

IN THE HIGH COURT OF JUSTICECLAIM No.704 of 2013CHANCERY DIVISIONCOMPANIES COURTMR REGISTRAR

DERRETT



IN THE MATTER of THE BURN FIRECLAY COMPANY, LIMITED

-and-

IN THE MATTER of THE COMPANIES ACT 2006



UPON THE APPLICATION by a Claim Form dated the 31st January 2013 of Mr Alan Nicholson the Claimant and a creditor of the above named The Burn Fireclay Company, Limited (hereinafter called "the Company")

AND UPON READING the evidence

WEDNESDAY



RCS 12/06/2013 #25
COMPANIES HOUSE

AND IT APPEARING that there is no opposition on behalf of Her Majesty to the relief sought by this Claim as appears from the waiver letter from the Treasury Solicitor dated the 4th March 2013

AND the Claimant by his solicitors undertaking that he will

- (A) Inform the Registrar of Companies of the title and Court reference number of the proposed litigation referred to in paragraph 8 of the Witness Statement of Alan Nicholson dated the 25th January 2013 immediately after issue

- (B) Inform the Registrar of Companies immediately on the conclusion of the proposed litigation or any appeal therefrom or the conclusion of the claim by any other means
- (C) Unless the proposed litigation is completed in the interim, at 6 monthly intervals from the date of the order serve on the Registrar of Companies a full and sufficient Witness Statement setting out what steps have been taken to progress the proposed litigation

AND UPON the solicitors for the Claimant and for the Registrar of Companies (the Defendant) both consenting to this Order

IT IS ORDERED THAT

- (1) the name of the above named The Burn Fireclay Company, Limited be restored to the Register of Companies
- (2) The Company do continue in Creditors' Voluntary Liquidation
- (3) if at the date of registration of this Order with the Registrar of Companies the name of the Company is not available the Registrar of Companies shall pursuant to Section 1033(2)(a)(ii) and (b) of the Companies Act 2006 change the name of the Company to 00313318 Limited
- (4) an Office Copy of the Order be delivered to the Registrar of Companies and pursuant to the above mentioned Act the Company is thereupon to

be deemed to have continued in existence as if its name had not been struck off

(5) the Registrar of Companies do advertise notice of this Order in his official name in the "London Gazette"

(6) in the event that the Claimants fail to comply with undertaking (C) above the Registrar of Companies be at liberty to commence strike off action in respect of the Company without further notice to the Claimant

9TH AUGUST 2013

(7) the hearing date fixed for the ~~3rd May 2013~~ be vacated

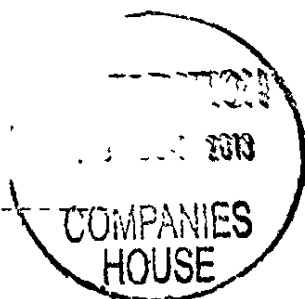


DATED the 5th day of ~~April~~ JUNE 2013



We consent to an Order being made in the terms of the above draft restoring the name of The Burn Fireclay Company, Limited to the Register of Companies

Ascons



Treasury Solicitor

Asons Solicitors
of 120, Bark Street
Bolton
BL1 2AX

Treasury Solicitor
of One Kemble Street
London WC2B 4TS

Solicitors for the Claimant
Mr Alan Nicholson

Solicitor for the Defendant
The Registrar of Companies
Z1303530/MIE/A5
020-7210-4767

[Faint, illegible text]

2013/06/13