In accordance with Rule 18.6 of the Insolvency (England & Wales) Rules 2016.

## AM10

## Notice of administrator's progress report



HORSDA



28/06/2018 COMPANIES HOUSE n, please at ieshouse

Company details → Filling in this form 0 9 Company number 0 Please complete in typescript or in bold black capitals. Company name in full Gen-X IT Ltd Administrator's name Full forename(s) Julien Surname Irving Administrator's address Building name/number | Leonard Curtis Street Tower 12, 18/22 Bridge Street **Spinningfields** Post town Manchester County/Region Postcode Μ 3 BZ Country Administrator's name • **Andrew** Full forename(s) Other administrator Use this section to tell us about Surname Poxon another administrator. Administrator's address @ Building name/number Leonard Curtis Other administrator Use this section to tell us about Street Tower 12, 18/22 Bridge Street another administrator. **Spinningfields** Post town Manchester County/Region Postcode Μ 3 3 Ζ В Country

### AM10 Notice of administrator's progress report

6	Period of progress report		
From date	d 1         d 3         m 1         m 2         y 2         y 0         y 1         y 7		107
To date	d 1         d 2         0         6         2         0         1         8		
7	Progress report		
8	I attach a copy of the progress report  Sign and date		
Administrator's signature	لمدنخ	×	
Signature date	1217 1016 1210118		

#### Presenter information

You do not have to give any contact information, but if you do it will help Companies House if there is a query on the form. The contact information you give will be visible to searchers of the public record.

Contact name	Gemma McLaughlin
Company name	Leonard Curtis
Address	Tower 12, 18/22 Bridge Street
	Spinningfields
	Manchester
Post town	
County/Region	MATA STORY
Postcode	M 3 3 B Z
Country	
DX	
Telephone	0161 831 9999

#### Checklist

We may return forms completed incorrectly or with information missing.

Please make sure you have remembered the following:

The company name and number match the information held on the public Register.

You have attached the required documents.
You have signed the form.

#### Important information

All information on this form will appear on the public record.

#### ✓ Where to send

You may return this form to any Companies House address, however for expediency we advise you to return it to the address below:

The Registrar of Companies, Companies House, Crown Way, Cardiff, Wales, CF14 3UZ. DX 33050 Cardiff.

#### Further information

For further information please see the guidance notes on the website at www.gov.uk/companieshouse or email enquiries@companieshouse.gov.uk

This form is available in an alternative format. Please visit the forms page on the website at www.gov.uk/companieshouse



Registered Number: 04480097
Court Ref: 2030 of 2016
High Court of Justice Business and Property Courts in Manchester - Company & Insolvency List (CHD)

Joint Administrators' fifth progress report in accordance with Rule 18.3 of the Insolvency (England and Wales) Rules 2016

Report period 13 December 2017 to 12 June 2018

27 June 2018

Julien Irving and Andrew Poxon - Joint Administrators
Leonard Curtis
Tower 12, 18/22 Bridge Street, Spinningfields, Manchester M3 3BZ
Tel: 0161 831 9999 Fax: 0161 831 9090
General email: recovery@leonardcurtis.co.uk
Ref: M/38/GM/G829K/1010

### CONTENTS

1	Introduction
2	Statutory Information
3	Joint Administrators' Proposals
4	Progress of the Administration
5	Assets Still To Be Realised
6	Investigations
7	Joint Administrators' Remuneration and Disbursements
8	Joint Administrators' Expenses
9	Estimated Outcome for Creditors
10	Matters Still to be Dealt With
11	Extensions to the Administration
12	Next Report
13	Data Protection
APPEN	DICES
Α	Summary of Joint Administrators' Approved Proposals
В	Summary of Joint Administrators' Receipts and Payments Account for the Period from 13 December 2017 to 12 June 2018
С	Summary of Joint Administrators' Time Costs for the Period from 13 December 2017 to 12 June 2018
D	Summary of Joint Administrators' Total Time Costs for the Period from 20 January 2016 to 12 June 2018 Incorporating a Comparison with the Joint Administrators' Approved Fees Estimate
E	Summary of Joint Administrators' Expenses for the Period from 13 December 2017 to 12 June 2018 Incorporating a Comparison with the Joint Administrators' Statement of Likely Expenses
F	Leonard Curtis Policy regarding Fees, Expenses and Disbursements
G	Estimated Outcome Statement
Н	Proof of Debt Form
l	Privacy Notice

## STRICTLY PRIVATE AND CONFIDENTIAL NOT FOR PUBLICATION

TO: THE REGISTRAR OF COMPANIES

ALL CREDITORS
ALL MEMBERS

#### 1 INTRODUCTION

- 1.1 This report has been produced in accordance with Rule 18.3 of the Insolvency (England and Wales) Rules 2016 ("the Rules") to provide creditors with an update on the progress of the Administration of Gen-X IT Ltd ("the Company") for the period from 13 December 2017 to 12 June 2018. This is the Joint Administrators' fifth progress report to creditors.
- 1.2 Much of the information contained in this report encompasses the whole period of the Administration. Please be aware, however, that where reference is made to "the period of this report", this specifically means 13 December 2017 to 12 June 2018, being the period since the end of the period covered by the last progress report.

#### 2 STATUTORY INFORMATION

- 2.1 Kevin Murphy and Andrew Poxon were appointed as Joint Administrators of the Company in the jurisdiction of High Court of Justice Business and Property Courts in Manchester - Company & Insolvency List (CHD), number 2030 of 2016 on 20 January 2016. The Administration appointment was made by the Directors of the Company, Alan Gould and Kelley Stewart.
- 2.2 K G Murphy left Leonard Curtis on 31 December 2016 and agreed to transfer the management of his insolvency caseload to another appropriate insolvency practitioner within Leonard Curtis. In accordance with Rules 7.10A-D of the Insolvency Rules 1986 (as amended) an application was made to Court for an Order to remove K G Murphy as Insolvency Practitioner on each of his cases and replace him with another insolvency practitioner of Leonard Curtis. The Order was granted by the Court on 31 January 2017. Accordingly, K G Murphy ceased to act as Joint Administrator of this case on 31 January 2017, and J R Irving was appointed in his place. J R Irving and A Poxon are licensed in the United Kingdom by the Institute of Chartered Accountants in England and Wales.
- 2.3 The Administration is being handled by the Manchester office of Leonard Curtis, which is situated at Tower 12, 18/22 Bridge Street, Spinningfields, Manchester M3 3BZ.
- 2.4 The principal trading address of the Company was Sol House, 24 Dark Lane, Ardwick Green, Manchester M12 6FA. The business traded under its registered name.
- 2.5 The registered office address of the Company at the date of the appointment of the Joint Administrators was Sol House, 24 Dark Lane, Ardwick Green, Manchester, M12 6FA. Following the appointment, this was changed to Tower 12, 18/22 Bridge Street, Spinningfields, Manchester M3 3BZ. The registered number of the Company is 04480097.
- 2.6 For the purposes of paragraph 100(2) of Schedule B1 to the Insolvency Act 1986 (as amended), it should be noted that during the period in which the Administration Order is in force, any act or function required or authorised under any enactment to be done by the Joint Administrators may be exercised by all or any of the persons holding that office.
- 2.7 The Company's main centre of operations is based in the UK. The EC Regulation on Insolvency Proceedings applies and the proceedings are main proceedings under the Regulation.

#### 3 JOINT ADMINISTRATORS' PROPOSALS

- 3.1 Attached at Appendix A is a summary of the Joint Administrators' approved proposals for achieving one of the three statutory purposes of Administration.
- 3.2 The Proposals were approved by the general body of creditors on 30 March 2016.
- 3.3 There have been no major amendments to, or deviations from, the proposals during the course of the Administration to date.
- The objective of the Administration is to achieve a better result for the Company's creditors as a whole than would be likely if the Company were to be wound up (without first being in Administration).
- In the opinion of the Joint Administrators, this objective is likely to be achieved as there is a reasonable prospect of a dividend being available to unsecured creditors, which would not have been the case if the Company had been wound up without first being in Administration. Any distribution to unsecured creditors is dependent upon the final level of realisations in the Administration. Details of the assets that have been and remain to be realised by the Joint Administrators are detailed at sections 4 and 5 below.
- 3.6 In the event that the objective cannot be achieved, the third objective is to realise property in order to make a distribution to the secured or preferential creditors.
- 3.7 This objective has been achieved as a distribution has been made during the Administration to the secured creditor, RBS Invoice Finance Limited ("RBSIF"). The distribution to RBSIF has been made from book debt realisations subject to its fixed charge security. During the period of this report, a dividend has also been paid to the preferential creditors.

#### 4 PROGRESS OF THE ADMINISTRATION

4.1 Attached at Appendix B is the Joint Administrators' Receipts and Payments Account for the period from 13 December 2017 to 12 June 2018.

#### 5 ASSETS STILL TO BE REALISED

#### 5.1 Corporation Tax Refund

Following a review of the Company's financial records, it was apparent that the Company had paid tax on its profits in the three years preceding the Administration. In light of its current position, the Joint Administrators are entitled to apply for relief on corporation tax paid by the Company in this period. However, any relief the Company may be entitled to, may be set off against the level of its tax arrears at the date of the Administration. HM Revenue & Customs ("HMRC") has submitted an interim claim in the Administration totalling £38,130.83. The amount of corporation tax paid was somewhat higher than this, so we anticipate that a refund will be due.

The Joint Administrators have instructed the Company's accountant, Wrigley Partington Chartered Accountants ("WPCA") to apply to HMRC for relief in this matter by preparing the required returns. The returns have recently been submitted to HMRC, and the Joint Administrators anticipate a refund will be received within the coming months which will be of benefit to the Company's estate.

#### 5.2 Antecedent Transactions

During this reporting period, the Joint Administrators have continued their investigations regarding some transactions that took place shortly prior to the Company's Administration. This has included reviewing the Company's financial records and electronic records. Meetings have also been held with the major unsecured

creditor to discuss information obtained by them in the course of litigation proceedings brought against the directors. We have also met with the Company's majority shareholder to discuss the Company's affairs.

On the advice of our in-house lawyer, we will now look to bring claims against certain parties with regards to monies received by them in the relevant period. Should the actions brought by the Joint Administrators be successful, this should result in a substantial amount of realisations for the benefit of the creditors. Further information cannot be provided at this time, as it may prejudice the Joint Administrators' position.

#### 6 INVESTIGATIONS

- Following their appointment, the Joint Administrators considered the information acquired in the course of appraising and realising the business and assets of the Company, together with information provided by the Company's directors and its creditors, to identify any further possible realisations for the estate and what further investigations, if any, might be appropriate.
- 6.2 That assessment identified that further realisations may be possible and additional investigations were required. As detailed at 5.2 above, various claims will now be brought.

#### 7 JOINT ADMINISTRATORS' REMUNERATION AND DISBURSEMENTS

#### **Pre-Administration Costs**

7.1 On 30 March 2016, the general body of creditors consented to the following pre-Administration costs and expenses being paid as an expense of the Administration:

Charged by	Services provided	Total amount charged	Amount Paid	Amount unpaid
		£	£	£
Leonard Curtis	Advice to the Company and secured creditors and considering whether an administration purpose could be	20,340	20,340	
	achieved			-
Cerberus Asset Management ("CAM")	Stock take and valuation of physical assets	1,500	1,500	-
Cerberus Receivables Management ("CRM")	Assessment of debtor ledger	2,500	2,500	-
Turner Parkinson LLP	Dealing with appointment papers	3,048	3,048	-
	TOTAL	27,388	27,388	

These costs have now been paid and are detailed in the Receipts and Payments Account attached at Appendix B.

#### Joint Administrators' Remuneration

- 7.2 On 30 March 2016, the general body of creditors agreed that the basis of the Joint Administrators' remuneration be fixed by reference to time properly spent by them and their staff in attending to matters arising from the Administration for an amount not exceeding £179,452, as set out in a Fees Estimate.
- 7.3 The Joint Administrators' Third Progress report circulated to creditors on 12 July 2017 incorporated a request to increase the Joint Administrators' Fees Estimate from £179,452 to £246,183. Following a decision by correspondence by the unsecured creditors, on the 26 July 2017 the Revised Fees Estimate for an amount not exceeding £246,183 was approved.
- 7.4 In a report dated 23 March 2018, the Joint Administrators' requested creditors to vote on the following decision:

That the Joint Administrators' Revised Fee Estimate of £345,322 be approved.

Creditors had until 11 April 2018 to respond. Sufficient votes were received by creditors of the Company, and the resolution was therefore passed. The remuneration drawn by the Joint Administrators must not exceed the total amount of £345,322.00 without further approval.

- 7.5 The time charged by the Joint Administrators for the period of this report amounts to £42,631.00. This represents 137.40 hours at an average rate of £310.27 per hour. A summary of time costs incurred in the period is set out at Appendix C, together with a detailed description of work undertaken in the period, attributable to each category of time costs, and an explanation of why it was necessary for that work to be performed. We also detail where further work is expected to be undertaken and why.
- 7.6 Attached, at Appendix D, is a summary of time costs incurred to date compared with time costs as set out in the Joint Administrators revised fees estimate.
- 7.7 You will note that time costs incurred to date do not exceed the time as set out in the revised Fees Estimate. As demonstrated at Appendix D, costs attributable to each category of time generally fall within those anticipated.
- 7.8 The Administration is not yet complete and it is therefore anticipated that further time costs will be incurred in dealing with this matter.
- 7.9 Further guidance may be found in "A Creditors' Guide to Administrators' Fees" which may be downloaded from: https://www.r3.org.uk/what-we-do/publications/professional/fees
- 7.10 If you would prefer this to be sent to you in hard copy please contact Gemma McLaughlin of this office on 0161 831 9999.
- 7.11 The remuneration drawn by the Joint Administrators to date totals £226,452.00 plus VAT.

#### 8 JOINT ADMINISTRATORS' EXPENSES

8.1 Creditors will recall that the Joint Administrators have previously circulated a 'Statement of Likely Expenses' in this matter.

Expenses are separated into the following categories:

- (i) Standard Expenses: this category includes expenses payable by virtue of the nature of the Administration process and / or payable in order to comply with legal or regulatory requirements.
- (ii) Case Specific Expenses: this category includes expenses likely to be payable by the Joint Administrators in carrying out their duties in dealing with issues arising in a particular case. Also included within this category are costs that are directly referable to the Administration but are not paid to an independent third party (and which may include an element of allocated costs).
  - These are known as "Category 2 disbursements" and are subject to the approval of the creditors. On 30 March 2016, the general body of creditors also approved that category 2 disbursements could be drawn by the Joint Administrators, as detailed at Appendix F.
- 8.2 A copy of the Joint Administrators' statement of likely expenses, together with comparative details of expenses incurred during the current reporting period and confirmation as to whether those amounts are paid or unpaid is set out at Appendix E.

- You will note that, in general, the nature and value of expenses incurred to date fall within those anticipated within the original statement of expenses.
- 8.4 The areas where significance variance has occurred is in relation to the following:
  - Wages and salaries a former staff member was retained for a period of 2 months to assist with the debt collection process. This figure was not included in the original statement of likely expenses.
  - Accountancy Fees The Joint Administrators instructed Wrigley Partington Accountants to provide accountancy assistance. Additional work was required in relation to the corporation tax returns. This additional work was not originally anticipated, and was therefore not included in the original statement of likely expenses, but should provide a benefit to the estate.
- 8.5 Attached at Appendix F is additional information in relation to the firm's policy on staffing, the use of subcontractors, disbursements and details of our current charge-out rates by staff grade.
- 8.6 Under Rule 18.9 of the Rules, within 21 days of receipt of this report, a secured creditor, or an unsecured creditor with either the concurrence of at least 5% in value of the unsecured creditors (including the creditor in question), or with the permission of the court, may make a written request to the Joint Administrators for further information about remuneration or expenses set out in this report.
- 8.7 Under Rule 18.34 of the Rules, any secured creditor, or any unsecured creditor with either the concurrence of at least 10% in value of the unsecured creditors (including that creditor) or the permission of the court, may apply to the court, on the grounds that the basis fixed for the Joint Administrators' remuneration is inappropriate, or the remuneration or expenses charged by the Joint Administrators are, in all the circumstances, excessive.
- The application must be made no later than eight weeks after receipt of the progress report that first reports the fee basis, the charging of the remuneration or the incurring of the expenses in question.
- Unless the court orders otherwise, the costs of the application shall be paid by the applicant and are not payable as an expense of the Administration.

#### 9 ESTIMATED OUTCOME FOR CREDITORS

9.1 In order to assist the various classes of creditors in assessing the quantum of any dividend which may or may not be payable to them, we have produced an Estimated Outcome Statement. This is attached at Appendix G.

#### 9.2 Secured Creditors

RBSIF hold security by way of a fixed and floating charge over the Company's assets created on 22 December 2004. RBSIF provided an invoice finance facility to the Company. The Company held debtor ledgers in three currencies: Great British Pounds, Euros and American Dollars. The Company's indebtedness to RBSIF on our appointment was £157,534.

Throughout the Administration, the Joint Administrators have been assisted in the debt collection exercise by CRM. To date collections total £159,454.10.

These funds have been used to discharge part of the Company's indebtedness to RBSIF. Please note that the payments to RBSIF have been made in accordance with its fixed charge security relating to book debts. There is a shortfall to RBSIF totalling £2,855.77 which relates to charges applied under the terms of their agreement.

Subject to future realisations, RBSIF could be repaid from floating charge realisations in the administration after setting aside a prescribed part.

#### 9.3 Preferential Claims

The only categories of claims which have preferential status are those of employees in respect of wages and accrued holiday pay. On our appointment, the majority of the Company's 26 employees were made redundant. The Joint Administrators retained the employment of the Company's Financial Controller for a period of two months to facilitate book debt collections. The Financial Controller was subsequently made redundant by the Joint Administrators. The employees had claims for outstanding wages and holiday pay.

A preferential claim has been received from the Redundancy Payments Service totalling £8,789.61. The Joint Administrators' instructed E K Employment Consultants to review this claim and advise upon any residual preferential amounts owed to employees, which amounted to £3,415.00. Since the Joint Administrators last progress report, the preferential creditors have been paid in full, totalling £12,204.61.

#### 9.4 Prescribed Part

The Insolvency Act 1986 provides that, where a company has created a floating charge after 15 September 2003, the Administrator must make a prescribed part of the company's net property available to the unsecured creditors and not distribute it to the floating charge holder except in so far as it exceeds the amount required for the satisfaction of unsecured claims.

The prospect of a prescribed part distribution to unsecured creditors is dependent on the level of future realisations.

#### 9.5 Unsecured Non-Preferential Claims

The Statement of Affairs estimated that the total of unsecured creditors was £623,962.40. This did not include an estimate for Cisco's claim as the amount was unknown at the time.

To date, we have received claims totalling over £35.5 million, of which Cisco's claim is approximately £35.1 million. Cisco's claim is subject to ongoing litigation being brought against the Directors, and the final amount will be quantified in due course following the outcome of the proceedings.

A distribution to unsecured creditors, in addition to any prescribed part distribution that is made available, will be dependent on the outcome of the Joint Administrators' investigations in this matter and future realisations.

If you have not already done so, please submit details of your claim to my office. A proof of debt form is attached at Appendix H for your ease of use.

From April 2017, the Joint Administrators have had the discretion to admit claims from creditors with claims under £1,000 without receiving a proof of debt. The Joint Administrators confirm that, to date, no claims have been admitted under the small claims provisions.

#### 10 MATTERS STILL TO BE DEALT WITH

- 10.1 Matters still to be dealt with before conclusion of the Administration include the following:
  - Claims will be brought against certain parties;
  - Ongoing investigations regarding potential antecedent transactions;
  - · Realisation of the Corporation Tax refund;
  - The unpaid expenses will need to be defrayed; and
  - Completing the administration, and either moving the Company into dissolution or to creditors' voluntary liquidation, as appropriate.

#### 11 EXTENSIONS TO THE ADMINISTRATION

- 11.1 The appointment of administrators ordinarily ceases to have effect at the end of the period of one year from the date of their appointment.
- 11.2 In certain circumstances it may be necessary to extend the administrators' term of office.
- 11.3 In the circumstances of this case, consent to a twelve-month extension of the administration has previously been obtained from the unsecured creditors.
- 11.4 A further extension was required from the Court in accordance with Paragraph 107 of Schedule B1 to the Insolvency Act 1986, and the administration was extended until 20 January 2019 by order of the Court.
- 11.5 The exit route from the Administration will either be by way of a creditors' voluntary liquidation if there are sufficient funds to enable a distribution to unsecured creditors, or by way of dissolution if this appears unable to be achieved.
- 11.6 The Joint Administrators will be discharged from liability immediately upon their appointment as Administrators ceasing to have effect.

#### 12 NEXT REPORT

12.1 The Joint Administrators are required to provide a progress report which must be delivered within one month of the end of the next six months of the Administration or earlier if the Administration has been finalised.

#### 13 DATA PROTECTION

Finally, when submitting details of your claim in the administration, you may disclose personal data to the Joint Administrators. The processing of personal data is regulated in the UK by the General Data Protection Regulation EU 2016/679 as supplemented by the Data Protection Act 2018, together with other laws which relate to privacy and electronic communications. The Joint Administrators act as Data Controllers in respect of personal data they obtain in relation to this administration and are therefore responsible for complying with Data Protection Law in respect of any personal data they process. The Joint Administrators' privacy notice, which is attached to this report at Appendix I, explains how they process your personal data. Terms used in this clause bear the same meanings as are ascribed to them in Data Protection Law.

If you wish to discuss the issues raised in this report or require any additional information, please contact this office.

Yours faithfully for and on behalf of GEN-X IT LTD

JULIEN IRVING JOINT ADMINISTRATOR

Julien Irving and Andrew Poxon are authorised to act as insolvency practitioners in the UK by the Institute of Chartered Accountants in England and Wales under office holder numbers 13092 and 8620, respectively

The affairs, business and property of the Company are being managed by the Joint Administrators, who act as agents of the Company without personal liability.

APPENDIX A

#### SUMMARY OF JOINT ADMINISTRATORS' APPROVED PROPOSALS

It is proposed that:

- 1. The Joint Administrators continue to manage the business, affairs and property of the Company in such a manner as they consider expedient with a view to achieving the statutory purposes of the Administration.
- 2. If appropriate, the Joint Administrators take any action they consider necessary with a view to the approval of a Company Voluntary Arrangement ("CVA") or Scheme of Arrangement in relation to the Company.
- 3. If appropriate, the Joint Administrators file a notice with the Registrar of Companies in order that the Administration will cease and the Company will move automatically into Creditors Voluntary Liquidation. It is further proposed that K G Murphy and/or A Poxon be appointed (Joint) Liquidator(s) of the Company and that where Joint Liquidators are proposed any act required or authorised to be done by the Joint Liquidators may be exercised by both or either of them. NB. Creditors may nominate a different person as the proposed Liquidator, provided that the nomination is made after receipt of these proposals and before the proposals are approved.
- 4. Alternatively, if appropriate, the Joint Administrators apply to Court under Para 65 (3) of Schedule B1 to the Insolvency Act 1986 (as amended) for permission to make a distribution to the unsecured creditors within the Administration.
- 5. In the event that there are no monies remaining to be distributed to creditors and as soon as all matters relating to the Administration have been completed, the Joint Administrators file a Notice with the Registrar of Companies that the Company should be dissolved.
- 6. The Joint Administrators investigate and, if appropriate, pursue any claims that they or the Company may have against any directors or former directors, other third parties, officers or former officers, advisers or former advisers of the Company.
- 7. The Company may be placed into compulsory liquidation in circumstances where assets are still to be realised or investigations concluded yet there will be no return to unsecured creditors. In these circumstances it is further proposed that K G Murphy and/or A Poxon be appointed (Joint) Liquidator(s) of the Company and that where Joint Liquidators are proposed any act required or authorised to be done by the Joint Liquidators may be exercised by both or either of them.
- 8. The Joint Administrators shall do all such other things and generally exercise all of his powers as contained in Schedule 1 of the Insolvency Act 1986, as he considers desirable or expedient to achieve the statutory purpose of the Administration.

**Please note:** As per paragraph 2.2 of the above report, K G Murphy has subsequently left Leonard Curtis, and J Irving has replaced him as Joint Administrator.

#### APPENDIX B

## SUMMARY OF RBSIF'S RECEIPTS AND PAYMENTS ACCOUNT FOR THE PERIOD FROM 13 DECEMBER 2017 TO 12 JUNE 2018, AND CUMULATIVE FROM 20 JANUARY 2016 TO 12 JUNE 2018

	Statement of Affairs	Amounts previously reported	Amounts from 13 December 2017 to 12	Cumulative
	£	£	£	£
RECEIPTS				
Assets Specifically Pledged				
Factored Book Debts	157,534.00	159,454.10	-	159,454.10
Less: R8SIF	(157,534.00)	(159,454.10)	-	(159,454.10)
Surplus/ (Deficit) as regards RBSIF			-	

## SUMMARY OF JOINT ADMINISTRATORS' RECEIPTS AND PAYMENTS ACCOUNT FOR THE PERIOD FROM 13 DECEMBER 2017 TO 12 JUNE 2018, AND CUMULATIVE FROM 20 JANUARY 2016 TO 12 JUNE 2018

	Statement of Affairs	Amounts previously reported	Amounts from 13 December 2017 to 12	Cumulative
	£	£	£	£
RECEIPTS				
Assets Not Specifically Pledged				
Surplus as regards RBSIF	-	-		
Cash at Bank and in Hand	234,387.00	242,060.29	-	242,060.29
Stock	38,000.00	39,000.00	-	39,000.00
Office and IT Equipment	2,500.00	2,500.00	-	2,500.00
Corporation Tax Refund	Uncertain -	•	-	-
Antecedent Transactions	Uncertain -	-	-	-
Directors' Loan Accounts	Uncertain	20,000.00	-	20,000.00
Insurance Claim	126.00	125.76	-	125.76
Refund of Prepayments	-	34.20	-	34.20
Bank Interest	-	84.29	8.63	92.92
	275,013.00	303,804.54	8.63	303,813.17

		APPENI	DIX B (Continue
PAYMENTS			
Agreed Pre-Appointment Costs			
Leonard Curtis	(20,340.00)	-	(20,340.00)
Turner Parkinson LLP	(3,048.00)	-	(3,048.00)
CAM	(1,500.00)	-	(1,500.00)
CRM	(2,500.00)	-	(2,500.00)
	(27,388.00)	<u> </u>	(27,388.00)
Disbursements			
Category 1 Disbursements	(2,630.64)	(3,817.32)	(6,447.96)
Category 2 Disbursements	(11.48)	(1.80)	(13.28)
	(2,642.12)	(3,819.12)	(6,461.24)
Post Appointment Costs			
Joint Administrators' Remuneration	(213,452.00)	(13,000.00)	(226,452.00)
CAM	(213,402.00)	(2,120.00)	(13,120.00)
Wages and Salaries	(6,082.74)	(2,120.00)	(6,082.74)
CRM	(5,000.00)	_	(5,000.00)
WPCA	(1,775.00)	_	(1,775.00)
EK Employment Law	(1,056.00)	(360.00)	(1,416.00)
Addleshaw Goddard LLP	(1,000.00)	-	(1,000.00)
Turner Parkinson LLP	(662.50)	-	(662.50)
Internet Services	(106.50)	16.50	(90.00)
Bank Charges	(22.50)	-	(22.50)
	(240,157.24)	(15,463.50)	(255,620.74)
DISTRIBUTIONS BY CLASS OF CREDITOR			
Secured Creditor - RBSIF	(159,454.10)		(159,454.10)
Preferential Creditors	(100,404,10)	(12,204.61)	(12,204.61)
Unsecured Creditors	-	(12,207.01)	(12,204.01)
Chicochica Ciculiors	(159,454.10)	(12,204.61)	(171,658.71)
BALANCE IN HAND	33,617.18	(31,478.60)	2 420 50
DALANCE IN HAND	33,017.18	(31,410.00)	2,138.58

SUMMARY OF JOINT ADMINISTRATORS' TIME COSTS FOR THE PERIOD FROM 13 DECEMBER 2017 TO 12 JUNE 2018

	Units	Average hourly rate	Cost	
	બ	44	બ	
Statutory and Review	96	376.22	3,386.00	
Receipts and Payments	113	246.37	2,784.00	
Insurance, Bonding and Pensions	7	210.00	231.00	
Assets	254	307.42	7,808.50	
Liabilities	306	255.74	7,825.50	
Debenture Holder	7	276.43	193.50	
General Administration	104	254.47	2,646.50	
Planning & Strategy	45	393.33	1,770.00	
Post Appointment Creditors Meeting	35	267.57	936.50	
Investigations	123	249.80	3,072.50	
LEGAL SERV - Preparation	180	421.61	7,589.00	
LEGAL SERV - Attendance	33	450.00	1,485.00	
LEGAL SERV - in Court	20	410.00	820.00	
LEGAL SERV - Drafting Docs	2	260.00	52.00	
LEGAL SERV-Letter Out	6	376.67	339.00	
LEGAL SERV-Tel Call	10	380.00	380.00	
LEGAL SERV - Email Out	32	410.00	1,312.00	
	1,374	310.27	42,631.00	

APPENDIX C (continued)

#### **DESCRIPTION OF TIME SPENT BY CATEGORY**

#### Statutory and Review

This category of activity encompasses work undertaken for both statutory and case management purposes. Whilst this work will not directly result in any monetary value for creditors, it will ensure that the case is managed efficiently and resourced appropriately, which will be of benefit to all creditors. The work carried out under this category has comprised the following:

- Case management reviews. These are carried out periodically throughout the life of the case. During the period of this report, team meetings have taken place to ensure effective case progression, together with periodic reviews;
- Allocation of staff, management of staff, case resourcing and budgeting;
- Review of time costs data to ensure accurate posting of time and to ensure compliance with Statement of Insolvency Practice 9; and
- Review of work carried out by more junior members of staff to ensure quality of work and adherence to standards, legislation and best practice.

#### **Receipts and Payments**

This category of work will not result in a direct financial benefit for creditors. However, close monitoring of case bank accounts is essential to ensure that bank interest is maximised where possible, estate expenses are properly managed and kept to a minimum and amounts payable to creditors are identified and distributed promptly.

- Management of case bank account to ensure compliance with relevant risk management procedures;
- Regular review of case bank account by senior member of staff to ensure that assets have been properly identified;
- Preparation of periodic receipts and payments accounts for inclusion in statutory reports;
- Dealing with the internal billing of the matter;
- Liaising with WPCA with regards to the potential corporation tax reclaim;
- Preparing Company VAT returns, and subsequent correspondence with HMRC;
- · Managing estate expenses; and
- Payment of the preferential dividend

#### Insurance, Bonding and Pensions

Insolvency Practitioners are obliged to comply with certain statutory requirements when conducting their cases. Some of these requirements are in place to protect company assets, whilst requirements in respect of company pension schemes are there to protect the pension funds of Company employees. Whilst there is no direct financial benefit to Company creditors in dealing with these, close control of case expenditure is crucial to delivering maximum returns to the appropriate class of creditor.

Periodic review of bonding requirements to ensure that creditors are appropriately protected. The bond is reviewed upon
each large receipt of monies into the case and also at three month intervals in accordance with best practice. During
this reporting period, bond reviews have been carried out.

#### **Assets**

- Time has been spent with regards to the potential tax reclaim. The Joint Administrators have engaged WPCA to assist
  with the claim, the result of which is anticipated to make a net gain for the benefit of the Company's estate. Time has
  been spent in correspondence with WPCA reviewing the possible benefit to the estate and agreeing fees accordingly,
  and providing requested information to assist with their tax work.
- The Joint Administrators believe that there may potentially be various antecedent transactions that may have taken place in the period prior to the Administration. Time has therefore been spent reconciling the Company's accounts and bank statements, and meeting with our legal team to discuss further action with regards to bringing claims for the funds dispersed. Initial letters have been prepared to commence recovery action.
- We have also been in correspondence with CRM with regards to debtor collections.

#### Liabilities

This category of time includes both statutory and non-statutory matters.

- We have spent a large amount of time in correspondence with the Company's majority creditor, CISCO. Following
  CISCO's extensive investigations, they have made various disclosures to the Joint Administrators in order to assist
  us with our own investigation into the Company. Correspondence with CISCO and their legal representatives has
  been by way of telephone, email, physical meetings and teleconferences;
- Time has been recorded with regards to the preparation of statutory reports to the general body of creditors, including progress reports and a fee extension request; and
- There has also been correspondence with various creditors who have contacted the Joint Administrators directly.

#### Debenture Holder

Time has been spent in correspondence with the debenture holder regarding their floating charge.

#### **General Administration**

This category of work does not result in a direct financial benefit for creditors; however it is necessary for these tasks to be completed in order to ensure the smooth and efficient progression of the administration:

Small amounts of time have also been spent regarding the following:

- Dealing with the Company's books and records;
- · Preparing file notes following meetings with various parties; and
- Making meeting arrangements.

#### **Planning & Strategy**

There are certain tasks which the Joint Administrators have a statutory obligation to undertake during the administration process. Other tasks are completed in order to ensure the administration is progressed to the benefit of all creditors and stakeholders. Actions completed to date are both statutory and non-statutory and include the following:

Review of the relevant documents for the Court extension application.

#### **Post Appointment Creditors' Decisions**

Time recorded to this category is in regards to the preparation and circulation of the progress report to creditors, and
preparing the Joint Administrators' Request for Approval of a Revised Fee Estimate report dated 23 March 2018. In
addition, time has been spent dealing with the Court extension.

#### **LEGAL SERV - Preparation**

Time has been spent by LC Legal preparing for the Court extension.

#### **LEGAL SERV – Attendance**

Time has been spent by LC Legal attending various meetings.

#### **LEGAL SERV - In Court**

• Time has been spent by LC Legal attending the Court hearing for the extension application.

#### **LEGAL SERV - Drafting Docs**

Time has been spent by LC Legal drafting the appropriate documents for the Court extension.

#### **LEGAL SERV - Letter Out**

• Time has been spent by LC Legal sending letters out.

#### **LEGAL SERV - Tel Call**

• Time has been spent by LC Legal making/receiving calls in relation to various legal matters.

#### **LEAGL SERV - Email Out**

• Time has been spent by LC Legal sending emails out in relation to various legal matters.

Joint Administrators' Progress Report 27 June 2018

SUMMARY OF JOINT ADMINISTRATORS' TOTAL TIME COSTS FROM 20 JANUARY 2016 TO 12 JUNE 2018 INCORPORATING A COMPARISON WITH THE JOINT ADMINISTRATORS' APPROVED FEE ESTIMATE

				ביייייייייייייייייייייייייייייייייייייי	MOOUNED TO 12 SOIL FOR	· · · ·	
		Total			Total		
			Average			August	
	Units	Cost	hourly rate	Units	Cost	Average hourly rate	Cost
	S	H	ы	å	сH	сH	41
Statutory and Review	474	15,510.50	327.23	515	15,823.50	307.25	(313.00)
Receipts and Payments	277	13,261.00	229.83	545	12,806.00	234.97	(455.00)
Insurance, Bonding and Pensions	44	1,385.50	314.89	35	974.00	278.29	(411.50)
Assets	2,127	74,380.00	349.69	1,809	66,277.50	366.38	8,102.50
Liabilities	2,048	65,922.00	321.88	2,147	67,985.50	316.65	(2,063.50)
Landlords	16	381.00	238.13	16	381.00	238.13	,
Debenture Holder	83	3,229.50	389.10	49	2,606.00	388.96	623.50
General Administration	1265	27,184.00	214.89	1,122	25,745.50	229.46	1,438.50
Appointment	79	2,467.00	312.28	79	2,467.00	312.28	•
Planning & Strategy	164	6,535.00	398.48	128	5,093.00	397.89	1,442.00
Post Appointment Creditors Meeting	006	31,028.50	344.76	1,017	31,779.00	312.48	(750.50)
Investigations	1,871	59,746.00	319.33	1,707	56,138.00	328.87	3,608.00
Review	4	146.00	365.00	4	146.00	365.00	•
LEGAL SERV - Preparation	825	31,700.00	384.24	670	26,020.00	388.36	5,680.00
LEGAL SERV - Attendance	130	5,850.00	450.00	134	6,030.00	450.00	(180.00)
LEGAL SERV - In Court	20	820.00	410.00	20	820.00	410.00	•
LEGAL SERV - Research	35	975.00	278.57	24	00.099	275.00	315.00
LEGAL SERV - Drafting Docs	75	1,180.00	157.33	36	562.00	156.11	618.00
LEGAL SERV - Travel	<b>∞</b>	120.00	150.00	80	120.00	150.00	1
LEGAL SERV - Letter Out	တ	367.00	407.78	=	429.00	390.00	(62.00)
LEGAL SERV - Tel Call	90	2,174.00	362.33	09	2,142.00	357.00	32.00
LEGAL SERV – Email Out	24	960.00	400.00	50	2,002.00	400.40	(1,042.00)
ı	10,838	10,838 345,322.00	318.62	10,204	10,204 327,007.00	320.47	16,582.00

**APPENDIX E** 

#### SUMMARY OF JOINT ADMINISTRATORS' EXPENSES FROM 20 JANUARY 2016 TO 12 JUNE 2018, INCORPORATING A COMPARISON OF THE JOINT ADMINISTRATORS' STATEMENT OF LIKELY EXPENSES

#### **Standard Expenses**

Туре	Charged by	Description	Estimated Amount	Total Amount Incurred to 12 June 2018	Amount Incurred in This Period	Amount Paid £	Amount Unpaid £
Client Identification Checks	Business Tax Centre	Electronic client verification	10.00	10.00	-	10.00	-
Bond Fee	AUA Insolvency Risk Services	Insurance bond	400.00	427.00	•	427.00	,
Companies House Searches	Companies House	Extraction of company information from Companies House	10.00	3.00		3.00	-
Document Hosting	Pelstar Computing	Hosting of documents for creditors	42.00	110.60	50.40	92.40	18.20
Software Licence Fee	Peistar Computing	Case management system licence fee	87.00	87.00		87.00	-
Statutory Advertising	Courts Advertising	Advertising	157.50	169.78	-	169.78	-
Storage Costs	CAM	Storage of books and records	550.00	2,141.75	300.29	1,976.78	164.97
Internet Services	Zen Internet	Cost of internet access	-	90.00	-	90.00	-
Bank Charges	Allied Irish Bank	Costs in relation to Administrators' bank account	-	22.50	-	22.50	-
Post Redirection	Post Office	Redirection of post	160.00			-	
		Total standard expenses	1,416.50	3,061.63	350.69	2,878.46	183.17

#### **Case Specific Expenses**

Туре	Charged by	Description	Estimated Amount	Total Amount Incurred to Date	Amount Incurred in This Period	Amount Paid	Amount Unpaid
			£	£	£	£	£
Wages and Salaries	Former Financial Controller	Salary of former staff member who was retained for 2 months to deal with debt collection	-	6,082.74	•	6,082.74	-
Land Registry Searches	Land Registry	Extraction of information from the Land Registry		3.00	-	3.00	-
	Turner Parkinson LLP	Professional Services	40,000,00	662.50	-	662.50	•
Legal Fees	Addleshaw Goddard LLP	Costs of appointed solicitors	10,000.00	1,000.00	-	1,000.00	-
Agents' Fees	САМ	Stock take, collection of assets and books and records, transportation and storage	12,500.00	11,000.00		11,000.00	,
Agents' Fees	CAM	Back up of electronic records	-	2,120.00	-	2,120.00	-
Debt Collection Fees	CRM	Costs of collection of debts	7,500.00	5,000.00	-	5,000.00	-
CourtFees	Manchester District Registry of the High Court	Court Fee for hearing	-	50.00	50.00	50.00	<u>-</u>
Counsel Fee	King Chamber Court Fee	Counsel Fee for hearing	<u>-</u>	500.00	500.00	500.00	-
Court Fees	Manchester District Registry of the High Court	Transfer of matter from KG Murphy to JR Irving	-	2.39	-	2.39	<del>.</del>
	EK Employment	Calculation of residual employee daims		1,416.00	360.00	1,416.00	-
Other Professional Fees	Wrigley Parlington Accountants	Accountancy advice	6,000.00	7,775.00	3,000.00	7,775.00	·
Legal Fees	Leonard Curtis Legal	Transfer of matter from K G Murphy to J R Irving	-	87.13	-	87.13	-
Staff Mileage	Leonard Curtis	Category 2 disbursement requiring specific creditor / committee approval	100.00	13.28	-	13.28	-
Administrators Staff	Leonard Curlis	Costs of travel and sundry expenses	10.60	26.20	-	26.20	•
		Total case specific expenses	36,110.60	35,738.24	3,910.00	35,738.24	

APPENDIX F

#### LEONARD CURTIS POLICY REGARDING FEES, EXPENSES AND DISBURSEMENTS

#### LEONARD CURTIS POLICY REGARDING FEES, EXPENSES AND DISBURSEMENTS

The following Leonard Curtis policy information is considered to be relevant to creditors:

#### Staff Allocation and Charge Out Rates

We take an objective and practical approach to each assignment which includes active director involvement from the outset. Other members of staff will be assigned on the basis of experience and specific skills to match the needs of the case. Time spent by secretarial and other support staff on specific case related matters, e.g. report despatching, is not charged.

Where it has been agreed by resolution that the office holders' remuneration will be calculated by reference to the time properly given by the office holders and their staff in attending to matters as set out in a fees estimate, then such remuneration will be calculated in units of 6 minutes at the standard hourly rates given below. In cases of exceptional complexity or risk, the insolvency practitioner reserves the right to obtain authority from the appropriate body of creditors that their remuneration on such time shall be charged at the higher complex rate given below.

With effect from 6 January 2014 the following hourly charge out rates apply to all assignments undertaken by Leonard Curtis:

6 Jan 2014 onwards	Standard	Complex
	£	£
Director	450	562
Senior Manager	410	512
Manager 1	365	456
Manager 2	320	400
Administrator 1	260	325
Administrator 2	230	287
Administrator 3	210	262
Administrator 4	150	187
Support	0	0

Office holders' remuneration may include costs incurred by the firm's in-house legal team, who may be used for non-contentious matters pertaining to the insolvency appointment.

#### **Subcontractors**

Where we subcontract out work that could otherwise be carried out by the office holder or his/her staff, this will be drawn to the attention of creditors in any report which incorporates a request for approval of the basis upon which remuneration may be charged. An explanation of why the work has been subcontracted out will also be provided.

#### **Professional Advisors**

Details of any professional advisor(s) used will be given in reports to creditors. Unless otherwise indicated the fee arrangement for each is based on hourly charge out rates, which are reviewed on a regular basis, together with the recovery of relevant disbursements.

The choice of professional advisors is based around a number of factors including, but not restricted to, their expertise in a particular field, the complexity or otherwise of the assignment and their geographic location.

#### Expenses

We are required to provide creditors with an estimate of the expenses we expect to be incurred in respect of an assignment and report back to them on actual expenses incurred and paid in our periodic progress reports. There are two broad categories of expenses: standard expenses and case specific expenses. These are explained in more detail below:

 Standard Expenses – this category includes expenses which are payable in order to comply with legal or regulatory requirements and therefore will generally be incurred on every case. They will include:

Туре	Description	Amount
AML checks	Electronic client verification in compliance with the	£5.00 plus VAT per individual
	Money Laundering Regulations 2007	

Bond / Bordereau fee	Insurance bond to protect the insolvent entity against and losses suffered as a result of the fraud or dishonesty of the IP	£10.00 to assets wit		pendent on value of
Company searches	Extraction of company information from Companies House		document unsed via the fre	nless document can e service
Document hosting	Hosting of documents for creditors/shareholders	Type	First 100	Every addtl 10
		ADM	£14.00	£1.40
		CVL	£7.00	£0.70
		MVL	£7.00	£0.70
		CPL	£7.00	£0.70
		CVA	£10.00	£1.00
		BKY	£10.00	£1.00
		IVA	£10 p.a. or	£25 for life of case
Post re-direction	Redirection of post from Company's premises to office-	0-3 months £204.00		
	holders' address	I .	ns £303.00	
		6-12 mon	ths £490.00	<del></del>
Software Licence fee	Payable to software provider for use of case management system	£87.00 pl	us VAT per ca	ase
Statutory advertising	Advertising of appointment, notice of meetings etc.			
	- London Gazette	£83.02 plus VAT per advert		
	- Other	Dependent upon advert and publication		t and publication
Storage costs	Costs of storage of case books and records	£5.07 plu handling		ox per annum plus

b) Case-specific expenses – this category includes expenses (other than office-holders' fees) which are likely to be payable on every case but which will vary depending upon the nature and complexity of the case and the assets to be realised. They will include;

Туре	Description	Amount
Agents' fees	Costs of appointed agents in valuing and realising assets	Time costs plus disbursements plus VAT
Debt Collection fees	Costs of appointed debt collectors in realising debts	Generally agreed as a % of realisations plus disbursements plus VAT
Legal fees	Costs of externally appointed solicitors. Will generally comprise advice on validity of appointment, drafting of sale contracts, advice on retention of title issues and advice on any reviewable transactions.	Time costs plus disbursements plus VAT
Other disbursements	See disbursements section below	See disbursements section below

#### **Disbursements**

Included within both of the above categories of expenses are disbursements, being amounts paid firstly by Leonard Curtis on behalf of the insolvent entity and then recovered from the entity at a later stage. These are described as Category 1 and Category 2 disbursements.

- a) Category 1 disbursements: These are costs where there is specific expenditure directly referable both to the appointment in question and a payment to an independent third party. These may include, for example, advertising, room hire, storage, postage, telephone charges, travel expenses (excl. mileage), and equivalent costs reimbursed to the office holder or his or her staff. Category 1 disbursements may be drawn without prior approval.
- b) Category 2 disbursements: These are costs that are directly referable to the appointment in question but not to a payment to an independent third party. They may include shared or allocated costs that can be allocated to the appointment on a proper and reasonable basis, for example, business mileage. In the event of charging for category 2 disbursements the following items of expenditure are recharged on this basis and are believed to be in line with the cost of external provision:

Internal photocopying 10p per copy

General stationery, postage, telephone etc £100 per 100 creditors/ members or part thereof

Storage of office files (6 years) £81.25 per box
Business mileage 45p per mite

Category 2 disbursements may be drawn if they have been approved in the same manner as an office holder's remuneration.

## **ESTIMATED OUTCOME STATEMENT**

	Secured - Fixed	Preferential	Secured - Floating	Unsecured
	€,000	£,000	000.3 000.3 000.3	€,000
Amount available to class of creditor	159	12	N/K	N/K
Amount due to creditor per Estimated Financial Position	(162)	(12)	(3)	(35,562)
Estimated dividend rate (as a %)	%86	100%	NK	N/N

#### **APPENDIX H**

#### Insolvency (England and Wales) Rules 2016

Rule 14.4

Proof of Debt – General Form Relevant date: 20 January 2016

Name of Company in Administration:  Company registered number:		Gen-X IT Ltd 04480097	
2.	Correspondence address of creditor (including email address)		
3.	Total amount of claim (£) at relevant date (include any Value Added Tax)		
4.	If amount in 3 above includes outstanding uncapitalised interest, state amount (£)		
5.	Details of how and when the debt was incurred (if you need more space attach a continuation sheet to this form)		
6.	Details of any security held, the value of the security and the date it was given		

		APPENDIX H (cont)
7	<ol> <li>Details of any reservation of title claimed in respect of goods supplied to which the debt relates</li> </ol>	
{	Details of any document by reference to which the debt relates	
ţ	9. Signature of creditor (or person authorised to act on the creditor's behalf)	
,	10. Date of signing:	
	<ol> <li>Address of person signing (if different from 2 above)</li> </ol>	
	12. Name in BLOCK LETTERS	
	13. Position with, or relation to, creditor	
No	tes:	
1.	There is no need to attach them now but the office-hold evidence which is considered necessary to substantia chairman or convenor of any qualifying decision procedu	te the whole or any part of the claim, as may the
2.	This form can be authenticated for submission by email the form as an attachment from an email address which to the office-holder. If completing on behalf of the compa	clearly identifies you or has been previously notified

APPENDIX I

## LEONARD CURTIS PRIVACY NOTICE FOR CREDITORS

#### Information we collect and hold about you

By requesting details of your claim in this insolvency, we may collect Personal Data from you, particularly if you are a consumer creditor, a sole trader or are lodging a claim in your personal capacity.

Personal Data is information relating to a living individual. Whenever Personal Data is processed, collected, recorded, stored or disposed of it must be done within the terms of the General Data Protection Regulation ("the GDPR"). Examples of Personal Data include but may not be limited to your name, address, telephone number and email contact details.

If you do not provide us with the information we require, this may adversely affect our ability to deal with your claim, but we would ask you not to submit more Personal Data than we request from you.

#### Legal justification for processing your Personal Data

The processing of your Personal Data by us is necessary to enable us to comply with legal obligations under the Insolvency Act 1986 and associated legislation which we are subject to as Insolvency Practitioners.

#### How we use your information

All information you supply to us is required to enable us to comply with our duties under the Insolvency Act 1986 and associated legislation. It will be used to enable us to assess the extent of the insolvent entity's liabilities, to allow you to vote on any decision procedures, to enable us to communicate with you, to process your claim and to pay any dividends which may be due to you from the insolvent estate.

#### Who we share your information with

We may be required to share some of your Personal Data with other creditors. The data which will be shared with other creditors will be limited to that specifically required to be disclosed under insolvency legislation.

We may share some of your information with our Data Processors. Data Processors include solicitors, accountants and employment law specialists who assist us with our duties where required. We will only share your information with our Data Processors if we require their specialist advice. All of our Data Processors are subject to written contracts with us to ensure that your Personal Data is processed only in accordance with the GDPR.

#### How long will we hold your Personal Data for?

We will need to hold your Personal Data for a period of time after the insolvency has been concluded. This is to enable us to deal with any queries which might arise. Our Records Management Policy requires us to destroy our physical files 6 years after closure of the case. Electronic data files will be removed from our Case Management System 6 years after conclusion of the case but may be held on our server for a longer period of time but with restricted access.

#### Your rights in respect of your Personal Data

You have the right to request access to your Personal Data and to require it to be corrected or erased. You also have the right to request a restriction in the way we process your Personal Data or to object to its processing. You should be aware however that we may not be able to comply with your request if this would affect our ability to comply with our legal obligations.

You have the right to Data Portability. This is a right to have the Personal Data we hold about you to be provided to you in a commonly used and machine-readable format so that you can transfer that Data to another organisation in a way that is not too onerous to upload the Data.

#### Your right to complain

You have the right to be confident that we are handling your Personal Data responsibly and in line with good practice. If you have a concern about the way we are handling your Personal Data you should contact our Privacy Manager in the first instance.

If you are unable to resolve your concerns with us, you have the right to complain to the Information Commissioners' Office. The Information Commissioner can be contacted at Wycliffe House, Water Lane, Wilmslow, Cheshire SK6 5AF or on 0303 123 1113.

#### Contacting us

If you have any questions relating to the processing of your Personal Data, please write to our Privacy Manager at Leonard Curtis, Level 5, The Grove, 248A Marylebone Road, London NW1 6BB Alternatively our Privacy Manager can be contacted by telephone on 0207 535 7000 or by email: privacy@leonardcurtis.co.uk.

**Data Controller: LEONARD CURTIS**