

The Insolvency Act 1986

Notice of appointment of Provisional
Liquidator in Winding Up by the
Court**R.4.26**

For official use

To the Registrar of Companies

Company Number

02481002

Name of Company

(a) Insert full name of
company

(a) MK AIRLINES LIMITED

Limited

(b) Insert full names and
address(b) KEVIN HELLARD AND ANDREW HOSKING BOTH OF
GRANT THORNTON UK LLP, 30 FINSBURY SQUARE,
LONDON EC2P 2YU

(c) Insert date

give notice that on (c) 22 JUNE 2010
liquidator of
(a) MK AIRLINES LIMITED

I was appointed provisional

by an order of the court dated (c) 22 JUNE 2010

Dated

24 JUNE 2010

Signed

Name in BLOCK
LETTERS

A. HOSKING

KJ HELLARD

Presenter's name, and
reference

For Official Use

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SATURDAY



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26/06/2010

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COMPANIES HOUSE



HBJ Gateley Wareing

Solicitors L.J.R.
NO 3054 of 2010

IN THE HIGH COURT OF JUSTICE

CHANCERY DIVISION

COMPANIES COURT

IN THE MATTER OF MK AIRLINES LIMITED
(COMPANY NUMBER 02481002)

AND

IN THE MATTER OF THE INSOLVENCY ACT 1986

BEFORE THE HONOURABLE MR JUSTICE LEWISON

Tuesday 22nd day of JUNE 2010

BETWEEN:

(1) KEVIN JOHN HELLARD
(2) ANDREW LAWRENCE HOSKING
(THE FORMER JOINT ADMINISTRATORS OF MK AIRLINES LIMITED)

Applicants

AND

MK AIRLINES LIMITED

Respondent

ORDER

UPON THE APPLICATION of Kevin John Hellard and Andrew Lawrence Hosking for the appointment of joint provisional liquidators to MK Airlines Limited ("the Company")

AND UPON HEARING Counsel for the Applicants



AND UPON READING the Petition to wind up the Company presented by Timely Management Limited t/a Uniglobe Preferred Travel presented on 12 April 2010 and the witness statement of Kevin John Hellard dated 21 June 2010

AND UPON the Official Receiver having been notified of the Applicants' intention to make this application and not objecting thereto

AND THE COURT being satisfied that the EC Regulation does apply and that these proceedings are main proceedings as defined in Article 3 of the EC Regulation

AND UPON the Applicants by their Counsel undertaking to abide by any Order which the Court may make as to damages in case the Court shall be of the opinion that the Company shall have sustained any loss or damage by reason of this Order which the Applicants ought to pay

AND UPON the Applicants agreeing to the terms herein

IT IS ORDERED that the following persons be and are hereby appointed as joint provisional liquidators of the Company until the conclusion of the hearing of the Petition or further Order

Name of Joint Provisional Liquidators Kevin John Hellard and Andrew Lawrence Hosking of Grant Thornton UK LLP, 30 Finsbury Square, London, EC2P 2YU

AND IT IS ORDERED that the functions and powers of the joint provisional liquidators extend, inter alia, to the following acts, that is to say

- 1 to enter upon the Company's present or former premises including but not limited to Landhurst, Hartfield, East Sussex TN7 4DL and Centre Bay and West Bay located at the Brabazon Hanger, Filton Airfield, Filton (together "the Company's Premises") and to take possession of,

collect in and protect the assets of the Company, including any third party or trust monies or assets in the possession of or under the control of the Company, in this country or abroad, such monies or assets not to be distributed or parted with until further Order except pursuant to the functions and powers hereby conferred,

- 2 to take possession of and secure the books and records of the Company including the accounting and statutory records,
- 3 to investigate the affairs of the Company insofar as it is necessary to protect the assets of the Company including any third party or trust monies or assets in the possession of or under the control of the Company,
- 4 to investigate, in so far as is considered necessary (with a view to tracing and protecting the monies and assets of the Company), any transactions entered into by the Company and/or any dispositions made by the Company which may have resulted in and/or involved the dissipation and/or reduction in value of all or any of the Company's assets or which in the event that a winding-up Order is made may be avoidable and/or recoverable pursuant to the provisions of the Insolvency Act 1986,
- 5 to continue or proceed with any claims which the Company has or may have against any third party or parties,
- 6 without prejudice to the generality of the foregoing, to bring or defend or proceed with any action or other legal proceedings including in any tribunal on behalf of the Company and in its name or their own names as appropriate as they shall think fit,
- 7 without prejudice to the provisions of Rule 4.30 of the Insolvency Rules 1986, in so far as any part of the property or assets of the Company are held to be trust property, then the joint provisional liquidators shall be at liberty to apply to the Court for directions as to the payment and retention of sums by way of remuneration, disbursements and expenses including their expenses in connection with their administration of the trusts affecting the property

AND IT IS FURTHER ORDERED THAT the joint provisional liquidators are to have the following further powers

- a) to be at liberty to retain and pay or dismiss employees at their discretion,
- b) to be at liberty to terminate, complete or perfect as advised any contracts or transactions relating to the business of the Company or involving transactions relating to assets of the Company including any third party or trust monies in the possession of or under the control of the Company,
- c) to engage all such solicitors, other agents and specialists as may be necessary to assist them in the carrying out of their duties and the exercise of their powers under this Order,
- d) to retain and operate the existing bank accounts of the Company and to open and operate new bank accounts with liberty to pay therefrom any necessary expenses incurred on behalf of the Company in carrying out their powers and duties under this Order, any balance exceeding immediate requirements to earn interest with such bank accounts on deposit accounts,
- e) all powers rights and remedies set out in Sections 234 to 236 (inclusive) of the Insolvency Act 1986,
- f) to seize and remove all desktop computers (PCs), computer servers, laptops and other computer devices containing a "hard drive" (hereinafter collectively referred to as "computers") and other data storage devices (including other hard drive devices not in a computer, diskettes and CDs/DVDs) and other peripheral media and their devices (such as zip disks and tape backups) located at the Company's Premises or otherwise shown to be owned or used or to have been owned or used by the Company,

- g) to carry on the business of the Company or any part thereof if they think fit

AND IT IS FURTHER ORDERED THAT any act required or authorised to be done by the joint provisional liquidators is to be done by all or any one or more of the persons for the time being holding the office of joint provisional liquidator

AND IT IS FURTHER ORDERED THAT where any person has in his possession or control any property, books, papers or records to which the Company appears to be entitled, that person shall forthwith pay, deliver, convey, surrender or transfer the property, books, papers or records upon request to the joint provisional liquidators including in particular any property, books, papers or records to which the Company appears to be entitled

AND IT IS FURTHER ORDERED THAT notice of this Order be given to the Company forthwith

AND IT IS FURTHER ORDERED THAT the Company be at liberty to apply to the Court to vary or discharge this Order on written notice to the Applicants

AND IT IS FURTHER ORDERED THAT the Applicants' costs of this application be reserved to the hearing of the Petition

NOTICE TO OFFICERS OF THE COMPANY

You are required by Section 235 of the Insolvency Act 1986 to give the joint provisional liquidators all information they may reasonably require relating to the Company's property and affairs and to attend upon them at such times as they may reasonably require

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OF MK AIRLINES LIMITED)

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