled).
- Public examinations – Michael has conducted numerous public examinations under the *Corporations Act* on behalf of external administrators (unled) and has also appeared on behalf of examinees.

Banking and financial services

- *Casaceli v Westpac and others* – application to set aside deed of settlement, claim against mortgagee and receivers (ongoing, Supreme Court of NSW, led by S Mirzabegian SC).
- *Hester v Commonwealth Bank of Australia* [2023] NSWCA 147; [2023] NSWCA 70 – application for leave to appeal (unled); application for stay of judgment (unled).
- *Hester v Commonwealth Bank of Australia* [2023] NSWSC 424 – application for summary dismissal of proceedings (unled).
- *Well Nigh Funding No 1 Pty Ltd v Tang* [2023] NSWDC 564 – claim on a loan agreement on grounds that the terms of the agreement were accepted by conduct (unled).

- *Tito (Administrator of the Estate of Atkins) v Atkins* [2022] FCA 183 – appeal from the Superannuation Complaints Tribunal, on behalf of AMP Superannuation Limited (unled).
- *Condon v Australia and New Zealand Banking Group Pty Ltd* – claim under s 111A of the *Conveyancing Act 1919* (Federal Court of Australia, 2022, settled, led by T Mehigan SC).
- *National Australia Bank Ltd v Qasim* [2022] NSWSC 1254 – application for default judgment on claim for debt and possession of properties (unled).
- *Finstro Securities Pty Ltd v Gosatti* [2021] NSWSC 635 – application to transfer proceedings under cross-vesting legislation (unled).
- *Thompson v Perpetual Trustees Victoria Ltd* [2021] NSWSC 622 – application for summary dismissal of claim against lender on limitation grounds (unled).
- *Commonwealth Bank of Australia v Susan Hannaford Pty Ltd* [2013] NSWSC 342 – application for reinstatement and winding up of a company (appeared as solicitor advocate).
- *Bendigo & Adelaide Bank Ltd v McMahon* [2013] NSWSC 628 – application to stay proceedings in reliance on the *Farm Debt Mediation Act* (appeared as solicitor advocate).

Property and other areas

- *The Owners – Strata Plan No 80877 v Lannock Capital 2 Pty Ltd* [2023] NSWSC 1401 – application for the termination of the “Mascot Towers” strata scheme, appearing on behalf of Australia and New Zealand Banking Group Pty Ltd (led by T Mehigan SC).
- *Rothwell v Bedford CA Pty Ltd* – professional negligence claim against accountants (ongoing, Supreme Court of NSW, led by R Dick SC).
- *Anjoul v Anjoul* [2021] NSWSC 592; *Anjoul v Anjoul (No 2)* [2021] NSWSC 1511; *Anjoul v Anjoul (No 3)* [2022] NSWSC 1456 – property dispute, application to re-open case, consequential orders following granting of relief under the *Contracts Review Act* (led by P Newton SC).
- *Condy v Lane* – application by trustees appointed under s 66G of the *Conveyancing Act* (Supreme Court of NSW, 2022, Darke J, unreported, unled).
- *GEL Custodians Pty Limited v The Estate of the late Geoffrey Francis Wells* [2013] NSWSC 973; *GEL Custodians Pty Ltd v Estate of late Hussey* [2013] NSWSC 974 – concerning the role of the NSW Trustee and Guardian in proceedings against deceased estates prior to a grant of probate or administration (appeared as solicitor advocate).

Professional background

2021 to present: Barrister, 6 St James Hall, Sydney
 2020 to 2021: Barrister, 11 St James Hall, Sydney
 2017 to 2020: Senior Associate at Dentons, Sydney
 2009 to 2013: Solicitor at Gadens, Sydney

Qualifications

Bachelor of Laws (Macq), 2007
 Bachelor of Science (Macq), 2007

Clerk

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