



Lexa Hilliard QC

Call: 1987

QC: 2009

lhilliard@wilberforce.co.uk

Clerks' Details

+44 (0)20 7306 0102

practicemanagers@wilberforce.co.uk

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.



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."
Chambers and Partners 2021

"Her pleadings are good and she's also very practical when dealing with clients."
Chambers and Partners 2021

"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." Legal 500 2021

"She's bright and she gets to the commercial centre of the point quickly. She's responsive and straightforward, and clients like her." Chambers & Partners 2020

"Her sheer depth of experience means she has seen and done virtually everything, either here or overseas." Legal 500 2020

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:

- ***Gulf International Bank BSC v. Aldwood*** [2019] EWHC 1666 (QB); application to discharge a worldwide freezing injunction and challenge jurisdiction
- ***LB Holdings Intermediate 2 Ltd*** (in administration) [2020] EWHC 1681 (Ch); application concerning the determination of the priority of competing claims under subordinated debt instruments in the administration of two Lehman Brothers companies.
- ***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.
- ***Phelps v. Button*** [2016] EWHC 3185 (Ch); successful application to strike out claim for judgment on quantum, the successful judgment creditor having failed to take action for 10 years.
- ***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.



Commercial continued

- *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.
- *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.
- *Barrowfen Properties Ltd v. Patel & Or* [2021] EWHC 689 (Ch): acting for the successful claimant in application to strike out late amendments made by defendant alleging that the claim by the claimant was fraudulent.
- *Barrowfen Properties v. Patel & Or* [2020] EWHC 1145 (Ch): acting for successful claimant in application by defendant to strike out claims in conspiracy and deceit.
- *Barrowfen Properties v. Patel & Or* [2020] EWHC 2536 (Ch): acting for the successful claimant in application for disclosure of documents on the ground that the iniquity principle applied and therefore the documents were not protected by legal professional privilege.