

British & Commonwealth  
G No: 00556729 Holdings plc

IN THE HIGH COURT OF JUSTICE  
CHANCERY DIVISION  
COMPANIES COURT

REGISTRAR Balster



CR-2017-002697

IN THE MATTER OF AN OFFICE HOLDER

AND IN THE MATTER OF THE INSOLVENCY ACT 1986

BETWEEN:

BENJAMIN THOM CAIRNS  
ANGELA SWARBRICK  
PATRICK JOSEPH BRAZZILL  
MARGARET ELIZABETH MILLS  
ALAN ROBERT BLOOM

Applicants

and

CRAIG ANTHONY LEWIS  
JOSEPH O'CONNOR  
RICHARD BARKER  
SAMANTHA KEEN

Respondents

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**ORDER**

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UPON THE APPLICATION OF BENJAMIN THOM CAIRNS (HEREAFTER REFERRED TO AS THE "LEAD APPLICANT"), ANGELA SWARBRICK, PATRICK JOSEPH BRAZZILL, MARGARET ELIZABETH MILLS AND ALAN ROBERT BLOOM made by notice dated 4 April 2017

AND UPON READING the documents recorded on the Court file as having been read

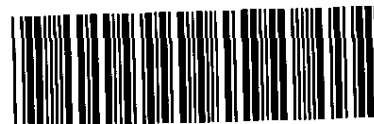
IT IS ORDERED THAT:-

1. **LEAD APPLICANT'S REMOVAL AS OFFICE HOLDER**

- 1.1 The Lead Applicant be removed as office holder in the cases set out in the Schedules hereto pursuant to the relevant power set opposite each category below with effect from the date of this Order:-

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- 1.1.1 Administration - Section 19 of the Insolvency Act 1986 or Paragraph 88 of Schedule B1 to the Insolvency Act 1986 (as applicable) and Rule 7.10B(2)(b) of the Insolvency Rules 1986.
- 1.1.2 Creditors' voluntary liquidation - Section 108 of the Insolvency Act 1986 and Rule 7.10B(2)(a) of the Insolvency Rules 1986.
- 1.1.3 Provisional liquidation - Section 172(2) of the Insolvency Act 1986 and Rule 7.10B(2)(a) of the Insolvency Rules 1986.

## 2. APPOINTMENT OF OFFICE HOLDERS

- 2.1 Joseph O'Connor and Craig Anthony Lewis be appointed in substitution for the Lead Applicant as joint office holders with Angela Swarbrick for the matters set out in Schedule 1.
- 2.2 Richard Barker be appointed in substitution for the Lead Applicant as joint office holder with Patrick Joseph Brazzill, Margaret Elizabeth Mills and Alan Robert Bloom for the matter set out in Schedule 2.
- 2.3 Samantha Keen be appointed in substitution for the Lead Applicant as joint office holder with Patrick Joseph Brazzill and Craig Anthony Lewis for the matter set out in Schedule 3.
- 2.4 Patrick Joseph Brazzill be appointed in substitution for the Lead Applicant as joint office holder with Margaret Elizabeth Mills for the matter set out in Schedule 4 with all the functions and powers conferred on the Joint Provisional Liquidators by the order of Mr Justice Pumfrey dated 8 May 2003 and any orders supplementing or varying such order.
- 2.5 In the cases where the Lead Applicant is being replaced in the office of Administrator, the Respondents replacing him in each respective case shall additionally replace him as the nominated liquidator where and to the extent that the Lead Applicant is referred to as the nominated liquidator for any future liquidation in the relevant Administrators' proposals which have been approved by creditors.

## 3. ADVERTISEMENT, REPORTING TO CREDITORS AND RELEASE

- 3.1 As soon as reasonably practicable, and in any event within 28 days of the date of this Order, the Lead Applicant shall procure that a block advertisement is placed in the London Gazette. The advertisement shall contain notification of the removal of the Lead Applicant from the cases identified in the Schedules hereto and the appointment of the relevant Applicant and/or Respondent in his place and shall be in substitution for notifying each individual creditor on each estate, save to the extent provided for at paragraph 3.2 below.
- 3.2 The Applicants (excluding the Lead Applicant) and the Respondents shall at the first convenient opportunity, and in any event when the next routine report is due to the creditors of each estate or within twelve months following the making of this Order,

whichever is sooner, notify such creditors of the making of this Order, such notice to contain the following matters:-

3.2.1 an explanation of the effect of this Order; and

3.2.2 express reference to the liberty to apply contained in paragraph 5 below.

3.3 In relation to the cases listed in the Schedules hereto, insofar as there is any requirement for any appointment or removal of an office holder to be advertised, the requirement shall be dispensed with save to the extent provided for in paragraph 3.1 above.

3.4 Without being required to apply to the Secretary of State for a release pursuant to any relevant provision, the Lead Applicant shall be granted his release in respect of each case on the later of 28 days after the publication in the London Gazette referred to in paragraph 3.1 above or 28 days after receipt of any of the notices directed to be sent under paragraph 3.2 above in respect of that case.

**4. DISPENSATION WITH REQUIREMENTS TO FILE PROGRESS REPORTS AND RECEIPTS AND PAYMENTS ACCOUNTS**

4.1 The Applicants and the Respondents be authorised to dispense with any requirement for a progress report or a receipts and payments account in any of the cases set out in the Schedules hereto as a consequence of the removal of the Lead Applicant as an office holder or the appointment of the incoming office holders, and the Applicants (excluding the Lead Applicant) and the Respondents to send progress reports and receipts and payments accounts in the normal way.

**5. LIBERTY TO APPLY TO THE COURT**

5.1 There be liberty to each creditor of each estate set out in the Schedules hereto to apply to vary or discharge this Order within 28 days of receipt of the notices directed to be sent under paragraph 3.2 above.

**AND IT IS HEREBY FURTHER ORDERED:-**

**6. SERVICE**

6.1 The Order be served on the Secretary of State to whom there be express liberty to apply.

6.2 The Lead Applicant file any appropriate notices in respect of his removal and replacement and those appointments in accordance with this Order with the Registrar of Companies within the prescribed times or otherwise within a reasonable period from the date of this Order.

**7. COSTS**

**7.1** The costs of this Application be borne by Ernst & Young LLP.

**Dated 7 April 2017**

# SCHEDULE 1

Case Name	Type	Court	Court No	Court Year	Current Joint Office Holders	Incoming IPs
B & C Group Finance Limited	ADMIN	High Court of Justice, Chancery Division, Companies Court	4495	1990	Benjamin Thom Cairns Angela Swarbrick	Joseph O'Connor and Craig Anthony Lewis
British & Commonwealth Holdings Plc	ADMIN	High Court of Justice, Chancery Division, Companies Court	4497	1990	Benjamin Thom Cairns Angela Swarbrick	Joseph O'Connor and Craig Anthony Lewis

# SCHEDULE 2

Case Name	Type	Court	Court No	Court Year	Current Joint Office Holders	Incoming JP
Kaupthing Singer and Friedlander Limited	ADMIN	High Court of Justice, Chancery Division, Companies Court	8805	2008	Patrick Joseph Brazzill Benjamin Thom Cairns Margaret Elizabeth Mills Alan Robert Bloom	Richard Barker

### SCHEDULE 3

Case Name	Type	Court	Court No	Court Year	Current Joint Office Holders	Incoming IP
Bates Investment Services Limited	CVL	N/A	N/A	N/A	Patrick Joseph Brazzili Benjamin Thom Cairns Craig Anthony Lewis	Samantha Keen

# SCHEDULE 4

Case Name	Type	Court	Court No	Court Year	Current Joint Office Holders	Incoming IP
The Home Insurance Company	PROV LIQ	High Court of Justice, Chancery Division, Companies Court	3119	2003	Margaret Elizabeth Mills Benjamin Thom Cairns	Patrick Joseph Brazzill



No. of 2017

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ORDER

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Pinsent Masons LLP  
3 Hardman Street  
Manchester  
M3 3AU

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