



Lexa Hilliard QC

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QC: 2009

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Clerks' Details

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Publications

- Contributor to *Company Directors Duties, Liabilities and Remedies* (Ed. Mortimore OUP).
- She is also currently involved in the new edition of *Shareholders' Agreements* (Thomson Reuters).

“Extremely impressive advocate” “a pleasure to work with – a class act”

Chambers & Partners, 2018

Practice Overview

Lexa Hilliard QC is a popular and well-respected silk who is recommended by the legal directories as a leading silk for commercial dispute resolution, commercial chancery, company, insolvency and professional negligence. Her expertise also covers arbitration, banking and finance as well as fraud. She regularly advises in connection with off-shore disputes in the Channel Islands, the Caribbean and the Isle of Man.

Clients note that she is: *“keenly commercial, incredibly passionate and works seamlessly with the team”* and that she has: *“hugely impressive advocacy skills and strategic input.”* She regularly handles high value, legally complex cases in both the domestic and international market, acting both as advocate and expert. She has particular experience of cross-border litigation, often involving an insolvency or civil fraud angle. Her ability to be *“highly inventive and always think of new ways to approach a case”* allied to her: *“no-nonsense approach”* ensure her success with judges and tribunals as well as clients.

Recent directory quotes include:

“Really distinguishes herself with her paperwork and seems to have a real knack for anticipating points that judges are going to raise. She is a good person to go to if you want to avoid court or know how best to maximise your position.” Chambers & Partners 2019

“Very proactive and goes the extra yard to come up with suggestions that we haven't thought about. She offers incredible value and insight.” Chambers & Partners 2019

“She wins a case before you've set foot in the court room.” Legal 500 2019

“Incredibly impressive; very clear and concise and extremely quick to grasp the issues.” Legal 500 2019

“Handles complex matters with great skill”. “She has that ability to think about points that others wouldn't and has special skill in making new law.” Chambers & Partners 2018

“Exceptional lawyer and a pleasure to work with.” Chambers & Partners 2018

“Singled out for praise by Judges.” Legal 500 2018

“She has excellent attention to detail.” Legal 500 2018



Practice Overview continued

Between 1990 and 2011, she practised from South Square. Prior to that she lectured in law at Durham University.

She regularly provides talks, podcasts and webinars and is on the Commercial Litigation Editorial Board of Lexis PSL.

Commercial

"Really distinguishes herself with her paperwork and seems to have a real knack for anticipating points that judges are going to raise. She is a good person to go to if you want to avoid court or know how best to maximise your position." Chambers & Partners 2019

"Incredibly impressive; very clear and concise and extremely quick to grasp the issues." Legal 500 2019

"She has that ability to think about points that others wouldn't." Chambers & Partners 2018

"Experienced shoulders and very good with clients." Legal 500 2018

"An exceptional advocate with great skill at cross examination."

Her practice covers a wide range of commercial and company litigation. Her company work includes shareholders' rights, directors' duties and the construction of corporate instruments.

A seasoned trial advocate, she has extensive experience of pre-trial interim applications including freezing orders and other injunctions. She has particular expertise in relation to disputes with an insolvency dimension, many of which are international and involve complex cross-border issues.

Representative cases include:

- *Re Safeguard Management Corp* FSD 104 of 2017: appearing before the Grand Court, Cayman Islands on an application under s.4 of the Confidential Information Disclosure Law made pursuant to a disclosure order made by an LCIA arbitral tribunal.
- *Re Enforcement of Judgment* (2017) advising on the enforcement of a substantial judgment in the Cayman Islands.
- *Phoenix Group v Cochrane* [2017] EWHC 418 (Comm) whether freezing injunction over client accounts should be continued.
- *A v B* [2017] EWHC 596 (Comm) application pursuant to s.68 Arbitration Act 1996 to challenge a partial award on grounds of serious irregularity.
- *McTear v Engelhard & Ors* [2016] EWCA Civ 487 acting for successful appellants overturning judgment below as a mistrial.
- *Lime Petroleum Plc* ORD 16/001 Isle of Man, acting for the successful company and targeted directors in the first reported case under s.175 of the Isle of Man Companies Act 2006 in a hard-fought application by a minority shareholder to bring a derivative action against the directors.
- *Re Guernsey Cell Company*: (2016) advising on the construction of various investment advisory and management agreements in a dispute between a Guernsey fund and its managers and advisors.
- *Fennell v Halliwells LLP* [2014] EWHC 2744 (Ch): instructed on behalf of the LLP in connection with a claim concerning the construction of a retirement deed and drawings on account of profits.
- *Blue Monkey Gaming Ltd v Hudson* [2014] EWHC (Ch) 166: instructed on behalf of successful administrators in a trial involving the extent of an administrator's duties to suppliers of goods on retention of title terms and involving issues of restitutionary damages.
- *Bannai v Erez* [2013] EWHC 3204 (Comm): instructed on behalf of Israeli trustee in bankruptcy in connection with an application for an anti-suit injunction against the trustee who was pursuing claims in Israel in breach of arbitration agreement.



Commercial continued

- *Ondhia v Ondhia* [2011] EWHC 3040 (Ch); [2012] EWCA Civ 1927: instructed on behalf of defendant in claim concerning the construction of a settlement agreement of a substantial dispute involving a number of pharmacy businesses.
- *Re Emergent Capital Limited* (2011): instructed on behalf of an Australian shareholder in connection with a complex shareholder dispute in a Cayman Islands company owning a substantial waste disposal business in Australia and assets in the Gulf.