

1000654

IN THE HIGH COURT OF JUSTICE
CHANCERY DIVISION
CARDIFF DISTRICT REGISTRY

Claim No 3CF30187

IN THE MATTER OF HEATHER MOOR & EDGECOMB LIMITED
AND IN THE MATTER OF THE COMPANIES ACT 2006

BEFORE DISTRICT JUDGE HYWEL JAMES

DATED 1 July 2014

B E T W E E N

MR GRAHAM FRANK DAVY

Claimant

and

(1) MR BRIAN MICHAEL PICKERING
(2) MRS ANN DOLORES PICKERING
(3) THE REGISTRAR OF COMPANIES

Defendants

MINUTE OF ORDER



UPON THE APPLICATION by a Claim Form dated the 28 November 2013 (amended on the 24 March 2014) of Graham Frank Davy, the Claimant and a creditor of the above named Heather Moor & Edgecomb Limited (hereinafter called "**the Company**");

AND UPON READING the evidence,

AND IT APPEARING that there is no opposition on behalf of Her Majesty to the relief sought by this Claim as appears from the evidence of service of Laura Heald on 17th March 2014 and the exhibit thereto of the bona vacantia letter dated 21st February 2014,

AND UPON the Claimant **UNDERTAKING** to

WEDNESDAY



RCS 16/07/2014 #21
COMPANIES HOUSE

(A) within 14 days of the making of any compulsory winding up Order in respect of the Company deliver an Office Copy of that Order to the Registrar of Companies

(B) if no Order is made compulsorily winding up the Company in the meantime, 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, if any, have been taken to progress the Company's winding up,

AND UPON the solicitors for the Claimant and for the Registrar of Companies (the Defendant) both consenting to an Order (and in the case of the Registrar of Companies, albeit to include different undertakings, this order having been approved in its final form without notice to the Registrar of Companies),

HAVING HEARD Counsel for the Claimant, Counsel for the Second Defendant, and there being no attendance by the remaining parties,

IT IS ORDERED that:

- 1 As at 15 July 2014 the name of the above named Heather Moor & Edgecomb Limited be restored to the Register of Companies
- 2 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 1000654 Limited
- 3 An Office Copy of the Order be delivered to the Registrar of Companies and pursuant to the above mentioned Act the Company is on 15 July 2014 deemed to have continued in existence as if its name had not been struck off
- 4 The Registrar of Companies do advertise notice of this Order in his official name in the "London Gazette"
- 5 In the event that the Claimant fails to comply with undertaking (B) above the Registrar of Companies be at liberty to commence strike off action in respect of the Company without further notice to the Claimant
- 6 The amended wording of this Order having been made without notice to the Registrar of Companies, there shall be permission to the Registrar of Companies to apply to modify, amend or set aside this Order, provided that that application is made no later than 4pm on 11 July 2014
- 7 The balance of the Claimant's claim is adjourned, subject to the following directions

- 8 The Order of HHJ Jarman Q C of 13 June 2014 be varied in that on or before 4pm on 8 August 2014 the Second Defendant shall file and serve a medical report from the First Defendant's general practitioner addressing the issue whether the First Defendant has capacity to conduct this litigation
- 9 If the Second Defendant is unable to comply with paragraph 8 the parties shall jointly agree the identity of, and the content of joint instructions to, a suitably-qualified medical expert to address the issue of the First Defendant's capacity to conduct this litigation, such a report to be filed and served by 4pm on 26 September 2014
Permission for the parties to apply to District Judge James for further directions, in relation to this paragraph
- 10 If the First Defendant does lack capacity, the Second Defendant (having confirmed her willingness and suitability) shall within 7 days of confirmation of the First Defendant's lack of capacity file a certificate under CPR r 21.5
- 11 The balance of the claim shall be listed on the first available date after 1 October 2014, for a case management conference, with a time estimate of 45 minutes (suitable for telephone hearing)
- 12 Permission to apply generally
- 13 The costs of today, and the costs of all previous proceedings, (as between the Claimant, the First Defendant and the Second Defendant) reserved for determination at the conclusion of the claim

RESTORED TO THE REGISTER
ON 16/07/14

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Defendants

MINUTE OF ORDER

The Court sent this Order and sealed copies for service to

The Solicitors for the Claimant

Clarke Willmott LLP
1 Georges Square
Bath Street,
Bristol,
BS1 6BA

Tel 0845 209 1387
Fax 0845 209 2002
Ref CW-LEGAL FID1893079



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**CERTIFICATE OF INCORPORATION
ON CHANGE OF NAME**

Company Number 1000654

The Registrar of Companies for England and Wales hereby certifies that
under the Companies Act 2006:

HEATHER MOOR & EDGECOMB LIMITED

a company incorporated as private company, that the company is limited
by shares; having its registered office situated in England and Wales; has
changed its name to:

01000654 LIMITED

Given at Companies House on **12th August 2014**



Companies House



**THE OFFICIAL SEAL OF THE
REGISTRAR OF COMPANIES**