



Lexa Hilliard QC

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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).

“She stands out for her sheer depth of experience.”

Legal 500, 2021

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.

Chambers and Partners 2021 describes Lexa as *“a delight to work with. She’s energetic and works very well with instructing solicitors.”* *“incredibly intelligent and very commercial.”* *“Her reputation is truly fantastic. She’s a brilliant practitioner for any insolvency or restructuring matter and has such a loyal following. Judges really listen to her.”*, *“her pleadings are good and she’s also very practical when dealing with clients.”*

While Legal 500 commends her *“deep-rooted knowledge of banking and finance – has a vast amount of experience in this area and is able to advise on very complex arrangements with clarity and precision.”* Describing her as *“bright and on the money,”* *“extremely hard working, excellent attention to detail and very client facing,”* and commenting that *“she makes herself available and is tireless when dealing with a case – she really throws herself into the case and is a critical member of the team.”*

Previous directory quotes include:

“She is exceptionally bright and there is nothing that she doesn’t know just off the top of her head.” Chambers & Partners 2020

“She very hands-on and passionate about her clients’ cases, and is a very reliable and user-friendly silk to work with.” Chambers & Partners 2020

“She is very effective even when under extreme pressure.” Legal 500 2020

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.

"Incredibly intelligent and very commercial." Chambers and Partners 2021

'Extremely hard working, excellent attention to detail and very client facing.' Legal 500 2021

"She has incredible depth of knowledge and experience in the insolvency field. Her approach is refreshingly considered and measured, and she is also very strategic and robust." "She is really bright and is a very lateral thinker who works hard for her clients." "She is exceptionally bright and there is nothing that she doesn't know just off the top of her head." Chambers & Partners 2020

"She is an impressive silk." Legal 500 2020

Representative cases include:

- **Re BetIndex Limited** [2021] EWHC 689 (Ch); acting for administrators in an application seeking directions on the meaning of a trust deed created in favour of gamblers betting on the future performance of footballers.
- **Strategic Advantage SPC v. ARL 009 Ltd** [2020] EWHC 3350 (Ch); acting for substantial secured creditor in a hotly disputed application to make a retrospective administration order in circumstances where the previous appointment by the same creditor had been declared invalid.
- **Glint Pay Ltd** (in administration) [2020] EWHC 3078 (Ch); acting for successful former administrators in an application by companies for a declaration that the former administrators had not been discharged from liability.
- **Re Comet Group** (in liquidation) [2018] EWHC 1378 (Ch); acting for ICAEW in an application by liquidators seeking directions that they were permitted to transfer substantial funds to secured creditor in circumstances where ICAEW claimed that the liquidators had a conflict of interest in continuing to act.
- **Re LB Holdings Intermediate 2 Ltd** (in Administration) [2019]; contractual dispute between different Lehman companies on the meaning of certain subordinated debt instruments.
- **Re Farrell (A Bankrupt)** [2019] EWHC 119 (Ch) successful defence to a claim that the bankrupt had transferred substantial assets to the defendant for the purpose of defeating creditors under s.423.
- **Re Carillion Canada** (2018) advising on various issues arising in connection with the Canadian arm of Carillion.
- **Re New Look Retailers Limited** (2018) advised landlords on rights in relation to CVA.
- **Re Biokenetic Europe Limited** (2018): represented 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, represented 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) acted for the majority shareholder in an application to terminate an administration and return the company to its shareholders.



Insolvency continued

- **Re China Fisheries Group Limited:** (2016) acted 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:** acted 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.
- **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.