

ATHL Realisations 2011 Ltd

3709985

IN THE HIGH COURT OF JUSTICE
CHANCERY DIVISION

Case No. 5256/2015

IN THE MATTER OF LANSDOWNE INVESTMENTS LIMITED (FORMERLY MAX HOTELS
(DUDLEY) LIMITED) (IN ADMINISTRATION) AND OTHERS

AND IN THE MATTER OF BOWLPLEX LIMITED (IN COMPANY VOLUNTARY
ARRANGEMENT)

AND IN THE MATTER OF ETON GROUP LIMITED (IN CREDITORS VOLUNTARY
LIQUIDATION) AND OTHERS

AND IN THE MATTER OF SHENDISH MANOR LIMITED (IN COMPULSORY LIQUIDATION)
AND OTHERS

AND IN THE MATTER OF AN OFFICE HOLDER

AND IN THE MATTER OF THE INSOLVENCY ACT 1986



BEFORE ^{Deputy} REGISTRAR Garwood

DATE 20 August 2015



BETWEEN:

- (1) JANE BRONWEN MORIARTY
- (2) ROBERT ANDREW CROXEN
- (3) NEIL DAVID GOSTELOW
- (4) COLIN MICHAEL TREVETHYN HAIG
- (5) RICHARD DIXON FLEMING
- (6) RICHARD JAMES PHILPOTT

Applicants

- and -

- (1) ROBERT ANDREW CROXEN
- (2) NEIL DAVID GOSTELOW
- (3) COLIN MICHAEL TREVETHYN HAIG
- (4) DAVID JOHN STANDISH
- (5) RICHARD DIXON FLEMING
- (6) RICHARD JAMES PHILPOTT
- (7) ALLAN WATSON GRAHAM
- (8) JOHN DAVID THOMAS MILSOM
- (9) BRIAN GREEN

Respondents

CONSENT ORDER

UPON THE APPLICATION of Jane Bronwen Moriarty of KPMG LLP, 15 Canada Square, London
E14 5GL (the "First Applicant")

AND UPON READING the Witness Statement of Jane Bronwen Moriarty dated 3 August 2015
and Exhibit JBM1 thereto



IT IS ORDERED BY CONSENT THAT:

1. The cases listed in Schedules A to D attached to this Order, in so far as there are currently proceedings in the County Court or in a District Registry be transferred to the High Court in London for the purpose of making the Orders listed below

2. The First Applicant be removed from office as Administrator with immediate effect pursuant to paragraph 88 of Schedule B1 to the Insolvency Act 1986 of each of the companies listed:

2 1 In rows 1 to 5 of Schedule A to this Order and Robert Andrew Croxen be appointed as Joint Administrator in place of the First Applicant such appointments to (i) be held jointly with the insolvency practitioner identified at rows 1 to 5 of Schedule A to this Order who is and remains in office and (ii) take effect from the date of this Order

2 2 In row 6 of Schedule A to this Order and Neil David Gostelow be appointed as Joint Administrator in place of the First Applicant such appointments to (i) be held jointly with the insolvency practitioner identified at row 6 of Schedule A to this Order who is and remains in office and (ii) take effect from the date of this Order.

2 3 In rows 7 to 17 of Schedule A to this Order and Colin Michael Trevethyn Haig be appointed as Joint Administrator in place of the First Applicant such appointments to (i) be held jointly with the insolvency practitioner identified at rows 7 to 17 of Schedule A to this Order who is and remains in office and (ii) take effect from the date of this Order.

2 4 In rows 18 to 22 of Schedule A to this Order and Mark Jeremy Orton be appointed as Joint Administrator in place of the First Applicant such appointments to (i) be held jointly with the insolvency practitioner identified at rows 18 to 22 of Schedule A to this Order who is and remains in office and (ii) take effect from the date of this Order.

2 5 In rows 23 to 26 of Schedule A to this Order and James Robert Tucker be appointed as Joint Administrator in place of the First Applicant such appointments to (i) be held jointly with the insolvency practitioner identified at rows 23 to 26 of Schedule A to this Order who is and remains in office and (ii) take effect from the date of this Order

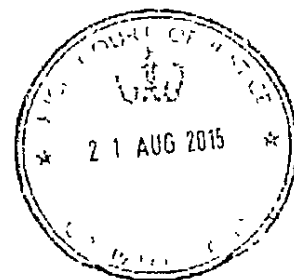
3. Pursuant to Section 7(5) of the Insolvency Act 1986, the First Applicant be removed from the office of Supervisor of the company listed at Schedule B to this Order The Third and Ninth Respondents shall remain in office as joint supervisors

4. The First Applicant be removed from office as Liquidator with immediate effect pursuant to Section 172(2) of the Insolvency Act 1986 of each of the companies listed

4 1 In rows 1 to 7 of Schedule C to this Order and Neil David Gostelow be appointed as Joint Liquidator in place of the First Applicant such appointments to (i) be held



- jointly with the insolvency practitioner set out at rows 1 to 7 of Schedule C to this Order who is and remains in office and (ii) take effect from the date of this Order.
- 4 2 In row 8 of Schedule C to this Order and Colin Michael Trevethyn Haig be appointed as Joint Liquidator in place of the First Applicant such appointments to (i) be held jointly with the insolvency practitioner identified at row 8 of Schedule C to this Order who is and remains in office and (ii) take effect from the date of this Order.
5. The First Applicant be removed from office as Liquidator with immediate effect pursuant to Section 172(2) of the Insolvency Act 1986 of each of the Companies listed in Schedule D to this Order and Neil David Gostelow be appointed as the Joint Liquidator in place of the First Applicant such appointment to (i) be held jointly with the insolvency practitioner identified at as set out at Schedule D who is and remains in office and (ii) take effect from the date of this Order
6. The First to Third Respondents, Mark Jeremy Orton and James Robert Tucker (together the "Successor Practitioners") shall give notice of their appointments to all creditors of the estates listed in Schedules A, C and D to this Order within 28 days of the date of this Order by way of advertisement in the London Gazette
- 7 All creditors to the estates listed in Schedules A, C and D of this Order do have permission to apply to the Court, on Notice to the Applicants and the Successor Practitioners within 28 days of the advertisement referred to in paragraph 6 above for the purpose of applying to vary or discharge the Order insofar as it affects the estate or estates of which they are a creditor
- 8 The time for service of the Application Notice upon the Respondents be abridged
- 9 There be no Order as to costs
- 10 The Applicants have permission to apply.



SCHEDULE A – ADMINISTRATIONS

	Name of Company	Name of Joint Administrator	Date	Court	No.	Year	Replacement
1	Lansdowne Investments Limited (formerly Max Hotels (Dudley) Limited)	Colin Michael Trevethyn Haig	11/01/2013	High Court of Justice	252	2013	Robert Andrew Croxen
2	Opco Limited	Neil David Gostelow	17/06/2013	High Court of Justice	185	2013	Robert Andrew Croxen
3.	La Ruche Holdings Limited	Neil David Gostelow	05/12/2014	High Court Bristol District Registry	704	2014	Robert Andrew Croxen
4	Osborn Securities (Hotels) Limited	Colin Michael Trevethyn Haig	04/02/2011	High Court of Justice	849	2011	Robert Andrew Croxen
5.	Rock International Holdings Limited	Allan Watson Graham	29/08/2012	High Court of Justice	6806	2012	Robert Andrew Croxen
6.	Castillo de Lachar Limited	Richard Dixon Fleming	04/06/2010	High Court of Justice	4687	2010	Neil David Gostelow
7.	Easter Holdings Limited	Robert Andrew Croxen	14/03/2012	High Court of Justice	2332	2012	Colin Michael Trevethyn Haig
8	Easter Management Limited	Robert Andrew Croxen	14/03/2012	High Court of Justice	2345	2012	Colin Michael Trevethyn Haig
9.	Easter Properties (Newton Aycliffe) Limited	Robert Andrew Croxen	14/03/2012	High Court of Justice	2353	2012	Colin Michael Trevethyn Haig
10.	Easter Developments (Aldermaston) Limited	Robert Andrew Croxen	14/03/2012	High Court of Justice	2339	2012	Colin Michael Trevethyn Haig
11	Canley 5 Limited	Robert Andrew Croxen	31/07/2012	High Court of Justice	2599	2012	Colin Michael Trevethyn Haig
12	HM And Co Realisations Limited (formerly Horatio Myer And Company Limited)	Robert Andrew Croxen	26/03/2013	High Court of Justice	2283	2013	Colin Michael Trevethyn Haig
13	Hilding Anders UK Pte	Robert Andrew Croxen	26/03/2013	High Court of Justice	2284	2013	Colin Michael Trevethyn Haig
14	Cordial Hotels Cordial Hotels Acquisition Limited	Robert Andrew Croxen	20/05/2013	High Court of Justice	3668	2013	Colin Michael Trevethyn Haig
15	Menzies Hotels Limited	Robert Andrew Croxen	29/11/2013	High Court of Justice	8375	2013	Colin Michael Trevethyn Haig
16	Menzies Hotels Operating Limited	Robert Andrew Croxen	29/11/2013	High Court of Justice	8374	2013	Colin Michael Trevethyn Haig
17.	Herling Ltd	Neil David Gostelow	04/12/2013	High Court Bristol District Registry	830	2013	Colin Michael Trevethyn Haig
18.	Cornward Limited	Richard Philipott	28/06/2012	High Court of Justice	5299	2012	Mark Jeremy Orton
19	Msaada Holding Company Limited	Richard Philipott	19/12/2011	High Court of Justice	11085	2011	Mark Jeremy Orton
20.	PH Keet & ME Keet t/a Msaada Group	Richard Philipott	12/12/2011	High Court of Justice	9512	2011	Mark Jeremy Orton

21	Leystan Care Limited (formerly Msaada Care Limited)	Richard Philipott James	19/12/2011	High Court of Justice	11084	2011	Mark Jeremy Orton
22	Msaada Limited	Richard Philipott James	19/12/2011	High Court of Justice	11083	2011	Mark Jeremy Orton
23	Opal Condor Limited	Robert Andrew Croxen	19/03/2013	High Court of Justice	2021	2013	James Robert Tucker
24.	Opal Nottingham Limited	Robert Andrew Croxen	19/03/2013	High Court of Justice	2019	2013	James Robert Tucker
25	Opal Wrexham Limited	Robert Andrew Croxen	19/03/2013	High Court of Justice	2050	2013	James Robert Tucker
26	South Yorkshire One Limited	Robert Andrew Croxen	19/03/2013	High Court of Justice	2027	2013	James Robert Tucker

SCHEDULE B – COMPANY VOLUNTARY ARRANGEMENTS

Name of Company	Name of Joint Supervisor	Date	Court	No.	Year	Replacement
Bowplex Limited	1 - Colin Michael Trevethyn Haig 2 - Brian Green	06/03/2012	High Court of Justice	1469	2012	None