

Lucy Clarke

Solicitor



Areas of Law: Litigation & Dispute Resolution

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Background

Lucy is a solicitor in the Litigation Team at Carson McDowell LLP and joined the firm in March 2015.

Lucy is dual qualified in English and Northern Irish law.

Lucy attained a degree (LLB) from Nottingham Trent University in England and completed her legal practice course in Manchester. Lucy trained at Berg Legal and remained there for one year after qualifying. Thereafter Lucy worked at DAC Beachcroft LLP in Manchester for three years before transferring to Northern Ireland and joining Carson McDowell.

Lucy specialises in Commercial Litigation and Dispute Resolution and has particular experience with contractual, financial services/regulatory and intellectual property disputes and insolvency matters. Lucy currently works closely with Partner Declan Magee.

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 and re-writing standard terms & conditions
- 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 solicitor.
- Defending claims brought by the Charity Commission and the ICAEW.
- Preparing all types of documentation for trial including substantive witness statements, carrying out large disclosure tasks, pre-trial checklists and substantial bundles.
- Attending trial as a witness on a matter which went before the Court of Appeal.
- Advising numerous NHS Trusts and large companies in relation to disputes surrounding agency 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.
- Preparing for and attending mediations – work included mediation position statements, liaising with the mediator and counsel and substantial pre-action disclosure tasks.
- Advising on a number of personal guarantee disputes and banking related matters including investigations into misrepresentations by various banks.
- Assisting on a number of IP related matters including trademark disputes, passing off claims, misuse of branding and design rights disputes.
- Dealing with various applications including freezing injunctions (interim, freezing and worldwide), amendments to pleadings, extensions of time and adducing hearsay evidence.
- Advising a number of banks based in Austria and Germany in relation to their customers who had forum shopped and filed for bankruptcy in the UK to avoid the penalties associated with bankruptcy in their own countries.

(ii) Regulatory and Financial Services

- 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 an individual in a claim brought by the ICAEW.
- Advising a group of individuals regarding a group action brought against a land banking company and subsequently raising claims with the Solicitors Regulation Authority in relation to their reliance on the negligent and dishonest advice of a solicitor advising on the land banking scheme.
- Advising a client in respect of a claim to the Financial Ombudsman Service.