

PHILIP HOWARD SOLOMON

CURRICULUM VITAE

[March 2025]

Chambers: Ninian Stephen Chambers
Level 39, Room 12
140 William Street
Melbourne Vic 3000

Contact Details: Phone: 9225 7553
Mobile: 0411 207 532
Email: phsolomon@vicbar.com.au

Admitted to the legal profession: 07 Apr 1993
Signed Victorian Bar Roll: 22 May 1997
Appointed QC or SC: 25 Nov 2010
Qualifications: B.Com, LL.B (Hons) (Melb), LLM (Cantab)

Profile:

Areas of Practice

- Administrative Law (Judicial Review)
- Administrative Law (Merits Review)
- Commercial Law
- Common Law
- Corporations and Securities
- Equity/Trusts
- Insurance / Professional Negligence
- Taxation

Philip has extensive trial and appellate experience as an advocate, appearing mainly in the Supreme Court of Victoria; and also in the High Court of Australia and the Federal Court of Australia.

A selection of cases in which Philip has appeared, as leading Counsel, is as follows:

A. Commercial law – selected Supreme Court appeal; and trial

1. *ConnectEast Pty Ltd v CityLink Melbourne Limited (No 2)* [2024] VSC 788 (18 December 2024).
2. *Selak v National Tiles Co Pty Ltd & Ors (No 5)* [2024] VSC 504 (26 August 2024).
3. *Amorosi v Robinson* [2024] VSC 466 (8 August 2024).
4. *Selak v National Tiles Co Pty Ltd & Ors (No 4)* [2024] VSC 438 (29 July 2024).
5. *Selak v National Tiles Co Pty Ltd & Ors (No 3)* [2024] VSC 431 (25 July 2024).
6. *Melbourne Water Corporation v Vaughan Constructions Pty Ltd* [2022] VSCA 241 (10 November 2022).
7. *Lanhai Pty Ltd v 7-Eleven Stores Pty Ltd* [2022] VSC 132 (22 March 2022).
8. *Cargill Australia Ltd v Viterra Malt Pty Ltd (No. 28)* [2022] VSC 13 (28 January 2022).
9. *Re HEST Australia Ltd* [2021] VSC 809 (7 December 2021).
10. *Willis v Crosland* [2021] VSCA 320 (23 November 2021).
11. *Saad v Commissioner of the Australian Federal Police (No. 2)* [2021] VSCA 263 (17 September 2021).
12. *Saad v Commissioner of the Australian Federal Police* [2021] VSCA 246 (3 September 2021).
13. *Amcor Ltd v Barnes (No. 2)* [2021] VSCA 87 (8 April 2021).
14. *Amcor Ltd v Barnes* [2021] VSCA 6 (2 February 2021).
15. *Hopkins v Edwards* [2020] VSC 456 (31 July 2020).
16. *Republica Democratica De Timor Leste v Lighthouse Corporation Limited* [2019] VSCA 290 (6 December 2019).
17. *PharmX Pty Ltd v FredIT Group (No. 3)* [2019] VSC 748 (21 November 2019).
18. *Timbercorp Finance Pty Ltd (in liq) v Tomes* [2019] VSC 519 (3 September 2019).
19. *Hawker v Powercor Australia Ltd* [2018] VSC 661 (2 November 2018).
20. *Uren v Uren* [2018] VSCA 141 (1 June 2018).
21. *McDonald v Dunscombe* [2018] VSC 283 (31 May 2018).
22. *White v Timbercorp Finance Pty Ltd* [2017] VSCA 361 (8 December 2017).
23. *Aurumstone Pty Ltd v Yarra Bank Developments Pty Ltd* [2017] VSC 503 (29 August 2017).

24. *The Presbyterian Church of Victoria Trusts Corporation v Anstee and Others (No. 2)* [2017] VSC 102 (7 April 2017).
25. *SSC Plenty Road Pty Ltd v Construction Engineering (Aust) Pty Ltd* [2016] VSCA 119 (26 May 2016).
26. *Eureka Operations v Viva Energy* [2016] VSCA 95 (10 May 2016).
27. *Cameron Australasia Pty Ltd v AED Oil Ltd* [2015] VSC 163 (1 May 2015).
28. *Moama Bowling Club Ltd v The Thomson Group Pty Ltd* [2014] VSCA 245 (3 October 2014).
29. *Macarthur Cook v APN Funds* [2013] VSCA 240 (26 September 2013).
30. *APN Funds v Australia Property* [2013] VSCA 239 (26 September 2013).
31. *Specialist Diagnostic Services v Healthscope* (2012) 41 VR 1.
32. *Ausmezz Pty Ltd v Goldberger and Others* [2011] VSC 640 (12 December 2011).

B. Supreme Court: Practice and Procedure

1. *Lighthouse Corporation Limited & Anor v Republica Democratica de Timor Leste & Anor (No 4)* [2023] VSC 363 (30 June 2023).
2. *Cargill Australia Ltd v Viterra Malt Pty Ltd (No 32)* [2022] VSC 299 (8 June 2022).
3. *Cargill Australia Ltd v Viterra Malt Pty Ltd (No 31)* [2022] VSC 164 (4 April 2022).
4. *Cargill Australia Ltd v Viterra Malt Pty Ltd (No 30)* [2022] VSC 80 (25 February 2022).
5. *Lighthouse Corporation v Republica Democratica De Timor Leste* [2020] VSC 659 (9 October 2020).
6. *Cargill Australia Ltd v Viterra Malt Pty Ltd (No. 23)* (2019) 58 VR 611.
7. *Viterra Malt Pty Ltd v Cargill Australia Ltd* [2018] VSCA 118 (11 May 2018).
8. *Yara Pilbara Fertilisers Pty Ltd v Oswal* [2016] VSC 440 (3 August 2016)
9. *Oswal v Australia and New Zealand Banking Group Limited* [2016] VSC 282 (27 May 2016).
10. *Oswal v Australia and New Zealand Banking Group* [2016] VSC 119 (31 March 2016).
11. *The Oswal matters - application for security for costs* [2016] VSC 52 (24 February 2016).
12. *Pathway Investments v National Australia Bank* [2012] VSC 495 (15 October 2012).

13. *Re: Point of Pay Pty Ltd* [2012] VSC 380 (4 September 2012).
14. *Cocoon Data Holdings Pty Ltd v K2M3 LLC* [2011] VSC 355 (29 July 2011).

C. Taxation

1. *Living & Leisure Australia Ltd v Commissioner of State Revenue* [2018] VSCA 237 (17 September 2018).
2. *Commissioner of State Revenue v Danvest Pty Ltd* (2017) 55 VR 190.
3. *Telecommunications Industry Ombudsman Ltd v Commissioner of State Revenue* [2017] VSC 286 (1 June 2017).
4. *Vasiliades v Commissioner of State Revenue* [2016] VSC 544.
5. *BPG Caulfield Village Pty Ltd v Commissioner of State Revenue* [2016] VSC 172 (22 April 2016).
6. *ACN 005 057 349 Pty Ltd v Commissioner of State Revenue* [2015] VSCA 332 (8 December 2015).
7. *White Rock Properties v Commissioner of State Revenue* [2015] VSCA 77 (30 April 2015).
8. *Commissioner of State Revenue v Lend Lease Development Pty Ltd* (2014) 254 CLR 142.
9. *ACN 005 057 349 Pty Ltd v Commissioner of State Revenue* [2015] VSCA 332 (8 December 2015).
10. *LIV v Commissioner of State Revenue* [2015] VSC 604 (21 October 2015).
11. *White Rock Properties v Commissioner of State Revenue* [2015] VSCA 77 (30 April 2015).
12. *ACN 005 057 349 Pty Ltd v Commissioner of State Revenue* [2015] VSC 76 (6 March 2015).
13. *Commissioner of State Revenue v Lend Lease Development Pty Ltd* (2014) 254 CLR 142.
14. *CXC Consulting Pty Ltd v Commissioner of State Revenue* [2013] VSC 492.
15. *Summit Grain Investment Australia v Attorney-General for the State of Victoria* [2013] VSC 383 (9 August 2013).
16. *Commissioner of State Revenue v Liquid Rock Constructions* [2012] VSC 329 (7 August 2012).

D. Constitutional and Administrative law (including ASIC / ACCC)

1. *Australian Securities and Investments Commission v Vanguard Investments Australia Ltd (No 2)* [2024] FCA 1086 (25 September 2024).

2. *Australian Securities and Investments Commission v Vanguard Investments Australia Ltd* [2024] FCA 308 (28 March 2024).
3. *Environment East Gippsland Inc. v VicForests (No. 6)* [2023] VSC 60 (17 February 2023).
4. *Australian Securities and Investments Commission v GetSwift Limited* (Penalty Hearing) [2023] FCA 100 (16 February 2023).
5. *Environment East Gippsland Inc. v VicForests (No. 4)* [2022] VSC 668 (4 November 2022).
6. *Australian Securities and Investments Commission v Westpac Banking Corporation (Omnibus)* [2022] FCA 515 (22 April 2022).
7. *ASIC v Aware Financial Services Australia Ltd* [2022] FCA 146 (17 February 2022).
8. *ASIC v La Trobe Financial Asset Management Ltd* [2021] FCA 1417 (26 November 2021).
9. *Municipal Association of Victoria v Victorian WorkCover Authority* [2021] VSC 128 (19 March 2021).
10. *Garbett v Liu; Yates v Frydenberg* (2019) 273 FCR 1.
11. *Re Lambie* (2018) 263 CLR 601.
12. *Barnett v Malios* [2013] VSC 404 (8 August 2013).
13. *De Brett Seafood Pty Ltd v Qantas Airways Ltd (No 4)* [2011] FCA 1426 (13 December 2011).
14. *Australian Competition and Consumer Commission v Willesee Healthcare (No. 2)* [2011] FCA 752.

E. Common law - appeal

1. *Dean v Central Highlands Region Water Corporation* [2024] VSCA 315 (12 December 2024).
2. *Lapetina v Elgee Park Pty Ltd* [2024] VSCA 39 (19 March 2024).
3. *Shearer v iSelect Services Pty Ltd* [2021] VSCA 328 (1 December 2021).
4. *Victorian WorkCover Authority v Papaconstantinou* [2021] VSCA 145 (1 June 2021).
5. *Samaras v Transport Accident Commission* [2019] VSCA 255 (11 November 2019).
6. *Radosavljevic v Residential Commercial Industrial Roofing Pty Ltd* [2018] VSCA 337 (11 December 2018).
7. *DLZ v Transport Accident Commission* [2017] VSCA 134 (14 June 2017).

8. *Tuari v Transport Accident Commission* [2014] VSCA 203 (3 September 2014).
9. *Moama Bowling Club Pty Ltd v The Thomson Group Pty Ltd* [2014] VSCA 245 (3 October 2014).
10. *Transport Accident Commission v Hogan* (2013) 41 VR 1.
11. *Bezzina v Phi* [2012] VSCA 161 (24 July 2012).
12. *Transport Accident Commission v Kymantas* (2012) 36 VR 193.
13. *Doughty v Martino Developments* (2010) 27 VR 499.
14. *Victorian Workcover Authority v Hartley* (2010) 27 VR 116.

Prior to coming to the Bar, Philip was a solicitor at Arthur Robinson & Hedderwicks.

Education:

Queens' College, University of Cambridge

Awarded Master of Law Degree in 1994, with **First Class Honours**.

Subjects studied:

Corporations and securities law	H1.
International commercial litigation	H1.
Restitution and remedies	H1.
Administrative law	H2.1.

- Fellow of the Cambridge Commonwealth Trust
- Queens' College – Foundation Scholar

University of Melbourne

Awarded Bachelor of Laws Degree in 1991, with **First Class Honours**.

- Mallesons Stephen Jaques Exhibition for **Litigation**, 1991.
- Butterworths Book Prize for **Credit and Security Law**, 1991.
- Arthur Phillips and Just Exhibition for **Company Law**, 1990.
- Sir George John Turner Exhibition for **Legal Process**, 1987.