A+C Properties Company Ltd 3019374

IN THE HIGH COURT OF JUSTICE CHANCERY DIVISION COMPANIES COURT

No. 18643 of 2009

IN THE MATTER OF A LICENCE HOLDER

AND IN THE MATTER OF HERBERT REGINALD EVERARD (IN BANKRUPTCY) AND OTHERS

AND IN THE MATTER OF FIBRECAST (UK) LIMITED (IN CREDITORS VOLUNTARY LIQUIDATION)

AND IN THE MATTER OF A & C PROPERTY COMPANY LIMITED (IN MEMBERS VOLUNTARY LIQUIDATION)

AND IN THE MATTER OF THE INSOLVENCY ACT 1986 AND THE BANKRUPTCY ACT 1914

BEFORE MR JUSTICE NORRIS

BETWEEN:

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MICHAEL JAMES GREGSON

Applicant

- and --

MICHAEL PERKINS

Respondent

ORDER

UPON the application of the Applicant dated 16 September 2009

AND UPON hearing Counsel for the Applicant

IT IS ORDERED THAT





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COMPANIES HOUSE

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- the proceedings in the bankruptcy and members' and creditors' voluntary liquidation appointments as identified in the Schedule marked "A" annexed hereto be transferred to the High Court in London, Chancery Division, solely for the purpose of making the Orders contained in the paragraphs below.
- In relation to the appointment held jointly by the Applicant and Respondent in respect of Gregory Andrew Pogonowski (in bankruptcy) identified in the Schedule marked "A" attached, the Respondent be removed from office.

- In relation to all the appointments held solely by the Respondent in respect of the bankruptcies and members and creditors voluntary liquidations identified in the Schedule marked "A" attached, the Respondent be removed from office and the Applicant be appointed as Office Holder in the Respondent's place.
- 4. The Applicant be entitled to publish in the London Gazette one composite notice relating to all new appointments which are required by law to be published in the Gazette.
- The Applicant shall when the next report is due to the creditors of each bankruptcy and members and creditors voluntary liquidation, give written notice of the making of this Order to each such creditor of each bankruptcy and liquidation, such notice to include the following matters:-
 - (i) An explanation of the effect of the Order;
 - (ii) Express reference to the liberty to apply set out in the Order;
 - (iii) In the case of the liquidations where a liquidation or creditors committee has been appointed, an explanation that (to the extent that any information which would otherwise be required to be provided under Insolvency Rule 4.108(3) has not already been provided as part of that report) it is open to the committee to require the Applicant to provide an account of the administration of the estate, including:-
 - (a) a summary of receipts and payments;
 - (b) a statement that he has reconciled his accounts;
 - (iv) In the case of the liquidations where no liquidation or creditors committee has been appointed, an explanation that, to the extent that such information has not already been provided as part of the routine report, it is open to any creditor to apply for an order that the Applicant appointed do provide such information as they might otherwise be required by Insolvency Rule 4.108(3), that is to say an account of the administration of the estate, including:-

- (a) a summary of receipts and payments;
- (b) a statement that he has reconciled his accounts;
- In the case of members voluntary liquidations, an explanation that, to the extent that any information which might otherwise be required to be supplied under Insolvency Rule 4.142(2) has not already been provided as part of the routine report, it is open to any member to apply to court for an order that the Applicant appointed do provide such information that is to say an account of the administration of the estate, including:-
 - (a) a summary of receipts and payments;
 - (b) a statement that he has reconciled his accounts;
- (vi) In the case of the bankruptcies where creditors committees have been appointed, an explanation that (to the extent that any information which would otherwise be required to be provided under IR 6.126(2) has not already been provided as part of that report) it is open to the committee to require the Applicant appointed or remaining in office to provide an account of the administration of the estate including:-
 - (a) a summary of receipts and payments;
 - (b) a statement that he has reconciled his account;
- (vii) In the case of the bankruptcies where no creditors committees have been appointed, an explanation that, to the extent that such information has not already been provided as part of the routine report, it is open to any creditor to apply for an order that the Applicant do provide such information as might otherwise be required by IR 6.126(2), that is to say an account of the administration of the estate including:-
 - (a) a summary of receipts and payments;
 - (b) a statement that he has reconciled his account;
- (viii) Notification that if the Applicant has been required to provide the information referred

to in paragraphs 5(iii)-(vii) above whether by liquidation/creditors' committee or by Court order on the application of an individual creditor the Applicant's costs of complying with such request or order shall, unless good reasons to the contrary are demonstrated, be paid as costs in the relevant bankruptcy or liquidation estates;

- (ix) In the case of the liquidations, notification as to each creditor of their right under Insolvency Rule 11(2) of the Insolvency Regulations 1994 to require the Applicant to supply a statement of receipts and payments free of charge;
- (x) Liberty to the creditors of each liquidation and bankruptcy to apply to vary or discharge this Order within 21 days of receipt of the notices directed to be sent under paragraph 5 above.
- 6. That the costs of this application be apportioned as follows:-
 - (i) Such remuneration, costs or expenses in respect of this Application as are referable to a particular matter in Schedule "A" attached to this Application shall be fixed and paid in the ordinary way as remuneration, costs and expenses in respect of such matter; and
 - (ii) Such remuneration, costs or expenses in respect of this Application as are not referable to a particular matter shall be divided equally between each of the estates identified in Schedule "A" attached to this Application and thereafter treated as costs and expenses of such estates;

PROVIDED THAT in no case shall the total of such remuneration, costs and expenses (including VAT) payable under 6(i) and (ii) above exceed 10% of the value of the realised assets in that particular matter.

Liberty to the creditors of each liquidation and bankruptcy to apply to vary or discharge this
 Order within 21 days of receipt of the notices directed to be sent under paragraph 5 above.

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Mark Daniel Yarlett	Nottingham	1201/06	BKY	90-1nf-20	15-Mar-07	
Gregory Andrew Pogonowski	Lincolh	418/06	BKY	24-Aug-06	17-Apr-07	Joint Estate with MG, remove MP only required
Michael Robert Canham	Leicester	460/92	BKY	23-Oct-92	31-Jul-07	
Ricky Alan Emerson	Peterborough	71/97	BKY	18-Mar-97	18-Feb-09	

Key

BKY = Bankruptcy MG = Michael Gregson

CVL = Creditors Voluntary Liquidation MP = Michael Perkins

MVL = Members Voluntary Liquidation

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AND IN THE MATTER OF THE INSOLVENCY ACT 1986

BETWEEN:

MICHAEL JAMES GREGSON

Applicant

- and -

MICHAEL PERKINS

Respondent

ORDER

Blake Lapthorn Watchmaker Court 33 St John's Lane London EC1M 4DB

Tel: 020 7405 2000

Ref: TSS/504691-3

Solicitors for the Applicant

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