

5671
No of 2014

IN THE HIGH COURT OF JUSTICE

CHANCERY DIVISION

COMPANIES COURT

BEFORE REGISTRAR

14th day of 8th 2014



IN THE MATTER OF BIBC LIMITED AND TWENTY FOUR OTHER COMPANIES -
IN ADMINISTRATION

IN THE MATTER OF AG WIND POWER LIMITED AND FORTY TWO OTHER
COMPANIES - IN CREDITORS' VOLUNTARY LIQUIDATION

IN THE MATTER OF THOMPSON WASTE MANAGEMENT LIMITED - IN
COMPULSORY LIQUIDATION

IN THE MATTER OF ASTORIA PROPERTIES LIMITED - COMPANY
VOLUNTARY ARRANGEMENT

IN THE MATTER OF THE INSOLVENCY ACT 1986

AND

IN THE MATTER OF AN INSOLVENCY OFFICE HOLDER
BETWEEN:

- (1) JOHN RUSSELL
- (2) GARETH DAVID RUSLING
- (3) ASHLEIGH WILLIAM FLETCHER
- (4) ANDREW PHILIP WOOD
- (5) THE P&A PARTNERSHIP



Applicants

- and -

- (1) CHRISTOPHER MICHAEL WHITE
- (2) BRENDAN AMBROSE GUILFOYLE
- (3) PAUL HOWARD FINN

Respondents

ORDER

UPON the Application of John Russell, Gareth David Rusling, Ashleigh William Fletcher, Andrew Philip Wood and The P&A Partnership dated 7 August 2014

AND UPON reading the witness statement of John Russell dated 7 August 2014, exhibit "JR1" and the witness statement of Christopher Michael White dated 7 August 2014



IT IS ORDERED THAT:

1. The proceeding listed in Schedule A hereto be transferred to the Companies Court of the Chancery Division of the High Court of Justice for the purpose only of considering and if thought fit making the orders contained in paragraphs 3 to 17 of the Application and that the Applicants do ensure that a sealed copy of the order transferring the case to the High Court and of every order which may be made as a result of this application be lodged with the court having jurisdiction over the case affected by such order for filing on the court file relating to that case
2. The proceeding listed in Schedule A hereto be transferred back to the relevant County Court after making the orders contained in paragraphs 3 to 17 of the Application.
3. In respect of the proceedings listed in Schedules B to L attached hereto, Christopher Michael White be removed from office with effect from the order of the Court.
4. In respect of those companies in administration listed in Schedule B hereto, John Russell be appointed as joint administrator in place of Christopher Michael White with effect from the order of the Court Further, upon filing of a paragraph 83 Schedule B1 notice transferring the administration into creditors' voluntary liquidation, John Russell be appointed as joint liquidator in place of Christopher Michael White, as at the date of registration of the notice pursuant to paragraph 83 of Schedule B1
5. In respect of those companies in administration listed in Schedules C and D hereto, Gareth David Rusling be appointed as joint administrator in place of Christopher Michael White with effect from the order of the Court Further, upon filing of a paragraph 83 Schedule B1 notice transferring the administration in creditors' voluntary liquidation, Gareth David Rusling be appointed as joint liquidator in place of Christopher Michael White, as at the date of registration of the notice pursuant to paragraph 83 of Schedule B1.
6. In respect of the creditors' voluntary liquidations listed in Schedules E and I hereto, John Russell be appointed as joint liquidator in place of Christopher Michael White with effect from the order of the Court

- 7 In respect of the creditors' voluntary liquidation listed in Schedule F, Ashleigh William Fletcher be appointed as joint liquidator in place of Christopher Michael White with effect from the order of the Court.
- 8 In respect of the creditors' voluntary liquidations listed in Schedules G, H and J hereto, Gareth David Rusling be appointed as joint liquidator in the place of Christopher Michael White with effect from the order of the Court.
9. In respect of the compulsory liquidation listed in Schedule K hereto, John Russell be appointed joint liquidator in place of Christopher Michael White with effect from the order of the Court.
- 10 In respect of the company in company voluntary arrangement set out in Schedule L hereto, Gareth David Rusling be appointed as joint supervisor in place of Christopher Michael White with effect from the order of the Court.
- 11 The provisions contained in Rule 2.47(3A) of the Insolvency Rules 1986 ("Rules") (Prescribed period when Administrator ceases to act), Rule 4.49C(3) of the Rules (Prescribed period when a Creditors' Voluntary Liquidator ceases to act) and Rule 4.49B(5) of the Rules (End of period of progress report in respect of companies in Compulsory liquidation) shall not apply and as such, there shall be no requirement to produce progress reports upon Christopher Michael White ceasing to act as Administrator or Liquidator, as the case may be
- 12 In respect of the proceedings listed in Schedules B to L attached hereto and the consequent appointments of John Russell, Gareth David Rusling or Ashleigh William Fletcher as joint office holders as set out in paragraphs 3 to 10 above any act required or authorised under any enactment to be done by the office holders may be done by one or more of the person or persons for the time being holding that office.
13. Christopher Michael White be discharged from liability in respect of any act of his as Administrator of the companies listed in Schedules B to D hereto, 42 days after the cessation of his appointment pursuant to paragraph 98(2)(c) of Schedule B1 to the Insolvency Act 1986
- 14 Christopher Michael White shall not be at liberty to apply to the Secretary of State for his release in respect of his insolvency appointments listed in Schedules

E to K until after the expiry of 28 days from the date when the relevant notice referred to in paragraph 16 below has been given

- 15 There be liberty to each creditor of the insolvency estates listed in the attached schedules to apply to vary or discharge this order insofar as it relates to the insolvency estate of which that person is a creditor within 28 days of the Notice (as defined in paragraph 16 below)
- 16 The Applicants give notice of this Order to all creditors of the estates listed in Schedules B to L within 14 days of the date of this Order by means of an advertisement in the London Gazette ("Notice"). The Notice shall explain
 - 16 1 the effect the Order made and that all creditors have permission to apply for reconsideration of the Order (insofar as it relates to an estate of which he is a creditor) provided that any such application is made within 28 days of the date of the Notice,
 - 16 2 the right of the First Respondent to apply to the Secretary of State for his release in respect of his insolvency appointments listed in Schedules E to K upon the expiry of 28 days from the date of the Notice save in respect of claims notified by that date,
 - 16 3 creditors' rights to call for statements under regulation 11 (in liquidations) of the Insolvency Regulations 1994;
 - 16 4 that where there is a creditors' committee it is open to that committee to require an account of the First Respondent's administration and that, where there is no committee, it is open to an individual creditor to apply to the Court within 28 days of the Notice to require such an account

For the avoidance of all doubt, notice of this Order must also be given to the creditors of the estates list in Schedule B to L in the next statutory report to the creditors and members of those estates

- 17 There be no order as to costs

SCHEDULE A

Name of case	Court having jurisdiction	Court Number	Capacity in which outgoing office-holder was appointed
Dews Haulage Limited	Huddersfield County Court	247 of 2010	Joint Liquidator

SCHEDULE B

TO BE TRANSFERRED TO JOHN RUSSELL

(JOINT APPOINTEE - GARETH DAVID RUSLING)

Name of case	Court having jurisdiction	Court Number	Capacity in which outgoing office-holder was appointed
24-Seven Kitchen & Granite Solutions Limited - in administration	Leeds District Registry of the High Court	368 of 2014	Joint Administrator
P Bird & Sons (Milton Keynes) Limited - in administration	Leeds District Registry of the High Court	137 of 2013	Joint Administrator
Bare Earth Ltd - in administration	Leeds District Registry of the High Court	171 of 2014	Joint Administrator
Democon Limited - in administration	Leeds District Registry of the High Court	133 of 2014	Joint Administrator
Human Touch Ambulance Service Ltd - in administration	Leeds District Registry of the High Court	397 of 2014	Joint Administrator
Mullican Motors (Lallyhall) Ltd - in administration	Leeds District Registry of the High Court	928 of 2012	Joint Administrator
Streamline Bathrooms Limited - in administration	Birmingham District Registry of the High Court	8270 of 2013	Joint Administrator
Tough Tracker Ltd - in administration	Manchester District Registry of the High Court	3569 of 2013	Joint Administrator
Thompson Waste Management (Gainsborough) Limited - in administration	Leeds District Registry of the High Court	1583 of 2013	Joint Administrator
Thompson Metals Limited - in administration	Leeds District Registry of the High Court	1600 of 2013	Joint Administrator

Wineschoppen Limited (The) - in administration	Leeds District Registry of the High Court	224 of 2013	Joint Administrator
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SCHEDULE C

TO BE TRANSFERRED TO GARETH DAVID RUSLING

(JOINT APPOINTEE - JOHN RUSSELL)

Name of case	Court having jurisdiction	Court Number	Capacity in which outgoing office-holder was appointed
Abacus Care (Home Care and Nursing Services) Limited - in administration	Leeds District Registry of the High Court	492 of 2014	Joint Administrator
Abacus Care Home Care and Nursing Services (Ormskirk) Limited - in administration	Leeds District Registry of the High Court	493 of 2014	Joint Administrator
BIBC Limited - in administration	Leeds District Registry of the High Court	553 of 2012	Joint Administrator
BP Realisations (2013) Limited - in administration	Birmingham District Registry of the High Court	8311 of 2013	Joint Administrator
BBJ (Northern) Limited - in administration	Leeds District Registry of the High Court	379 of 2014	Joint Administrator
M. J. Hester Plasterers (Leeds) Limited - in administration	Leeds District Registry of the High Court	1221 of 2013	Joint Administrator
Jim Ennis Construction Limited - in administration	Leeds District Registry of the High Court	852 of 2012	Joint Administrator
Kennedy Watts Partnership Limited - in administration	Leeds District Registry of the High Court	1227 of 2013	Joint Administrator
Northern Briefs Ltd v/a GV Hale & Co - in administration	Leeds District Registry of the High Court	1346 of 2013	Joint Administrator
Sheffield Integrated Systems Limited v/a SIS Group - in administration	Leeds District Registry of the High Court	173 of 2013	Joint Administrator

SCHEDULE D

TO BE TRANSFERRED TO GARETH DAVID RUSLING

(JOINT APPOINTEE - ANDREW PHILIP WOOD)

Name of case	Court having jurisdiction	Court Number	Capacity in which outgoing office-holder was appointed
Blissful Daze Limited - in administration	Leeds District Registry of the High Court	277 of 2014	Joint Administrator
GSW Realisations Limited - in administration	Leeds District Registry of the High Court	62 of 2014	Joint Administrator
Haydn Morris Alloys Limited - in administration	Leeds District Registry of the High Court	461 of 2014	Joint Administrator
Peter Matur & Sons Limited - in administration	Leeds District Registry of the High Court	322 of 2014	Joint Administrator

SCHEDULE E

TO BE TRANSFERRED TO JOHN RUSSELL

(JOINT APPOINTEE - GARETH DAVID RUSLING)

Name of case	Court having jurisdiction	Court Number	Capacity in which outgoing office-holder was appointed
The Brite Band Company Limited - in creditors' voluntary liquidation	Leeds District Registry of the High Court	1833 of 2009	Joint Liquidator
A. & J Coghlan & Co Limited - in creditors' voluntary liquidation	Leeds District Registry of the High Court	255 of 2013	Joint Liquidator
Darnall Hire Limited - in creditors' voluntary liquidation	Leeds District Registry of the High Court	2278 of 2010	Joint Liquidator
Howard Long Transport Ltd - in creditors' voluntary liquidation	Leeds District Registry of the High Court	1580 of 2011	Joint Liquidator
Jordan & Mitchell Limited - in creditors' voluntary liquidation			Joint Liquidator
J Owen Enterprises Limited - in creditors' voluntary liquidation			Joint Liquidator
Lounge 68 Limited V/a 1535 Bar and Restaurant - in creditors' voluntary liquidation	Manchester District Registry of the High Court	2080 of 2011	Joint Liquidator
Mousetrap Soft Play Limited - in creditors' voluntary liquidation			Joint Liquidator

Oddy Builders Limited - in creditors' voluntary liquidation	Leeds District Registry of the High Court	1710 of 2011	Joint Liquidator
Pakeezah Superstores Limited - in creditors' voluntary liquidation	Leeds District Registry of the High Court	483 of 2012	Joint Liquidator
Pakeezah Meals Limited - in creditors' voluntary liquidation	Leeds District Registry of the High Court	482 of 2012	Joint Liquidator
Pakeezah (Girlington) Limited - in creditors' voluntary liquidation	Leeds District Registry of the High Court	484 of 2012	Joint Liquidator
Service 2000 Commercial Ltd - in creditors' voluntary liquidation	High Court of Justice	3137 of 2013	Joint Liquidator
Walls Dry-Lining and Ceilings Limited - in creditors' voluntary liquidation	Leeds District Registry of the High Court	1619 of 2011	Joint Liquidator
Williams of Harrogate Limited - in creditors' voluntary liquidation	Leeds District Registry of the High Court	1559 of 2008	Joint Liquidator
Yorkshire Maintenance Co. Limited - in creditors' voluntary liquidation	Leeds District Registry of the High Court	189 of 2013	Joint Liquidator

SCHEDULE F

TO BE TRANSFERRED TO ASHLEIGH WILLIAM FLETCHER

(JOINT APPOINTEES - BRENDAN AMBROSE GUILFOYLE AND PAUL HOWARD FINN)

Name of case	Court having jurisdiction	Court Number	Capacity in which outgoing office-holder was appointed
A G Wind Power Limited - in creditors' voluntary liquidation	Leeds District Registry of the High Court	2332 of 2010	Joint Liquidator

SCHEDULE C

TO BE TRANSFERRED TO GARETH DAVID RUSLING

(JOINT APPOINTEE - JOHN RUSSELL)

Name of case	Court having jurisdiction	Court Number	Capacity in which outgoing office-holder was appointed
Alaway Limited - in creditors' voluntary liquidation	Leeds District Registry of the High Court	1608 of 2013	Joint Liquidator
Brown & Co (Electrical Engineers) Limited - in creditors' voluntary liquidation	Birmingham District Registry of the High Court	8027 of 2013	Joint Liquidator
BSL Realisations Limited - in creditors' voluntary liquidation	High Court of Justice	760 of 2013	Joint Liquidator
Clean Solutions Limited - in creditors' voluntary liquidation	Leeds District Registry of the High Court	1289 of 2011	Joint Liquidator
East Coast Gas Services Limited - in creditors' voluntary liquidation	Leeds District Registry of the High Court	2455 of 2010	Joint Liquidator
C.R Gibbs & Sons (Sheffield) Limited - in creditors' voluntary liquidation	Leeds District Registry of the High Court	760 of 2011	Joint Liquidator
GRD Engineering Limited - in creditors' voluntary liquidation	Leeds District Registry of the High Court	2295 of 2009	Joint Liquidator
Mackley & Co Limited - in creditors' voluntary liquidation	Leeds District Registry of the High Court	15 of 2009	Joint Liquidator
Northern Doors (UK) Limited - in creditors' voluntary liquidation			Joint Liquidator

Pro-Alliance Services Limited - in creditors' voluntary liquidation	Leeds District Registry of the High Court	1416 of 2010	Joint Liquidator
Percifer Limited Ua Anston Roofing (Northern) - in creditors' voluntary liquidation	Leeds District Registry of the High Court	1598 of 2011	Joint Liquidator
S F C Personnel Ltd - in creditors' voluntary liquidation	Leeds District Registry of the High Court	1823 of 2011	Joint Liquidator
Vencomatic UK Limited - in creditors' voluntary liquidation	Leeds District Registry of the High Court	1526 of 2011	Joint Liquidator

SCHEDULE H

TO BE TRANSFERRED TO GARETH DAVID RUSLING

(JOINT APPOINTEE - BRENDAN AMBROSE GUILFOYLE)

Name of case	Court having jurisdiction	Court Number	Capacity in which outgoing office-holder was appointed
Bradford Bulls Holdings Limited - in creditors' voluntary liquidation	Leeds District Registry of the High Court	900 of 2012	Joint Liquidator
Haldanes Stores Limited - in creditors' voluntary liquidation	Leeds District Registry of the High Court	834 of 2011	Joint Liquidator
J W F. (UK) Limited v/a Fidlers Cash & Carry - in creditors' voluntary liquidation	Leeds District Registry of the High Court	1346 of 2012	Joint Liquidator
Ruston Retail Limited - in creditors' voluntary liquidation	Leeds District Registry of the High Court	833 of 2011	Joint Liquidator

SCHEDULE I

TO BE TRANSFERRED TO JOHN RUSSELL

(JOINT APPOINTEE - ANDREW PHILIP WOOD)

Name of case	Court having jurisdiction	Court Number	Capacity in which outgoing office-holder was appointed
Dews Haulage Limited - in creditors' voluntary liquidation	Huddersfield County Court	247 of 2010	Joint Liquidator
Kinetic Systems Limited - in creditors' voluntary liquidation	Leeds District Registry of the High Court	1096 of 2012	Joint Liquidator
Nationwide Workshops Ltd - in creditors' voluntary liquidation	High Court of Justice	697 of 2012	Joint Liquidator
Oliver & Sings Limited - in creditors' voluntary liquidation			Joint Liquidator
R H S Plumbing and Heating Merchants Limited - in creditors' voluntary liquidation	Leeds District Registry of the High Court	470 of 2013	Joint Liquidator
Steel Centre 4 Limited - in creditors' voluntary liquidation	Leeds District Registry of the High Court	903 of 2010	Joint Liquidator

SCHEDULE J

TO BE TRANSFERRED TO GARETH DAVID RUSLING

(JOINT APPOINTEE - ANDREW PHILIP WOOD)

Name of case	Court having jurisdiction	Court Number	Capacity in which outgoing office-holder was appointed
Ernest Ward Roofing Limited v/a Ward Roofing - in creditors' voluntary liquidation	Leeds District Registry of the High Court	1764 of 2010	Joint Liquidator
M W Hewitt Limited - in creditors' voluntary liquidation	Leeds District Registry of the High Court	544 of 2011	Joint Liquidator
TE (Realisations) Limited - in creditors' voluntary liquidation	Leeds District Registry of the High Court	603 of 2011	Joint Liquidator

SCHEDULE K

TO BE TRANSFERRED TO JOHN RUSSELL

(JOINT APPOINTEE - GARETH DAVID RUSLING)

Name of case	Court having jurisdiction	Court Number	Capacity in which outgoing office-holder was appointed
Thompson Waste Management Limited - in compulsory liquidation	Leeds District Registry of the High Court	292 of 2014	Joint Liquidator

SCHEDULE L

TO BE TRANSFERRED TO GARETH DAVID RUSLING

(JOINT APPOINTEE - JOHN RUSSELL)

Name of case	Court having jurisdiction	Court Number	Capacity in which outgoing office-holder was appointed
Astoria Properties Limited - in company voluntary arrangement	Leeds District Registry of the High Court	341 of 2010	Joint supervisor

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FOUR OTHER COMPANIES - IN ADMINISTRATION**

**IN THE MATTER OF AG WIND POWER LIMITED AND
FORTY TWO OTHER COMPANIES - IN CREDITORS'
VOLUNTARY LIQUIDATION**

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MANAGEMENT LIMITED - IN COMPULSORY
LIQUIDATION**

**IN THE MATTER OF ASTORIA PROPERTIES LIMITED
- COMPANY VOLUNTARY ARRANGEMENT**

IN THE MATTER OF THE INSOLVENCY ACT 1986

AND

**IN THE MATTER OF AN INSOLVENCY OFFICE
HOLDER**

BETWEEN:

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- (2) GARETH DAVID RUSLING**
- (3) ASHLEIGH WILLIAM FLETCHER**
- (4) ANDREW PHILIP WOOD**
- (5) THE P&A PARTNERSHIP**

Applicants

- and -

- (1) CHRISTOPHER MICHAEL WHITE**
- (2) BRENDAN AMBROSE GUILFOYLE**
- (3) PAUL HOWARD FINN**

Respondents

ORDER

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