



Matthew Barry

Barrister

Call 2021



Scope of Practice

• Arbitration • Commercial Litigation • Competition • Civil Fraud and Economic Torts • Financial Sanctions •
Injunctions • Jurisdiction and Conflict of Laws • Restitution

Overview

Matthew is developing a broad commercial practice covering all areas of Chambers' work. His practice encompasses the full range of commercial litigation, arbitration and advisory work. He has experience working in counsel teams of various sizes and in appearing as sole counsel in the High Court and County Court.

Matthew's current and recent led work includes:

- **Baupost Group LLC v DPK Management Limited (Comm)**
Acting (with Lord Wolfson KC and Douglas Paine) in a claim for damages in excess of £100m arising from the breach of an exclusivity agreement in connection with a joint venture.
- **Le Patourel v BT Group plc (CAT)**
Acting (with Ronit Kreisberger KC, Derek Spitz and Jack Williams) for the class representative in collective proceedings worth approximately £600m in relation to alleged excessive pricing by BT in abuse of its dominant position in the market for standalone landline services.
- **Leighlinbridge & Finsbury Investments v MyBucks (Comm)**
Acting (with Michael D'Arcy) for BVI and Zambian companies claiming millions of pounds in damages against a Luxembourgish company and its receiver in connection with an alleged breach of contract involving the disposal of shares in a Malawian bank.
- **Excalibur Almaz v Takafumi Horie (Isle of Man)**
Acted (with Andrew McLeod) for a prominent Japanese businessman in proceedings arising out of a defunct commercial space-tourism venture involving a US\$50m claim for deceit and breach of fiduciary duty.

Matthew's work as sole counsel has included:

- **Mok v The Lansdowne Club (ChD)**
Acting for an individual claiming damages and an injunction in respect of her alleged unlawful expulsion as a member of The Lansdowne Club. Matthew appeared against leading counsel at a heavily contested CCMC, dealing with disclosure issues and costs budgeting.
- **HMRC v GMK (ChD)**
Acting for the debtor and successfully applying for an order for the dismissal of a winding up petition.
- **2M Networks Limited v Registrar of Companies**
Acting for the claimant and successfully applying, over the Registrar's objection, for an order directing the Registrar to remove a set of accounts from the register on the ground that they were factually inaccurate.

Examples of Recent Cases

Arbitration

- **UNCITRAL Proceedings**
Assisted Neil Kitchener QC (during pupillage) with an UNCITRAL arbitration concerning the manufacture of power generation facilities in the Middle East.
- **ICC Proceedings**
Assisted Rachel Oakeshott (during pupillage) with an ICC arbitration arising out of a toll manufacturing agreement in the pharmaceutical industry.
- **LCIA Proceedings**
Assisted Eleanor Campbell (during pupillage) with an LCIA arbitration concerning the exercise of rights

under a put option agreement which required the respondent to repurchase shares from the claimant purchaser.

Commercial Litigation

- **Baupost Group LLC v DPK Management Limited (Comm)**
Acting (with Lord Wolfson KC and Douglas Paine) in a claim for damages in excess of £100m arising from the breach of an exclusivity agreement in connection with a joint venture.
- **MyBucks v Leighlinbridge & Finsbury Investments (Comm)**
Acting (with Michael D'Arcy) for BVI and Zambian companies claiming millions of pounds in damages against a Luxembourgish company and its receiver in connection with an alleged breach of contract involving the disposal of shares in a Malawian bank.
- **Lonestar Communications v Kaye, Marziano, Cellcom Telecommunications Limited, Polani and Orange**
Assisted Neil Kitchener QC and Andrew Lodder (during pupillage) with Commercial Court proceedings arising out of alleged cyberattacks on a telecommunications company in Liberia, involving allegations of vicarious liability for economic torts in connection with the alleged cyberattacks.
- **Bilta v Tradition Financial Services**
Assisted Laurence Emmett QC (during pupillage) with a claim in the Chancery Division brought by the liquidators of companies which were used to perpetrate VAT fraud in relation to the trading of carbon trading allowances: see [2022] EWHC 723 (Ch).
- **Ocado Group Plc v McKeeve**
Assisted David Cavender QC and Alexander Brown (during pupillage) with committal proceedings arising out of interference by a senior solicitor with a search order which had been obtained in support of proceedings involving claims of conspiracy and misuse of confidential information: see [2022] EWHC 2079 (Ch).
- **TAQA Bratani v FOGUK**
Assisted Niranjana Venkatesan (during pupillage) with an application in the Commercial Court for an order nominating a person to execute documents in lieu of the Defendant, in the context of Commercial Court proceedings concerning the forfeiture of interests previously held by the Defendant in three oil and gas fields in the Brae complex.
- Assisted Sam O'Leary (during pupillage) with drafting statements of case in a claim for damages for fraudulent misrepresentation and/or breach of warranty arising out of the acquisition of a software company.

Competition

- **Le Patourel v BT Group plc (CAT)**
Acting (with Ronit Kreisberger KC, Derek Spitz and Jack Williams) for the class representative in collective proceedings worth approximately £600m in relation to alleged excessive pricing by BT in abuse of its dominant position in the market for standalone landline services
- **Churchill Gowns v Ede & Ravenscroft**
Assisted Derek Spitz (during pupillage) with Competition Appeal Tribunal proceedings concerning alleged anti-competitive behaviour in the market for the supply of academic dress to students.

Civil Fraud and Economic Torts

- **Excalibur Almaz v Takafumi Horie (Isle of Man)**
Acted (with Andrew McLeod) for a prominent Japanese businessman in proceedings arising out of a defunct commercial space-tourism venture involving a US\$50m claim for deceit and breach of fiduciary duty.
- Assisted Sa'ad Hossain QC, Michelle Menashy and KV Krishnaprasad (during pupillage) with a claim alleging unlawful means conspiracy, breach of contract and breach of confidence in the context of a dispute between online takeaway businesses.

Financial Sanctions

- Assisted Stephen Auld QC (during pupillage) with advising an English company in relation to its risk of exposure to financial sanctions as a result of the designation of one of its indirect shareholders under EU and UK sanctions laws.

Injunctions

- **UGC v Pretropavlovsk plc**
Assisted Sa'ad Hossain QC and Sam O'Leary (during pupillage) with resisting an application for an injunction to restrain a FTSE 250 company from completing a transaction under a share sale and purchase agreement.

Jurisdiction and Conflict of Laws

- Assisted Eleanor Campbell (during pupillage) with an application to serve a claim form out of the jurisdiction in the context of a dispute under a distributorship and agency agreement, where the putative defendant was a German company subject to German insolvency proceedings.

Restitution and Unjust Enrichment

- Assisted Eleanor Campbell (during pupillage) with drafting statements of case in a claim for unjust enrichment arising out of mistaken payments made by a bank.

Education

- University of Cambridge, Master of Law (First Class) [2019]
 - University of Sydney, Bachelor of Laws (First Class Honours) [2014]
 - University of Sydney, Bachelor of Arts (First Class Honours) [2012]
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Academic achievements

- Foundation Scholarship, Queens' College Cambridge [2019]
 - John George Dalley Prize for Most Proficient Student in Final Year Law, Sydney Law School [2014]
 - Sydney Law School Exchange Scholarship [2014]
 - Dean's List of Excellence in Academic Performance, University of Sydney [2011]
 - LexisNexis Prize for Most Proficient Student in Second Year Law, Sydney Law School [2010]
 - Walter Reid Memorial Prize for Proficient Performance in the BA/LLB degree program, University of Sydney [2009; 2010; 2011; 2012]
 - Lithgow Scholarship No III for Most Proficient Student in First Year Philosophy, University of Sydney [2009]
 - University of Sydney Outstanding Academic Achievement Scholarship [2009-2014]
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Previous employment

- Research Assistant, Commercial and Common Law Team, Law Commission of England and Wales [2019-2021]
 - Solicitor, Commercial Litigation and Competition and Regulation, Gilbert + Tobin [2017-2018]
 - Judicial Assistant, Supreme Court of NSW [2016]
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Awards



Contact Clerks



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