

Lucy Clarke

Associate



Areas of Law: Litigation & Dispute Resolution

Contact Number: DD +44 (0) 28 90 348 861

Mob +44 (0)779 5417 810

Email: lucy.clarke@carson-mcdowell.com

Background

Lucy is an associate solicitor who is dual qualified in Northern Ireland, England and Wales. She specialises in commercial litigation and dispute resolution and has particular experience with contractual disputes, financial services / regulatory matters, energy sector litigation and intellectual property disputes. She has recently been involved in a number of urgent injunctive matters and has attended the Supreme Court in London.

Lucy attained her LLB degree in 2006 and completed the Legal Practice Course in 2008 in England. She later trained at Berg Legal, a specialist litigation firm in Manchester, and qualified as a solicitor in March 2011. Upon qualification, Lucy remained at Berg Legal for one year before joining DAC Beachcroft LLP for three years. She joined the Commercial Litigation team at Carson McDowell in March 2015 and now runs the firm's English Litigation team. Lucy is experienced in the Civil Procedure Rules in England and is well placed to provide advice to clients on both Northern Irish and English claims in either jurisdiction.

Lucy often attend events by the Chamber of Commerce and is a member of Women in Business.

Lucy is ranked in "*Associates to watch*" by the Chambers and Partners UK Guide 2020. Clients single her out for her "*expert assistance on contract disputes.*"

Experience

(i) Commercial Litigation and Dispute Resolution

- Advising on contractual disputes including breaches of contracts, failure to supply goods that were fit for purpose, unfair terms, early termination fees and unjust enrichment claims.
- Advising a number of Energy clients regarding disputes with contracted parties, investigations and correspondence with the various regulating bodies.

- Advising on a number of IP related matters including trademark disputes, passing off claims, misuse of branding and design rights disputes.
- Dealing with various interlocutory applications including freezing injunctions (interim, freezing and worldwide), amendments to pleadings, extensions of time, and adducing hearsay evidence.
- Working on a number of regulatory matters including a claim on behalf of a group of creditors to the SRA Compensation Scheme following the loss of millions of pounds caused by a dishonest solicitors and accountants / financial advisors.
- Advising on disputes surrounding betting contracts.
- Attending trial as a witness on a matter which went before the Court of Appeal.
- Preparing for and attending trial before the Supreme Court in London on a pension's dispute matter.
- Advising numerous NHS Trusts and large companies in relation to disputes surrounding agency and recruitment agreements.
- Acting for former directors / shareholders, plus a number of secondary warrantors in a large shareholder disputes regarding breach of warranties following the sale of a national leisure company, which resulted in a successful settlement of all claims.
- Acting for a group of individuals in respect of recovering losses they had incurred by investing in a fraudulent land-banking scheme.
- Advising on a number of personal guarantee disputes and banking related matters including investigations into misrepresentations by various banks.
- Preparing for and attending mediations – work includes mediation position statements, liaising with the mediator and counsel and substantial pre-action disclosure tasks.
- Preparing all types of documentation for trial including substantive affidavits, carrying out large disclosure tasks, pre-trial checklists and substantial bundles.

(ii) English Litigation

- Advising on and experienced in running commercial litigation and dispute resolution, including mediations in England and Wales.
- Advising on procedure in English Courts and differences to procedure in Northern Ireland.
- Acting for a number of Northern Irish / Irish clients who have become embroiled in English litigation – can efficiently explain differences in procedure, costs of litigation, and provide advice accordingly.
- Working closely with English solicitor firms on an advisory basis regarding litigation procedure and process in Northern Ireland.

(iii) Regulatory, Energy and Financial Services

- Advising clients in the energy sector regarding licence terms and investigations by the Utility Regulator including advice on the single energy market and liaising with SONI, Ofgem and other regulatory bodies.
- Advising three defendants (corporate and individual) in relation to a claim brought against them and 13 other Defendants by the Financial Conduct Authority for running a unregulated collective investment scheme in Sierra Leone, Africa.
- Advising clients in respect of claims and complaints to the Financial Ombudsman Service.
- Advising on Pension Regulation disputes.