

3131755
CLEARLY SECURE LIMITED

IN THE HIGH COURT OF JUSTICE
CHANCERY DIVISION
LEEDS DISTRICT REGISTRY

Claim No: 2013 OF 2013



IN THE MATTER OF THE LICENCE HOLDER
AND
IN THE MATTER OF THE INSOLVENCY ACT 1986
AND
IN THE MATTER OF JOSEPH ALEXANDER BATES AND OTHER BANKRUPTCIES LISTED IN
SCHEDULE 1
AND
IN THE MATTER OF JOE ANNING ADDAE AND OTHER INDIVIDUAL VOLUNTARY ARRANGEMENTS
LISTED IN SCHEDULE 2
AND
IN THE MATTER OF 1ST EQUITY LIMITED AND OTHER ADMINISTRATIONS LISTED IN SCHEDULE 3
AND
IN THE MATTER OF OAKLAND CIVIL ENGINEERING LIMITED IN ADMINISTRATIVE RECEIVERSHIP
IN SCHEDULE 4
AND
IN THE MATTER OF ALLTOOLS LIMITED AND OTHER COMPANY VOLUNTARY ARRANGEMENTS
LISTED IN SCHEDULE 5
AND
IN THE MATTER OF CABLEFORD LIMITED AND OTHER COMPULSORY LIQUIDATIONS LISTED IN
SCHEDULE 6
AND
IN THE MATTER OF 3K'S RE-CLAD LIMITED AND OTHER CREDITORS' VOLUNTARY LIQUIDATIONS
LISTED IN SCHEDULE 7
AND
IN THE MATTER OF ALH RAIL COATINGS LIMITED AND OTHER MEMBERS' VOLUNTARY
LIQUIDATIONS LISTED IN SCHEDULE 8

BETWEEN

MS CLAIRE LOUISE FOSTER

Applicant

and

(1) MR ROBERT NEIL DYMOND

(2) MS LISA JANE HOGG

(3) MS FIONA GRANT

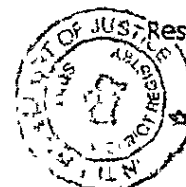
(4) MS GEMMA LOUISE ROBERTS

(5) MS KELLY ANNE BURTON

DRAFT ORDER

BEFORE HIS HONOUR JUDGE BEHRENS

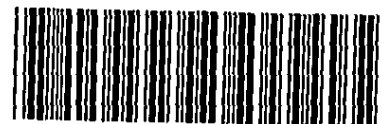
UPON THE APPLICATION of the Applicant issued on 16 May 2013



Respondents

COMPANIES HOUSE

SATURDAY



QIQ

22/06/2013

#45

AND UPON HEARING Counsel on behalf of the Applicant

AND UPON the Respondents being neither present nor represented but having consented to the making of the Order set out below

AND UPON READING letters from the Respondents consenting to the application of the Applicant

AND UPON READING a letter from the Department for Business, Innovation and Skills

AND UPON READING the documents on the Court file

IT IS ORDER THAT:-

1. In respect of those Bankruptcies, Individual Voluntary Arrangements ("**IVAs**"), Administrations, Administrative Receivership, Company Voluntary Arrangements ("**CVAs**"), Compulsory Liquidations, Creditors' Voluntary Liquidations ("**CVLs**") and Members' Voluntary Liquidations ("**MVLs**") listed in Schedules 1 to 8 attached to this order ("**the Schedules**") which are the subject of proceedings in the County Courts, other District Registries and Royal Courts of Justice, those proceedings be transferred to the High Court, Leeds District Registry, solely for the purpose of hearing the application for the Orders contained in paragraphs 2 to 14 below.
2. The Applicant be removed from office of those estates of individuals for which she is the sole appointee, as Trustee in Bankruptcy listed in Schedule 1 which will all be transferred to the Third Respondent alone with immediate effect as shown in Schedule 1.
3. The Applicant be removed from office of the estates of individuals for which she is the Supervisor of IVAs listed in Schedule 2 which will be transferred to the relevant Respondent shown in Schedule 2 with immediate effect.
4. The Applicant be removed from office of those companies for which she is the sole appointee as Liquidator listed in Schedule 6 which will both be transferred to the Third Respondent alone with immediate effect as shown in Schedule 6.
5. The Applicant be removed from office of the estates of the companies, including Supervisor of CVAs, Administrator, Administrative Receiver and Liquidator (both Compulsory and Voluntary) for which she is the joint appointee listed in Schedules 3 to 8 which will be transferred to the relevant Respondent shown in the Schedules with immediate effect.
6. The Applicant be replaced as such office holder in the case of each such estate by the Respondents named in the Schedules as her proposed replacement, these replacements to take effect within the timescales referred to at paragraphs 2, 3, 4 and 5 above.

7. The Respondents shall be entitled to:-

- 7.1 publish in the Gazette one composite notice relating to all new appointments which are required by law to be published in the Gazette;
- 7.2 apportion the costs of the said composite Gazette notice between those estates with sufficient funds to discharge the costs of this notice in full equally; and
- 7.3 charge to each individual estate the costs of obtaining an Insolvency Practitioner's licence bond in respect of that estate.

8. The Applicant shall be granted her release as appropriate 21 days after the publication of the notice in the Gazette referred to at paragraph 7.1 above.

9. Without incurring any additional expenses to any of the said estates, the Respondents shall, when the next routine report is due to the creditors of each estate, notify each creditor of the making of this Order, such notice to contain the following matters:-

- 9.1 An explanation of the effect of the Order.
- 9.2 Express reference to the liberty to apply contained in paragraph 10 below.
- 9.3 In the case of IVAs and CVAs, the provision of all such information as might reasonably be required with regard to the conduct of the IVA or CVA (as the case may be).
- 9.4 In the case of CVLs and Bankruptcies under the Insolvency Act 1986 where liquidation or creditors' committees have 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) or Rule 6.126(2) has not already been provided as part of the routine report) it is open to that committee to require the Respondent appointed to provide an account of the administration of the estate, including:-

9.4.1 a summary of receipts and payments; and

9.4.2 a statement that the Respondent has reconciled his or her accounts.

- 9.5 In the case of CVLs and bankruptcies under the Insolvency Act 1986 where no liquidation or 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 that creditor to apply to Court for an Order that the Respondent appointed do provide such information as might otherwise be required by Rule

4.108(3) or Rule 6.126(2) (as the case may be). That is to say, an account of the administration of the estate, including:-

9.5.1 a summary of receipts and payments; and

9.5.2 a statement that the Respondent has reconciled his or her accounts.

- 9.6 Notification that the Respondent has been required to provide information referred to in paragraphs 9.4 or 9.5 above, whether by liquidation, creditors' committee or by Court Order on the application of any individual creditors, the Respondent's costs of so complying will, unless there are good reasons to the contrary, be paid as an expense of the bankruptcy or liquidation as the case may be.
- 9.7 In the case of liquidations under the Insolvency Act 1986, notification to each creditor and member of his/her right under Rule 11(2) (voluntary winding up) of the Insolvency Regulations 1994 to require the appointed Respondent to supply a statement of receipts and payments free of charge.
- 9.8 In the case of bankruptcies under the Insolvency Act 1986, notification to each creditor of his/her right under Rule 25 of the Insolvency Regulations 1994 to require the appointed Respondent to supply a statement of receipts and payments free of charge.
10. Liberty to each creditor of each estate to apply to vary or discharge this Order within 21 days of receipt of the notices directed to be sent under paragraph 9 above.
11. An Order that following the Orders made in paragraphs 1 to 10 above, the bankruptcies, IVAs, CVAs, Administrations, Administrative Receivership, Compulsory Liquidations, CVLs and MVLs referred to in the Schedules be transferred back to the respective County Courts, District Registries and Royal Courts of Justice, as the case may be.
12. The costs of this application (including VAT) be aggregated and apportioned equally between each of the estates listed in the Schedules provided that:-
- 12.1 if the costs which fall to be borne by any of the estates exceeds 10% of the realisable assets within that estate;
- 12.2 that estate shall only bear part of those apportioned costs, that part being an amount equal to 10% of that estate's readily realisable assets;
- 12.3 the excess shall be apportioned and borne rateably amongst the other estates in proportion to their realisable assets.

13. Service of the said Application Notice be dispensed with.

Dated this 24th day of May 2013



IN THE HIGH COURT OF CASE NO 701 OF 2013
JUSTICE
CHANCERY DIVISION
LEEDS DISTRICT
REGISTRY
IN THE MATTER OF THE LICENCE HOLDER
AND
IN THE MATTER OF THE INSOLVENCY ACT 1986
AND
IN THE MATTER OF JOSEPH ALEXANDER BATES AND
OTHER BANKRUPTCIES LISTED IN SCHEDULE 1
AND
IN THE MATTER OF JOE ANNING ADDAE AND OTHER
INDIVIDUAL VOLUNTARY ARRANGEMENTS LISTED IN
SCHEDULE 2
AND
IN THE MATTER OF 1ST EQUITY LIMITED AND OTHER
ADMINISTRATIONS LISTED IN SCHEDULE 3
AND
IN THE MATTER OF OAKLAND CIVIL ENGINEERING
LIMITED IN ADMINISTRATIVE RECEIVERSHIP IN
SCHEDULE 4
AND
IN THE MATTER OF ALLTOOLS LIMITED AND OTHER
COMPANY VOLUNTARY ARRANGEMENTS LISTED IN
SCHEDULE 5
AND
IN THE MATTER OF CABLEFORD LIMITED AND OTHER
COMPULSORY LIQUIDATIONS LISTED IN SCHEDULE 6
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CREDITORS' VOLUNTARY LIQUIDATIONS LISTED IN
SCHEDULE 7
AND
IN THE MATTER OF ALH RAIL COATINGS LIMITED AND
OTHER MEMBERS' VOLUNTARY LIQUIDATIONS LISTED
IN SCHEDULE 8

BETWEEN

MS CLAIRE LOUISE FOSTER

Applicant

and

hlw Keeble Hawson LLP
Solicitors
Commercial House
Commercial Street
Sheffield
S1 2AT

- (1) MR ROBERT NEIL DYMOND
- (2) MS LISA JANE HOGG
- (3) MS FIONA GRANT
- (4) MS GEMMA LOUISE ROBERTS
- (5) MS KELLY ANNE BURTON

Respondents

Reference: MRD/JMB/WIL2209/903
Solicitors for the Applicant

DRAFT ORDER



IN THE HIGH COURT OF JUSTICE
CHANCERY DIVISION
LEEDS DISTRICT REGISTRY

Claim No. 701 OF 2013

IN THE MATTER OF THE LICENCE HOLDER

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IN THE MATTER OF THE INSOLVENCY ACT 1986

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(4) MS GEMMA LOUISE ROBERTS

(5) MS KELLY ANNE BURTON

Respondents

SCHEDULE 5

CASE CODE	CASE NAME	EXISTING JUDGE	PROPOSED JUDGE	APPOINTMENT DATE	COURT	COURT NO.
ALLT01F	ALLT01F Limited	APPOINTEE	APPOINTEE	DATE		
BING01F	Bingham Garage Limited	Flora Grant	Lisa Jane Hogg	24/07/2009	Sheffield County Court	1436 of 2009
CITY01F	City & Financial Limited	Flora Grant	Lisa Jane Hogg	03/12/2012		
CLEA01F	Cleary, Scarra Limited	Lisa Jane Hogg	Robert Neil Dymond	07/04/2011	High Court of Justice	3563 of 2011
DELI01F	Delicious Catering (2000) Limited	Lisa Jane Hogg	Robert Neil Dymond	15/12/2009	Milton Keynes County Court	283 of 2009
DODD01F	Dodd PubCo Limited Trading as The White Lion	Robert Neil Dymond	Robert Neil Dymond	24/06/2009	Royal Courts of Justice	14761 of 2009
HWSE01F	H & W Sells Limited	Robert Neil Dymond	Lisa Jane Hogg	23/12/2011	Telford County Court	325 of 2011
OTRA01F	O Training (Eastern) Limited	Robert Neil Dymond	Lisa Jane Hogg	05/01/2012	Stockport County Court	386 of 2011
RYED01F	Ryedale Inns Ltd	Flora Grant	Lisa Jane Hogg	19/01/2012	Royal Court of Justice	11329 of 2011
SAIN01F	Saint John Security Installations Limited	Lisa Jane Hogg	Robert Neil Dymond	31/03/2011	York County Court	0063 of 2011
SAUR01F	Saurus Limited	Robert Neil Dymond	Lisa Jane Hogg	04/07/2011	Cardiff County Court	5430 of 2011
SMPA01F	S M Packaging Limited	Lisa Jane Hogg	Robert Neil Dymond	10/08/2010		
SUPED01F	Superated Limited	Lisa Jane Hogg	Robert Neil Dymond	31/08/2010	Royal Courts of Justice County Court	8686 of 2010
THEI01F	The IT Men Limited	Lisa Jane Hogg	Robert Neil Dymond	28/08/2011	Sheffield County Court	468 of 2011
VALUG01F	Vaughans (Hoptonworks) Ltd	Lisa Jane Hogg	Robert Neil Dymond	29/04/2010	Stourbridge County Court	125 of 2010