

No. 2080 of 2009

IN THE HIGH COURT OF JUSTICE
CHANCERY DIVISION
LEEDS DISTRICT REGISTRY

Before His Honour Judge Kaye QC on 27th July 2009

IN THE MATTER OF THE LICENCE HOLDERS

AND IN THE MATTER OF TENNYSON FUND SOLUTIONS (UK) LIMITED (IN
ADMINISTRATION)

AND IN THE MATTER OF GURO LEISURE LIMITED (IN CREDITORS VOLUNTARY
LIQUIDATION) AND OTHERS

AND IN THE MATTER OF ALL RISK MANAGEMENT LIMITED (IN MEMBERS
VOLUNTARY LIQUIDATION) AND OTHERS

AND IN THE MATTER OF THE INSOLVENCY ACT 1986

BETWEEN

(1) Bruce Alexander Mackay

Applicant

-and-

(2) Geoffrey Lambert Carton-Kelly

(3) Michael David Rollings

(4) Peter John Robertson Souster

Respondents

ORDER

TUESDAY



AIQ
"AFSIACBW"
11/08/2009
COMPANIES HOUSE

44

UPON reading the Part 8 Claim Form

AND UPON reading the witness statement of Bruce Alexander Mackay dated 15 July 2009 and the Witness Statement of Vivienne Elizabeth Oliver dated 15 July 2009

IT IS ORDERED THAT with effect from

- 1 In respect of those, Administrations, Creditors Voluntary Liquidations and Members Voluntary Liquidations listed in the Schedule to this Application which are the subject of proceedings in County Courts, those proceedings be transferred to the High Court solely for the purpose of this Application and thereafter transferred back to the relevant County Court.
- 2 Vivienne Elizabeth Oliver be removed from office as Administrator and Liquidator (as the case may be) of the estates listed in the Schedule with immediate effect.
- 3 Vivienne Elizabeth Oliver be replaced by the Applicant in each such case with immediate effect.
- 4 Vivienne Elizabeth Oliver shall be granted her release as appropriate 21 days after the publication in the Gazette referred to below.
- 5 The Applicant be entitled to publish in the Gazette one composite notice relating to all new appointments which are required by law to be published in the Gazette within 14 days of receipt of the sealed Order and shall file any appropriate notices in respect of Ms Vivienne Elizabeth Oliver's removal and replacement and those appointments with the Registrar of Companies and the Secretary of State for Business Innovation and Skills (Insolvency Service) as appropriate.
- 6 Subject to paragraph 7 below, in the event that, as a result of the implementation of the Order Baker Tilly Restructuring and Recovery LLP (BTRR) incurs any additional cost in respect of the administration of those estates where Vivienne Elizabeth Oliver was the Office Holder (that is to say over and above those costs incurred in the ordinary course of the administration of those estates), those costs shall be borne by BTRR and shall not be charged as an expense of the administration of those estates.
- 7 Nothing contained in paragraph 6 shall prejudice the Applicant or the Respondents from:
 - 7.1 Charging to each individual estate the cost of obtaining an Insolvency Practitioners licence bond in respect of that estate; and
 - 7.2 Apportioning between said estates equally the cost of the composite Gazette notice to be placed under paragraph 5 above.

- 8 Without incurring any additional expense to any of the said estates, the Applicant or the relevant Respondent shall notify each creditor or member (as the case may be) of this Application and any Order made as a result of this Application, by way of notice in the next routine report that shall be due to the creditors of each estate (as the case may be), such notice to contain the following matters:

- 8.1 An explanation of the effect of the Order;
- 8.2 Express reference to the liberty to apply contained in paragraph 9 below;
- 8.3 In the case of the Administrations, the provision of all such information as might reasonably be required with regard to the conduct of the Administration;
- 8.4 In the case of Liquidations, where Liquidation Committees have been appointed, an explanation that (to the extent that any information which would otherwise be required to be provided under Insolvency Rule 4.108(3) has not already been provided as part of this report) it is open to that committee to require the Applicant or the relevant Respondents appointed to provide an account of the administration of the estate, including:
 - 8.4.1 A summary of receipts and payments;
 - 8.4.2 A statement that he has reconciled his accounts.
- 8.5 In the case of Liquidations under the Insolvency Act 1986 where no Liquidation Committees have been appointed, an explanation that, to the extent that such information has not already been provided as part of the report, it is open to any creditor to apply to court for an order that the Applicant or relevant Respondent appointed do provide such information as might otherwise be required by Rule 4.108(3) that is to say, an account of the administration of the estate, including:
 - 8.5.1 A summary of receipts and payments;
 - 8.5.2 A statement that he has reconciled his accounts.
- 8.6 Notification that if any Applicant or Respondent appointed has been required to provide the information referred to in (8.4) and (8.5) above, whether by the Liquidation Committee or by court order on the application of any individual creditors, the appointed Applicant's or Respondent's costs of so complying will, unless there are good reasons to the contrary, be paid as an expense of the winding-up; and

- 8.7 In the case of Liquidations, notification to each creditor and member of his right under Rule 11(2) (voluntary winding up) to require the appointed Applicant to supply a statement of receipts and payments free of charge.
- 9 Liberty to each creditor of each estate to apply to vary or discharge this order within 21 days of the receipt of the notice directed to be sent under paragraph 8 above.
- 10 The cost of this application (including VAT) be aggregated and apportioned equally between each of the estates listed in the Schedule to be drawn as disbursements where sufficient funds are available.
- 11 Service of the Notice of the Application be dispensed with.

Signed: Walker Morris
Solicitor of the Applicant

Our address for service is:

Walker Morris
Kings Court
12 King Street
Leeds
LS1 2HL
REF: JFR/RVS

It is not intended to serve any person with this application.

Name	Company No.	Job Type	Practice to	Transfer to	Joint Appointee	Court	Case No
All Risk Management Limited	04022871	MVL	London	BAM	MXR		
Bladen Dairies Limited	00214340	MVL	London	BAM	MXR		
C.S.G Claims Services Limited	02868123	MVL	London	BAM	MXR		
Caledonia Biscuits Limited	235275	MVL	London	BAM	MXR		
Churchill Court Limited	02541957	MVL	London	BAM	MXR		
Crestsmooth Limited	1776632	MVL	London	BAM	MXR		
D L Buildings Limited	02347021	MVL	London	BAM	MXR		
Direct Line Life Holdings Limited	03352576	MVL	London	BAM	MXR		
Direct Line Property Investments Limited	03088465	MVL	London	BAM	MXR		
Dormaco No 9 Limited	03728385	MVL	London	BAM	MXR		
East Walls Leasing Limited	00756821	MVL	London	BAM	MXR		
Equiscot Limited	SC100120	MVL	London	BAM	MXR		
FDL Transport Services Limited	946538	MVL	London	BAM	MXR		
Fiesta Foods Limited	1006842	MVL	London	BAM	MXR		
Forcerate Limited	3102681	MVL	London	BAM	MXR		
Geneagles Country Club Limited	SC055479	MVL	London	BAM	MXR		
Geneagles Golf Developments Limited	SC043190	MVL	London	BAM	MXR		
Guro Leisure Limited	06247669	CVL	London	BAM	MXR		
H.K.S. Properties Limited	00423978	MVL	London	BAM	MXR		
Harvester Wholefoods Limited	266018	MVL	London	BAM	MXR		
J.H. Senior & Company (Holdings) Limited	00452339	MVL	London	BAM	MXR		
J.H. Senior & Company Limited	00137143	MVL	London	BAM	MXR		
John Gillon & Company Limited	SC014350	MVL	London	BAM	MXR		
John McEwan & Company Limited	SC020288	MVL	London	BAM	MXR		
John Watney & Co. Limited	00193990	MVL	London	BAM	MXR		
Kickshaws Limited	03744927	MVL	London	BAM	MXR		
Kork-N-Seal Limited	192723	MVL	London	BAM	MXR		
Lee Lighting (Isle of Man) Limited	085376C	MVL	London	BAM	MXR		
London & Newcastle (Abbey Road) Limited	04564249	MVL	London	BAM	MXR		
London & Newcastle (Southwark) Limited	05618392	MVL	London	BAM	MXR		
MacDonald Greenlees Limited	SC013946	MVL	London	BAM	MXR		
Mayflour Products Limited	00174567	MVL	London	BAM	MXR		

Metrodome Home Entertainment Ventures	04338599	MVL	London	BAM	MXR
Metrodome Video Limited	02872752	MVL	London	BAM	MXR
Midas Silencers Limited	00912892	MVL	London	BAM	MXR
MLC Transport Services Limited	628478	MVL	London	BAM	MXR
Montrue Limited	00256206	MVL	London	BAM	MXR
MS Leasing (UK) Limited	02605715	MVL	London	BAM	MXR
New ICO Services Limited	04171504	MVL	London	BAM	MXR
Preds (12000) Limited	SC015808	MVL	London	BAM	MXR
R.G Abercrombie & Company Limited	SC026675	MVL	London	BAM	MXR
Scottish Grain Distillers Limited	SC011627	MVL	London	BAM	MXR
Set2Print Limited	03004371	MVL	London	BAM	MXR
Sophia Gardens Properties Limited	02460363	MVL	London	BAM	MXR
Southern & South Western Properties	00445608	MVL	London	BAM	MXR
Stadis Securities Limited	02165069	MVL	London	BAM	MXR
Strathleven Bonded Warehouse Limited	707937	MVL	London	BAM	MXR
Sutherland Foods Limited	00403258	MVL	London	BAM	MXR
Symantec Financing Limited	04215513	MVL	London	BAM	MXR
Tennyson Fund Solutions (UK) Limited	06347174	ADM	London	BAM	MXR
The Distillers Company (Home Trade)	903648	MVL	London	BAM	MXR
The Distillers Company Limited	SC04191	MVL	London	BAM	MXR
The Interesting Drinks Co. Limited	00277778	MVL	London	BAM	MXR
Toyoda Gosei Fluid Systems UK Limited	01175402	MVL	London	BAM	MXR
Toyoda Gosei Fluid Systems UK Limited	01175402	MVL	London	BAM	MXR
Tracker Network Limited	02776470	MVL	London	BAM	MXR
Troubleshooters Limited	01969451	MVL	London	BAM	MXR
United Distillers & Vintners (HP) Limited	03368630	MVL	London	BAM	MXR
United Distillers (Overseas) Limited	239080	MVL	London	BAM	MXR
United Distillers 1996 Profit Sharing	2634702	MVL	London	BAM	MXR
United Distillers Blending & Bottling Limited	sc48227	MVL	London	BAM	MXR
United Distillers Finance Limited	236246	MVL	London	BAM	MXR
United Distillers Property Company Limited	SC026958	MVL	London	BAM	MXR
Werneth Mould Engineering Limited	00217591	MVL	London	BAM	MXR
WHEB Ventures Limited	04598294	MVL	London	BAM	MXR
White Child & Beney Limited	398415	MVL	London	BAM	MXR
White Horse Distillers Limited	sc012987	MVL	London	BAM	MXR
Wichford (Coventry Road) Limited	05965181	MVL	London	BAM	MXR

MVL - Members Voluntary Liquidation
CVL - Creditors Voluntary Liquidation
ADM - Administration

BAM - Bruce Alexander Mackay
MXR - Michael David Rollings

Name	Company No.	Job Type	Practice to	Transfer	Joint Appointee	Court	Case No
David Fagen Investments Limited	03414211	MVL	London	BAM	GCK		

BAM - Bruce Alexander Mackay
 GCK - Geoffrey Lambert Carlton-Kelly

Name	Company No.	Job Type	Practice	Transfer to	Joint Appointee	Court
GAMER:TV LIMITED	04324667	MVL	London	BAM	PJS	
RL (2007) Limited (formerly Roadsure)	3859445	CVL	London	BAM	PJS	

MVL - Members Voluntary Liquidation
 BAM - Bruce Alexander Mackay
 PJS - Peter John Souster