



Natasha McHattan

Litigation, Insolvency & Restructuring - Sydney

LLB (Hons), University of Technology, Sydney

LLM, (Class I), University of Cambridge

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Background

Natasha is a skilled and experienced disputes lawyer specialising in restructuring, turnaround and insolvency. She also has extensive experience in commercial litigation and class action matters.

Natasha holds a Bachelor of Laws (Hons) from the University of Technology, Sydney, and a Master of Law (Class I) from the University of Cambridge (UK). She is a solicitor of the Supreme Court of New South Wales and is admitted to practice in Australian federal courts.

Natasha has in depth knowledge of Australia's corporate and personal insolvency law regimes and advises insolvency practitioners, corporate clients, financial institutions, shareholders, directors and other stakeholders on contentious restructuring and formal insolvency processes including administrations, deeds of company arrangement, receiverships, liquidations and creditors' schemes of arrangement.

Prior to joining Herbert Smith Freehills in 2020, Natasha was the Legal Director of the Australian Restructuring, Insolvency & Turnaround Association. She also spent over 13 years in the restructuring and insolvency group of a major international law firm and acted for clients through her boutique consultancy, including working with a pre-eminent product liability class action practice on the defence of a high-profile class action matter.

Recent experience

- Acting on behalf of a corporate defendant in a shareholder class actions commenced in the Supreme Court of Victoria.
- Advising corporate clients and boards of directors in financial distress, including in relation to safe harbour protection.
- Acting on behalf of Bain Capital on its acquisition of Virgin Australia Airlines out of voluntary administration via deeds of company arrangement.
- Acting in relation to the restructure of the Speedcast Group through a US Chapter 11 process and the subsequent members' voluntary liquidation of the head entity in that group.
- Prior to joining HSF Natasha acted in respect of several Australia's largest corporate insolvencies and restructurings, including acting for the liquidators of the HIH Insurance Group and Lehman Brothers Australia. She has also worked on large recovery actions commenced in the context of corporate collapses, including public examinations, insolvent trading proceedings and class action matters.
- Regularly advising corporate clients and other stakeholders, including retail groups, financial companies and construction related companies, on managing exposure to financial distress and formal insolvency appointments, including advising and acting on insolvency related disputes.
- During her time at ARITA Natasha regularly prepared submissions to Government and stakeholders on law reform and related issues and liaised with Government departments to provide feedback and assistance in relation to insolvency related queries and law reform.

Reported matters

During her career Natasha has been involved in the following reported matters:

- *Nelson v Beach Energy; Sanders v Beach Energy* [2022] VSC 424 (Carriage & GCO)
- *Dickerson, in the matter of McWilliam's Wines Group Ltd (subject to Deed of Company Arrangement) (No 4)* [2021] FCA 139
- *Strawbridge, in the matter of Virgin Australia Holdings Ltd (administrators appointed) (No 8)* [2020] FCA 1344
- *Cantor v Audi Australia Pty Limited (No 3)* [2017] FCA 1079 (Discovery & TAR)
- *DeBortoli Wines Pty Ltd v HIH Insurance Ltd (in liq)* [2011] FCA 645 (on appeal [2012] FCAFC28; special leave application [2012] HCASL 157)
- *Johnston v McGrath* (2005) 195 FLR 101 (on appeal [2007] NSWCA 231; special leave application [2008] HCA Trans 115)
- *Hall v Poolman* (2007) 215 FLR 243
- *Selim v McGrath* (2003) 47 ACSR 534

Career Summary

October 2016 – current

NLM.LEGAL PTY LTD Legal Practitioner Director (incorporated legal practice)

August 2020 – June 2023

Herbert Smith Freehills – Special Counsel – Disputes, Restructuring, Turnaround & Insolvency

June 2018 – August 2020

ARITA – Australian Restructuring & Turnaround Association - Legal Director

July 2016 – August 2020

UNIVERSITY OF TECHNOLOGY FACULTY OF LAW - Casual (Adjunct) Academic (Corporate, Commercial, ARITA Adv. Cert., Insolvency)

February 2017 – August 2020

PEERPOINT Consultant (including contract roles with Westpac and Allen & Overy)

August 2017 – February 2018 (Contract)

CLAYTON UTZ Senior Associate - Product Liability Litigation

September – November 2016 & February – March 2017 (Short term contract roles)

SPECIALIST LAW FIRMS - William James Lawyers & Polczynski Lawyers

February 2003 – November 2015

ASHURST - (formerly Blake Dawson & Blake Dawson Waldron) - Senior Associate/Lawyer Insolvency & Restructuring (now Restructuring & Special Situations Group)

February 2001 – September 2001

TIPSTAFF to Justice David Ipp – Supreme Court of New South Wales Court of Appeal

Value proposition

Natasha has extensive experience in commercial disputes and litigation work, with a focus on insolvency and restructuring related disputes. She has advised on a number of Australia's largest corporate collapses, and related disputes arising in relation to corporate distress; as well as having acted on a number of large class action and shareholder related disputes.

In addition to specific matter experience, Natasha has strong people and project management skills which enable her to lead, and work as part of, a large team to achieve challenging objectives.