



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.

“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

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

“Excellent client skills, a pleasure to work with and is an extremely good advocate.” Chambers & Partners 2017

“Confident, extremely thorough, very easy to deal with, and someone with an incredibly high intellect.” “She’s got a great courtroom style – everything is very carefully thought through. She is also a lovely person to deal with.” Chambers & Partners, 2016

“Incisive, highly intelligent, practical” and *“a fantastic advocate.”* The Legal 500, 2016

She handles a wide range of substantial claims, especially those touching upon professional negligence, insolvency and company issues.

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

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

“Her ability to get up to speed very quickly is very, very impressive.” Chambers & Partners 2017

“Her performance was excellent – she was really on top of all aspects of the case Her performance on paper and her delivery to the judge were excellent, and she was available night and day and at short notice.” Chambers & Partners, 2016



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.

Insolvency

Lexa has been recommended for many years for insolvency in Chambers & Partners and Legal 500.

Her insolvency practice covers all aspects of corporate restructuring and insolvency, both domestic and cross-border.

"Extremely impressive advocate"; "handles complex matters with great skill"; has a fantastic ability to distil complex arguments into simple language." Chambers & Partners 2018

"She has excellent attention to detail." Legal 500 2018

"She is absolutely superb ... a first choice for complex restructuring work. She is very easy to deal with and will turn work around very quickly." Chambers & Partners 2017

"Experienced in cross-border insolvency work." Legal 500 2017

Representative cases include:

- *Re Carillion Canada* (2018) advising on various issues arising in connection with the Canadian arm of Carillion.
- *Re New Look Retailers Limited* (2018) advising landlords on rights in relation to CVA.
- *Re Biokenetic Europe Limited* (2018): representing AstraZeneca UK Limited in the High Court, Northern Ireland on application by administrators for directions re: data protection and medical research records.
- *In re LBGP No 1 Ltd* [2017] EWHC 864 (Ch) applications to resolve various issues in relation to the general partner of various limited partnerships in Lehman Group.
- *In the matter of Platinum Partners Value Arbitrage Fund (International) Limited (in liquidation)* FSD 118 of 2016 in the Grand Court of the Cayman Islands, representing joint liquidators in connection with the liquidation of hedge fund in Cayman Islands.
- *Baha Mar Ltd*: (2016) advising in connection with a large number of issues arising out of the receivership and provisional liquidation of a US\$5 billion development in the Bahamas.
- *Re Barrowfen Properties Limited*: (2016) acting for the majority shareholder in an application to terminate an administration and return the company to its shareholders.
- *Re China Fisheries Group Limited*: (2016) acting for opposing creditor, China CITIC Bank International, in the Grand Court of the Cayman Islands resisting a winding up order being made against China Fisheries Group Limited.
- *Re Daiichi Chuo Kisen Kaisha*: acting for China National Chartering Co Ltd in connection with Daiichi's application for recognition of its Japanese rehabilitation proceedings as a foreign main proceeding under the Cross Border Insolvency Regulations 2006.
- *O W Bunker in Bankruptcy* (2015): instructed on behalf of an English creditor in this large Danish insolvency.
- *A v. B* (July 2015) instructed to appear in the Supreme Court of Ireland (Ireland's final Court of Appeal) on behalf of Sean Dunne (an erstwhile substantial Irish property developer who has been made bankrupt in the Republic of Ireland and the US) in an application concerning the interaction of US and Irish insolvency law.
- *Alard Properties Limited*: (July 2015) instructed on behalf of Deutsche Pfandbriefbank AG in relation to a substantial application pursuant to s.426 Insolvency Act 1986 to put a Jersey company into administration in England.



Insolvency continued

- *Re Stanford International Bank* (2015) instructed on behalf of the former joint liquidators in relation to their claim for fees in Antigua.
- *O’Connell v Rollings* [2014] EWCA Civ 639 instructed on behalf of the successful administrators in the Court of Appeal concerning administrators’ powers to dispose of property subject to a fixed charge.
- *Re Southern Pacific Personal Loans* [2013] 2 BCLC 465: instructed on behalf of the liquidators in an application concerning the Data Protection Act 1998; whether officeholders were data controllers.
- *Re Miss Sixty S.p.A* (2013): instructed on the behalf of the liquidators of Miss Sixty (UK) Ltd to provide expert evidence on English law for the purpose of proceedings in Italy.
- *Re Hellas Telecommunications* (Luxembourg) II SCA [2013] 1 BCLC 426: instructed on behalf of subordinated bondholders in a case concerning powers of administrators, trust funds, compulsory liquidation.
- *Re Travelodge Hotels Limited* (2012– 2017): instructed in connection with a claim by a Tunisian hotel creditor seeking to pursue its claim in a foreign arbitration and thereby circumvent Travelodge’s company voluntary arrangement.
- *Glennrines Farms Ltd v ACAL Underwriting Ltd* [2012] EWHC 4336 (Ch): instructed on behalf of Mitsui & Co Ltd in a case concerned with Lloyd’s managing agents and purpose trusts.
- *Farepak Food & Gifts Ltd* [2007] 2 BCLC 1 [2009] EWHC 2580 (Ch) [2010] 1 BCLC 444: instructed on behalf of the administrators and liquidators in relation to a variety of issues arising out of the collapse of a savings scheme.
- *Re Alitalia Linee Aeree Spa* [2011] 1 WLR 2049: instructed on behalf of the Italian liquidator in a claim to assets subject to the liquidation of Alitalia in England.
- *D/S Norden A/S v. Samsun Logix Corporation* [2009] BPIR 1367: instructed on behalf of South Korean receiver of Samsun Logix, which was subject to insolvency proceedings in South Korea, re application to commence legal proceedings in England.
- *Re Madoff Securities International Limited* [2009] 2 BCLC 78: instructed on behalf of the liquidators of Madoff Securities International Limited in relation to an application concerning the Data Protection Act 1998 and the transfer of data from the UK to the US. Instructed periodically up to 2014 on discrete issues arising in the liquidation.