



FORUM
CHAMBERS

Michael Phillis

Barrister at Forum Chambers

Call 2010 (Australia)

Call 2017 (England and Wales)

Areas of Expertise:

- Insolvency
- Commercial
- Banking and Finance
- Civil Fraud
- Professional Negligence
- Property

Michael has recently joined Forum Chambers as a Barrister. Michael has commercial litigation and international arbitration practice. His current court work is typically in the County Court and High Court on commercial and chancery matters. He has extensive experience with commercial court and cross-border litigation, and all forms of ADR.

Recent Insolvency cases:

Represent Chabra defendants in a worldwide freezing injunction relating to the purchase of partnership assets during (undisclosed) proceedings.

Opinion for developer on purchase of land from trustees where purported beneficiaries attempting to set aside purchase and make rival bid.

Act for company in liquidation as respondent to application to set aside judgment on new evidence and arguments not raised at prior hearings.

Opinion for liquidator on cash flow and balance sheet insolvency re preference claims.

Appeal from dismissal of application for summary judgment on application of ss. 14A and 32(1) Limitation Act 1980.

Urgent equitable winding up of a closely held partnership, with one of two directors holding the company hostage while establishing a competing business.

Defend non-CPR application for application set aside of rates liability order made under the Court's inherent jurisdiction.

Application to remove documents and consequential order suppressing the record of proceedings from public inspection in relation to company accounts filed without authority and giving rise to due diligence issues in procurement group.

Various applications in bankruptcy.



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Recent Commercial cases:

Acted for Claimant Gibraltar bank seeking leave for service on defendants in UK and Germany.

Drafted a defence in a claim for breach of a services agreement by a media company which served a break notice on an Italian contracting firm.

Draft particulars of claim and opinion on case involving multiple claims against a hybrid English/Italian law firm which arranged noncompliant Italian bank guarantees, in particular concerning the effect of aggregation in solicitors' insurance.

Represent the Appellant in an appeal from automatic strike-out for non-compliant response to a Request for Further and Better Particulars in a dispute between a pharmaceutical firm and a supplier.

Acted for Claimant undersecured lender with a writ of possession as Respondent in application to stay proceedings where a new claim had been brought by the Defendants which was either res judicata or an abuse of process.

Recent Banking and Finance cases:

Acted for Lloyds Bank as respondent to application to set aside judgment on the basis of defective service.

Acted for commercial lender whose claim was struck out on the papers after directions, apparently by mistake, in restoring the proceedings and recovering costs from the Defendant.

Acting for Lloyds and HBOS in approximately 25 PPI mis-selling claims.

Recent Civil Fraud cases:

Draft skeleton argument in claim by Indian principal against Singaporean, Indian, and US promoters of corporate beneficiaries of a "shadow company" fraud.

Application to re-amend particulars after defendant claimed bankruptcy to introduce fraudulent breach of duty cause of action to trigger s.281(3) IA 1986.

Opinion on claim to rescind a settlement on the basis of misrepresentation or unilateral mistake arising from allegedly fraudulent valuations.

Recent Professional Negligence cases:

Draft opinion and particulars of claim against solicitors for professional negligence in failing to register a registrable interest in a property.

Recent Property cases:

Defence and Counterclaim in restitution from possession claim where lender and broker took a 100% uplift brokerage fee charged against property.

Employment History:

Barrister, Enterprise Chambers, October 2020 – April 2022

Senior Associate, Travers Smith LLP, January 2020 – October 2020

Senior Associate, Clyde & Co, Mar 2018 – January 2020

Education:

Advanced Diploma in Research Practice and Theory, Cambridge

Bachelor of Laws (Honours), ANU

Bachelor of Art (Ancient Greek / Philosophy), ANU

Achievements:

Australian Postgraduate Award (2011)

ANU Vice-Chancellor's Award for Postgraduate Research (2012)

International Association of Research Universities Corporate Leadership Programme (2012)

Visiting Researcher, Sciences Po, Paris

Visiting Researcher, Queens University, Belfast



Judge, Sir Harry Gibbs Moot

Memberships:

London Solicitors Litigation Association

ICC Young Arbitrators Forum

UK Constitutional Law Association

Solicitors' Wine Society (UK)

Insolvency and Reconstruction Law Committee, Law Council of Australia