

# AM03

## Notice of administrator's proposals



Companies House

THURSDAY



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A02

09/04/2020

#290

COMPANIES HOUSE

### 1 Company details

Company number 04597195

Company name in full Marc (Umu) Limited

#### → Filling in this form

Please complete in typescript or in  
bold black capitals.

### 2 Administrator's name

Full forename(s) Graham

Surname Bushby

### 3 Administrator's address

Building name/number The Pinnacle

Street 170 Midsummer Boulevard

Post town Milton Keynes

County/Region

Postcode MK9 1BP

Country

### 4 Administrator's name ①

Full forename(s) Nick

Surname Edwards

#### ① Other administrator

Use this section to tell us about  
another administrator.

### 5 Administrator's address ②

Building name/number The Pinnacle

Street 170 Midsummer Boulevard

Post town Milton Keynes

County/Region

Postcode MK9 1BP

Country

#### ② Other administrator

Use this section to tell us about  
another administrator.

AM03  
Notice of Administrator's Proposals

|   |                                                                                   |  |
|---|-----------------------------------------------------------------------------------|--|
| 6 | Statement of proposals                                                            |  |
|   | <input checked="" type="checkbox"/> I attach a copy of the statement of proposals |  |

|                           |                                                                                                                                                      |  |
|---------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| 7                         | Sign and date                                                                                                                                        |  |
| Administrator's Signature | <div>Signature<br/>✕  ✕</div>                                       |  |
| Signature date            | <div><div><sup>d</sup>2<sup>d</sup>4</div><div><sup>m</sup>0<sup>m</sup>3</div><div><sup>y</sup>2<sup>y</sup>0<sup>y</sup>2<sup>y</sup>0</div></div> |  |

# AM03

## Notice of Administrator's Proposals



### 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  | Thomas Beat                    |
| Company name  | RSM Restructuring Advisory LLP |
| Address       | 25 Farringdon Street           |
| Post town     | London                         |
| County/Region |                                |
| Postcode      | E C 4 A 4 A B                  |
| Country       |                                |
| DX            |                                |
| Telephone     | 0203 201 8000                  |



### 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 and dated 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.



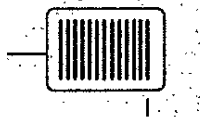
### Further information

For further information please see the guidance notes on the website at [www.gov.uk/companieshouse](http://www.gov.uk/companieshouse) or email [enquiries@companieshouse.gov.uk](mailto: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](http://www.gov.uk/companieshouse)**

**MARC (UMU) LIMITED IN ADMINISTRATION**  
JOINT ADMINISTRATORS' PROPOSALS  
23 MARCH 2020

THE POWER OF BEING UNDERSTOOD  
AUDIT | TAX | CONSULTING



# INTRODUCTION

## Contact details

The key contacts at RSM in connection with this report are

### Primary Office Holder

Graham Bushby  
RSM Restructuring Advisory LLP  
25 Farringdon St.  
London EC4A 4AB  
Tel 0203 201 8000

### Case Manager

Robert Young  
RSM Restructuring Advisory LLP  
25 Farringdon St  
London EC4A 4AB  
Tel 0203 201 8000

## Basis of preparation

This document forms the basis of the Joint Administrators' Proposals (Proposals)

They have been prepared solely to comply with the statutory requirements of the relevant legislation. They have not been prepared for use in respect of any other purpose, or to inform any investment decision in relation to any debt or financial interest in the Company. Any estimated outcomes for creditors are illustrative and may be subject to revision and additional costs. They should not be used as the basis for any bad debt provision or any other purpose. Neither the Joint Administrators nor RSM Restructuring Advisory LLP accept any liability whatsoever arising as a result of any decision or action taken or refrained from as a result of information contained in these Proposals. The Joint Administrators act as agents of the Company and without personal liability.

## EC Regulations

The EC regulations will apply. As the Company's centre of main interest is in the UK, these proceedings will be main proceedings as defined in Article 3 of the EC Regulations.

## General guidance on the Administration process

You may also wish to note that profession's trade body, R3, have also produced general guidance on the different insolvency processes, which can be located at their website <http://www.R3.org.uk>

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# KEY ACTIONS AND DECISIONS REQUIRED FROM CREDITORS

## Decisions required from creditors

No decisions are being sought from creditors. This is because the Company has insufficient property to enable a dividend to be paid to unsecured creditors other than by virtue of the Prescribed Part

## Deemed approval of the Administrators' Proposals

The Proposals will be automatically approved on 6 April 2020 unless sufficient creditors request approval by a decision procedure as set out below

## Requesting a decision

A request for a decision must be made no later than 6 April 2020, being within 8 business days from the date of delivery of these Proposals. Any request must be supported by creditors whose collective debts represent at least 10% in value of the total debts of the Company

If creditors request a decision, the Administrators may require creditor(s) to lodge a deposit at an amount to be determined by the Administrators, as security for expenses

# BACKGROUND AND FINANCIAL INFORMATION

## Background and events leading to Administration

The Company was incorporated in 2002 with the intention of bringing an authentic Japanese dining experience to Central London and its restaurant named UMU was opened at Bruton Place Mayfair in 2004. It has since become a renowned fine dining experience and has been awarded Two Michelin Stars, the second of which came in 2015.

The Executive Chef, Yoshinori Ishii, joined in 2010 and owns a 10% stake in the Company, the remaining 90% is owned by Marc Ltd, a company which entered into Compulsory Liquidation in February 2020.

Whilst UMU has historically been profitable, certain fellow group companies (i.e. entities also owned by Marc Ltd), have been loss-making and fell into arrears with HM Revenue & Customs (HMRC). As a result, HMRC issued a Winding-up Petition in November 2019 in relation to the arrears (the Petition). As Marc (UMU) Ltd was a part of a group VAT scheme, it was jointly and severally liable for certain HMRC arrears and, therefore, it was also the subject of the Petition. It should be noted that this was not the first time that HMRC had issued Winding-up Petitions against these companies (see opposite).

Marc (UMU) Ltd had previously provided a guarantee to a bank in relation to a loan which had been provided to the Company's owner. In support of the guarantee, the bank was granted security over the Company in the form of a Qualifying Floating Charge (a QFC). In late 2019 the QFC holder sought the assistance of Graham Bushby and Nick Edwards of RSM Restructuring Advisory LLP in response to the Winding up Petition.

In order to avoid a Liquidation of the Company (and a resulting cessation of its trade and possible termination of the property lease), the QFC holder made an application for an Administration Order as this process would provide for an Administrator to protect the business and the assets for the benefit of the creditors.

## The Court subsequently appointed Graham Bushby and Nick Edwards of RSM Restructuring Advisory LLP as Joint Administrators on 3 February 2020.

As explained in this report, the Administrators have continued to trade the business in order to achieve a going concern sale of the business and its assets.

Summary financial information for Marc (UMU) Ltd is shown on the next page.

## Previous involvement with Group Companies

The Joint Administrators' firm has previously acted for several other companies within the Group as follows:

- Marc Limited
- Mortons the Restaurant Limited
- Marc (UmU) Limited
- Marc (Greenhouse) Limited
- Marc (Bakery) Limited

Following a Winding-up Petition, Mark Wilson and Philip Sykes, both of RSM Restructuring Advisory LLP, were appointed Joint Liquidators of the above companies on 9 November 2018. The Joint Liquidators' appointments were made by the Insolvency Service rather than by a director. During the Liquidations, the companies continued to trade utilising funds provided by a director whilst the director sought to have the Liquidation Orders rescinded.

The Liquidation Orders were successfully rescinded at the end of December 2018. This is a Court process which removed the Orders as if they had never taken place. The director provided undertakings to pay all creditors and the transactions which occurred during the Liquidators' trading period were specifically considered and validated by the Court.

RSM Restructuring Advisory LLP has not acted for any of the companies in the period between the Rescission Orders and the current assignments (being the Administrations of Marc (UMU) Ltd, Mortons The Restaurant Ltd, Mortons Club Ltd, Marc (Bakery) Ltd and Dairyare Ltd).

The Joint Administrators do not consider that the previous appointments give rise to a conflict because the Joint Liquidators were appointed by the Insolvency Service and, as such, they were acting on behalf of the Companies and their creditors rather than the Companies' director or management teams. Also, the Company's key stakeholders (including the first secured creditor and the Court) were fully aware of the nature and extent of the firm's previous role and have not raised any issues in relation to the Joint Administrators' appointment. Finally, the Joint Administrators have considered whether the firm's previous involvement creates any perceived threats under the ethical guidelines of the Joint Administrators' licensing body (the Institute of Chartered Accountants in England and Wales) and believe that no threats arise.

## Company's trading history

Relevant extracts from the company's management accounts are summarised below and opposite

page 11 of 15

| UMU Breakdown        | 2017        | 2018        | 2019*       |
|----------------------|-------------|-------------|-------------|
| Food income          | 2,565,243   | 2,583,551   | 2,662,620   |
| Drink income         | 1,037,072   | 994,617     | 1,128,100   |
| Other income         | 8,114       | 3,851       | 14,575      |
| Total Revenue        | 3,610,429   | 3,582,019   | 3,805,294   |
| Purchases            | (949,649)   | (963,184)   | (976,724)   |
| Staff Costs          | (1,018,041) | (1,055,115) | (975,053)   |
| Total direct costs   | (1,967,690) | (2,018,299) | (1,951,777) |
| Gross Profit         | 1,642,738   | 1,563,720   | 1,853,517   |
| Operating costs      | (402,179)   | (412,822)   | (368,139)   |
| Management fee       | (120,000)   | (120,000)   | (110,000)   |
| Other admin expenses | (398,881)   | (449,348)   | (357,601)   |
| Total Admin Expenses | (921,061)   | (982,170)   | (825,741)   |
| Operating profit     | 721,678     | 581,559     | 1,017,777   |

\* 11 months period to November 2019

## Financial position

### UMU balance sheet at 31 December 2019

£'000s

|                         |         |
|-------------------------|---------|
| Lease                   | 128     |
| Stock                   | 166     |
| Plant and equipment     | 11      |
| Trade debtors           | 0       |
| Rent deposit            | 167     |
| Group debtors           | 3,359   |
| Prepayments             | 50      |
| Total assets            | 3,881   |
| Trade creditors         | (357)   |
| Other creditors*        | (145)   |
| Related party creditors | (1,386) |
| OTSS                    | (471)   |
| Accruals                | (100)   |
| Total creditors         | (2,459) |
| Net assets              | 1,422   |

\* This excludes the amounts due under the guarantee provided to the secured lender

## Statement of affairs

The director has not yet forged a Statement of Affairs with the Administrators. Accordingly, pursuant to the relevant legislation, we attach an Estimated Statement of the Financial Position of the Company as at 3 February 2020 as Appendix B. This records the assets and liabilities at their estimated book value at the date of our appointment together with details of the names, addresses and the estimated amounts due to the Company's creditors.

# PURPOSE, STRATEGY AND CONDUCT OF THE ADMINISTRATION

## Purpose of the administration

Insolvency legislation sets out the statutory purposes of an administration. The Joint Administrators' must perform their functions with the objective of either

- a) rescuing the Company as a going concern, or
- b) achieving a better result for the Company's creditors as a whole than would be likely if the Company were wound up (without first being in Administration) or
- c) realising property in order to make a distribution to one or more secured or preferential creditors

It was not possible to achieve statutory purpose (a) owing to the amounts owed to HMRC under the group VAT scheme and the amount owed to the secured creditor for which the Company had provided a guarantee

It has, however, been possible for the Administrators to continue to trade the business with a view to completing a going concern sale of the business and its assets. The Administrators are therefore confident of achieving Objective (b) as a going concern sale will realise an amount which is significantly higher than if the Company entered into liquidation and ceased trading. Such a sale will also result in an improved position for the employees as their employment contracts will transfer to the purchasing entity. Even if this fails the expected level of realisations are such that objective (c) should be met

## Joint Administrators' trading

A trading account is attached at Appendix C (ii). This does not include future trading receipts

The purpose of the Administrators' trading the business is to keep the Company operational until a going concern sale can be completed. This is likely to result in a significantly greater amount being realised for the Company's assets than if the operations ceased and the assets were realised on a shut down or break-up basis

On appointment the Administrators and their team visited the trading premises to meet with the key employees and to implement plans and controls for the period of trading. As part of this process, it was necessary to hold discussions with the key suppliers to ensure that trading could be continued without significant interruption to the restaurant

## Strategy to achieve purpose of the administration

Prior to appointment, the Joint Administrators assessed the options available for the business. Discussions with a property agent confirmed that the business would be worth considerably more on a going concern basis. In view of this, the Administrators recognised the need to continue to trade in order to preserve the business and its value whilst a buyer was sought

In view of the above, both Profit and Loss and a Cashflow forecasts were prepared and a strategy was agreed with a third-party agent (Licensed Solutions) to operate the restaurant day to day on the Administrators' behalf. Whilst the forecast indicated that the trading period would be profitable, the Company's primary secured creditor lodged a contingency fund of £25k with the Administrators to cover any unforeseen costs

The Administrators undertook a significant marketing campaign themselves, but they also appointed a property agent, Lambert Smith Hampton (LSH), to ensure that the opportunity was marketed as widely as possible

## Asset realisation

### Sale of business

In order to market the business as widely as possible, the Administrators prepared a Teaser which provided a brief overview of the opportunity and invited interest. The Teaser was issued to the following groups:

- RSM's internal network of employees and partners for onward distribution to potentially interested contacts and clients.
- RSM's accelerated marketing database (233 parties) and
- A researched list of high-end restaurant groups and operators (110 parties)

In addition to the above, an advert was also placed on the businesses for sale website. IP Bid 10 parties expressed an interest from this website

As a result of the above marketing, 27 non-disclosure agreements were signed. These parties were provided with access to a data room containing information concerning the business and its financial performance

In addition to the above, the Administrators engaged LSH to market the opportunity to their considerable contact base of operators in the leisure and restaurant sectors. A significant level of interest was received, and various parties assessed the financial information and viewed the premises throughout February and early March.

Once the opportunity had been given a suitable level of exposure LSH contacted all potentially interested parties to invite offers. After the initial expressions of interest were declared LSH spent time talking to the parties to try to drive up the offers and extract maximum value

The Administrators and LSH were extremely pleased with the level of interest received and as hoped, several significant offers were made for the business and assets on a going concern basis. The Administrators have recently been discussing the offers with the Company's primary secured creditor given that their formal consent to the sale is required.

With regret, the coronavirus impacted significantly on trading and the decision was taken to close the restaurant in the week commencing 16 March. This has also impacted the sale process and a deal is yet to be completed. We are currently in detailed negotiations with a company controlled by the Company's primary secured creditor. We expect to accept an offer very shortly and we will be in touch with the creditors thereafter to confirm the outcome.

## Cash at bank

Having made enquiries around the group's banking arrangements, there was unfortunately no cash at bank to be realised on appointment

## Debtors

Due to the nature of the business, the Company does not have trade debtors. As stated above we are working to ascertain the position around any inter group debtors due to the Company.

## Chattel assets

All of the Company's physical assets (being kitchen equipment and restaurant fittings) have been valued by an independent firm of chartered surveyors (LSH) and a formal valuation report has been provided to the Administrators. Such assets are to be sold to the purchaser of the restaurant for an amount to be agreed.

## Land and property

The Company's only property assets is the leasehold interest of UMU restaurant. As explained above, a purchaser will shortly be identified for this asset.

## Stock and work in progress

The only stock of value within the Company was the alcohol. At Book Value, on appointment this comprised of £11k (Sake) and £80k (wine). Again, these assets will be sold to the purchaser of the restaurant for an amount to be agreed.

**Rent Deposit**

The Company's records indicate that the landlord is holding a rent deposit in the sum of £167k. It is proposed that this asset is transferred to the purchaser of the restaurant upon the completion of the lease assignment for an agreed level of consideration.

Investigations

The Joint Administrators are required to investigate the Company's business affairs and make a report on the directors' conduct within three months of appointment if you have any information or concerns regarding the manner in which the Company's business affairs have been conducted, or information regarding the potential recoveries or assets. please contact this office as soon as possible.

## Case-specific matters

As explained, a significant amount of time was spent marketing the business and assets and securing the best price for the assets. In addition, the Administrators and their staff have spent time planning for and overseeing the trading of the restaurant between appointment and the completion of the sale. Whilst an agent was appointed to manage the trading, time has been spent on matters such as employee maintenance, IT, supplier and financial issues. Time has also been spent assessing the offers for the business and assets and negotiating the terms of sale.

### Statistical independence and causality

The following work does not usually result in a financial return to creditors, but is required by legislation, best practice and to ensure that the case is managed efficiently and effectively. The work done since appointment included

- compliance with ethical and anti-money laundering regulations
- arranging insurance of assets including site visits.
- correspondence with pre-appointment third party advisors
- consideration of health & safety and environmental matters.
- guidance with preparing the statement of affairs
- Collecting and scheduling of books and records and IT records.
- periodic case reviews, ongoing case planning and strategy.
- maintaining and updating computerised case management records
- maintenance of cashiering records and preparation of receipts and payments accounts
- filing of statutory documentation, including the statement of affairs, at Companies House and Court, and with other relevant parties.

- 
- general taxation matters

- dealing with routine correspondence not attributable to other categories of work including customer telephone calls and emails and
- dealing with pension schemes liaising with the PPF / Pensions Regulator / Trustees

#### Receipts and payments

A Receipts and Payments summary is attached at appendix C

A trading summary drawn to 24 March 2020 can also be found at Appendix C. A final trading outcome will be provided to creditors in future reports

# OUTSTANDING MATTERS

## Assets remaining to be realised

As explained above, a deal will be agreed very shortly for the sale of all of the Company's business and assets on a going concern basis. It is expected that this deal will be completed in short order.

The only known asset left after the sale has been completed is any inter-company debtor balance due to the Company. Investigations in this respect are ongoing although we note that a number of other group companies are insolvent, this raises concerns around the recoverability of any such balances.

## Other outstanding matters

Once the business has been sold, we will work with Licensed Solutions to finalise the various trading accounts such as those for suppliers and utilities. We will also need to deal with matters such as VAT, agreeing and paying professional fees and the formal assignment of the lease.

It may become appropriate to invite claims from the creditors in relation to a Prescribed Part dividend.

## End of the administration

### Automatic End

The administration will automatically end 12 months from the date on which the Joint Administrators' appointment took effect, unless an extension is sought. An extension can be sought from the creditors for up to 12 months, or by application to the Court for a longer period.

It is anticipated that the Company will exit administration by way of Dissolution.

However, if any asset is identified as a result of which it is anticipated that a distribution will be made to unsecured creditors, which is not a Prescribed Part distribution, then the Company shall exit administration by Creditors' Voluntary Liquidation.

### Exit by Creditors' Voluntary Liquidation

If the Company exits administration by moving into a Creditors' Voluntary Liquidation, it is proposed that the Joint Administrators or any successors, will be appointed Joint Liquidators of the Company. The Liquidators will have the power to act jointly and severally and may act required or authorised to be done by the Liquidators may be done by all or any one more of the persons holding the office in question.

## Creditors nomination for alternative liquidators

Please note that creditors may nominate a different person as the proposed Liquidator provided that

- The nomination is made through a decision procedure before the proposals (or any revised proposals) are approved and;
- Where the nomination relates to more than one person or has the effect that the office is to be held by more than one person, a declaration is made as to whether any act required or authorised to be done by the Liquidators is to be done by all or any one or more of the persons for the time being holding the office in question.

## Joint Administrators' discharge from liability

The Joint Administrators will, in accordance with legislation, be seeking an order of the Court for discharge from liability in respect of any action as Joint Administrators to take effect at the conclusion of the administration.

# CREDITORS' CLAIMS AND DIVIDEND PROSPECTS

## Dividend prospects

|                                                   | Owed<br>£'000 | Paid to date | Estimated future<br>prospects | Agreement of Claims                                                                                                                                                                                                                            |
|---------------------------------------------------|---------------|--------------|-------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Secured creditor (1)                              |               |              |                               | Creditors' claims are usually only agreed if there is a likelihood of a dividend being made to that particular class of creditor                                                                                                               |
| Lebanese Swiss Bank S.A.I                         | c. 8,746,000  | NIL          | Shortfall                     | If you have not already submitted a Proof of Debt form, a copy of the form can be obtained at the <a href="https://rsmuk-ips-docs.com/case/1120329/G4PVUeu5">https://rsmuk-ips-docs.com/case/1120329/G4PVUeu5</a> or by request to this office |
| Secured creditor (2)                              |               |              |                               | Dividend Payment                                                                                                                                                                                                                               |
| Charles Russell Speechlys LLP                     | TBC           | NIL          | Shortfall                     | The timing of any future dividend to preferential and unsecured creditors is dependent on future realisations. Further information regarding any potential dividend payment will be provided in due course                                     |
| Secured creditor (3)                              |               |              |                               | Creditor communication                                                                                                                                                                                                                         |
| Berkeley Square Holdings Limited (rent deposit)   | 167,438       | NIL          | n/a                           | The following work was done in the period to comply with legislation: best practice and to ensure creditors were kept informed.                                                                                                                |
| Preferential creditors                            | TBC           | NIL          | Not known                     | <ul style="list-style-type: none"> <li>Maintenance of schedules of preferential and unsecured creditors' claims.</li> <li>Dealing with correspondence and telephone calls.</li> </ul>                                                          |
| Unsecured creditors                               | 284,181       | NIL          | Not known                     | <ul style="list-style-type: none"> <li>Agreeing employee claims, submitting documentation to and liaising with, the Redundancy Payments Service</li> </ul>                                                                                     |
| Estimated net property                            |               |              | Not known                     | <ul style="list-style-type: none"> <li>Liaising with, and reporting to, the secured creditors, and</li> </ul>                                                                                                                                  |
| Estimated prescribed part available for creditors |               |              | Not known                     | <ul style="list-style-type: none"> <li>Consideration of creditors' claims, acceptance or rejection of claims and complying with the legislative obligations in relation to adjudication of creditors' claims generally for voting</li> </ul>   |
| Prescribed Part                                   |               |              |                               | Creditors will only derive an indirect financial return from this work on cases where a dividend is paid                                                                                                                                       |

The Prescribed Part is a statutory amount set aside for unsecured creditors from funds (Net Property) available to a Qualifying Floating Charge Holder (QFCH). The amount of Net Property is calculated on a sliding scale up to maximum £800,000 before costs depending on when the floating charge was created and whether or not it is a first ranking floating charge

Until the sale has been completed, it is not possible to accurately estimate the amount available under the Net Property and Prescribed Part. However, an illustration of a potential scenario can be found at Appendix B. This provides for a Prescribed Part fund of £22,000 but it must be noted that this is subject to change.

# JOINT ADMINISTRATORS' FEES, COSTS AND EXPENSES

## Guide to Administrator's fees, and expenses

A Guide to Administrator's Fees, which provides information for creditors in relation to the fees and expenses of an Administrator, can be accessed at <https://rsmuk-ips-docs.com/case/1120329/G4PVUlet5> under 'general information for creditors'. A hard copy can be requested from this office by telephone, email or in writing. All fees, costs and expenses are subject to VAT.

## Relevant Approving Body

The secured and preferential creditors will be the Relevant Approving Body responsible for approving the Joint Administrators' post appointment fee basis and, where applicable, Category 2' expenses and any outstanding pre-administration costs. However if a creditors committee is established, this will be its responsibility and it will be the relevant approving body.

## Pre-administration costs

The payment of any unpaid pre-administration costs as an expense of the administration is subject to specific approval under the relevant legislation. They do not form part of the Joint Administrators' Proposals subject to approval under paragraph 53 of Schedule B1 to the Insolvency Act 1986.

The pre-appointment costs set out below remain unpaid. Approval for their payment is therefore being sought from the Relevant Approving Body.

The Administrators will be seeking approval for their outstanding pre-appointment time costs in the sum £10,128 plus VAT and disbursements from the relevant approving body.

These fees were incurred in relation to the assistance and advice provided to the Company in the periods leading up to the administration. This work further achieved the purpose of the administration by ensuring that the realisation of the assets were maximised for the benefit of the creditors. It was done under an agreement dated 23 December 2019 between RSM Restructuring Advisory LLP and the Company.

| To whom due / paid                                  | Basis         | Total Incurred | Amount Outstanding |
|-----------------------------------------------------|---------------|----------------|--------------------|
| Joint Administrators' fees                          | Time costs    | 20,128         | 10,128             |
| Joint Administrators' 'Category 2' expenses         |               |                |                    |
| - Subsistence                                       | £25 per night | 0              | 0                  |
| Subtotal 'Category 2' expenses                      |               | £0             | £0                 |
| Joint Administrators' costs & 'Category 1' expenses |               |                |                    |
| Travel                                              |               | 294            | 294                |
| Total                                               |               | £20,422        | £10,422            |

In respect of those pre-administration costs that have already been paid, best practice requires that the following information is provided:

| To whom due / paid                            | By whom paid | Relationship to company | Date paid       | Amount  |
|-----------------------------------------------|--------------|-------------------------|-----------------|---------|
| Joint Administrators' pre-administration fees | The Company  |                         | 24 January 2020 | £10,000 |
| Total                                         |              |                         |                 | £10,000 |

### Post-appointment costs

#### Basis of fees

Insolvency legislation allows an administrator to charge fees on one of or a combination of the following bases

- as a percentage of the value of the property the administrator has to deal with (percentage basis)
- to the time spent by the administrator or their staff on the administration of the case (time cost basis)
- as a set amount (fixed fee basis), or
- a combination of the above (mixed fee basis)

In this case, approval for post-appointment fees is being sought from the Relevant Approving Body on a Time basis, as set out below

- A fee estimate is attached which sets out the time expected to be incurred in dealing with the administration for a total fee of £79,309. The fee estimate has been prepared for the life of the appointment

If fees are approved on the basis set out above, the total sum that the Joint Administrators can draw, without further approval, will be £79,309 plus VAT

#### Fee scope and assumptions

The Joint Administrators' estimated fees are based on the scope and assumptions and reflects the work that is anticipated will be required. Should these prove to be inaccurate, additional costs may be incurred and the Joint Administrators may seek approval for additional fees

#### Further fee approval

The amount of fee that can be drawn, whether calculated on the basis of time in accordance with a fee estimate, or for a fixed amount or a percentage rate, cannot be either increased or the percentage rate changed, without the further approval of the Relevant Approving Body

#### Time costs incurred to date

An analysis of time incurred since appointment is attached. Legislation requires that 'remuneration charged' is reported. This reflects the time charged for any work undertaken on a time cost basis. However, the Joint Administrators' fees will be limited to the amount approved by the Relevant Approving Body. Details of the work done, and benefit to creditors is set out in this report

### Expenses and professional costs

The Joint Administrators anticipate that the following expenses and professional costs will be incurred. To date, no such expenses have been paid

| Type of Expense                           | Total Estimated | Incurred in Period |
|-------------------------------------------|-----------------|--------------------|
| Agents fees                               | 75,000          | 20,039             |
| Bank charges                              | 100             | 0                  |
| Books & records collection & storage      | 2,500           | 0                  |
| Bond                                      | 85              | 0                  |
| Insurance                                 | 5,000           | 2,000              |
| Legal fees                                | 20,000          | 10,000             |
| Payroll provider                          | 1,188           | 1,188              |
| Pension agents                            | 2,000           | 500                |
| Statutory advertising                     | 142             | 71                 |
| Travel                                    | 700             | 629                |
| Website fee                               | 13              | 0                  |
| <b>Subtotal 'Category 1' expenses (£)</b> | <b>£106,728</b> | <b>£34,427</b>     |
| Mileage (42.5p per mile)                  | 11              | 11                 |
| <b>Subtotal 'Category 2' expenses (£)</b> | <b>£11</b>      | <b>£11</b>         |
| <b>Total</b>                              | <b>£106,739</b> | <b>£34,438</b>     |

#### 'Category 1' expenses

These comprise external supplies of incidental services specifically identifiable to the insolvency estate. They do not require approval of the relevant approving party prior to being paid

### ‘Category 2’ expenses

These are costs which are not capable of precise identification or calculation, or that may include an element of shared or allocated costs. Payments to outside parties that the Office Holder, firm, or any associate has an interest in are also treated as ‘Category 2’ expenses. These expenses require the specific approval of the relevant approving body before being paid from the insolvency estate. Details of the current rates are shown above.

**Approval for the payment of the Administrators’ fees, and certain other professional fees, will be subject to the approval of the secured and preferential creditors. This approval will be sought under separate cover.**

### Other professional costs

The Joint Administrators retained the following advisers based on their experience and expertise. These costs are not subject to approval by the Relevant Approving Body. However they are subject to review and approval by the Joint Administrators.

| Party                 | Nature of Advice                                         | Total Estimated | Incurred in Period |
|-----------------------|----------------------------------------------------------|-----------------|--------------------|
| Stephenson Harwood    | Legal advice and dealing with legal formalities of sale  | 20,000          | 14,000             |
| Lambert Smith Hampton | Asset valuation and sale                                 | 50,000          | 45,000             |
| Licensed Solutions    | Managing agents and assistance with trading the business | 30,000          | 20,039             |
| Clumber Consultancy   | Pensions advice                                          | 2,000           | 500                |
|                       |                                                          | <b>102,000</b>  | <b>79,539</b>      |

Creditors’ right to information and ability to challenge fees, costs and expenses

Creditors have a right to request further information about fees or expenses (other than pre-administration costs) and to challenge such fees or expenses. Any such challenge must be made no later than eight weeks after receipt of the report which first discloses the charging of fees or incurring of the expenses in question.

If you wish to make a request for further information it must be made in writing within 21 days of receipt of this report either by (i) any secured creditor or (ii) an unsecured creditor with the concurrence of at least 5% in value of the unsecured creditors (including the creditor in question).

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 court that the fees charged, the basis fixed or expenses incurred by the Administrator are in all the circumstances excessive.

## APPENDICES

# A. STATUTORY INFORMATION

## Company information

|                                |                                                              |
|--------------------------------|--------------------------------------------------------------|
| Company name                   | Marc (Umu) Limited                                           |
| Company number                 | 04597195                                                     |
| Date of incorporation          | 21/11/2002                                                   |
| Trading name                   | Marc (Umu) Limited                                           |
| Trading address                | 14-16 Bulton Place London, W1J 6LX                           |
| Principal activity             | Licensed restaurant                                          |
| Registered office              | 25 Farringdon Street London, EC4A 4AB                        |
| Previous company names         | Newinco 201 Limited (from 21 November 2002 to 17 March 2004) |
| Directors                      | Marlon Ralph Pietro Abela                                    |
| Secretary                      | Mohamad Khaled Oueda                                         |
| Authorised share capital       | 1 Ordinary shares                                            |
| Nominal & issued share capital | Issued 1,500,000 ordinary shares at a par value of £1        |
| Shareholders                   | Marc Limited - 1,425,000<br>Yoshinori Ishii - 75,000         |

## Administration information

|                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|-----------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Court reference             | High Court of Justice No. 84 of 2020                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| Joint Administrators        | Graham Bushby and Nick Edwards                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| Date of appointment         | 3 February 2020                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| Appointor                   | Lebanese Swiss Bank S.A.L.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| Functions of Administrators | The Joint Administrators have exercised, and will continue to exercise, all of their functions jointly and severally as stated in the notice of appointment                                                                                                                                                                                                                                                                                                                                                                                          |
| Joint Administrators        | <div> <div> <b>Primary office holder</b><br/>           Graham Bushby<br/>           RSM Restructuring Advisory LLP<br/>           The Pinnacle, 170 Midsummer Boulevard, Milton Keynes, MK9 1BP<br/>           020 3201 8000<br/>           IP Number 8736         </div> <div> <b>Joint office holder:</b><br/>           Nick Edwards<br/>           RSM Restructuring Advisory LLP<br/>           The Pinnacle, 170 Midsummer Boulevard, Milton Keynes, MK9 1BP<br/>           020 3201 8000<br/>           IP Number 9005         </div> </div> |

## B. ESTIMATED FINANCIAL POSITION

The director has not yet lodged a Statement of Affairs with the Joint Administrators. Accordingly, pursuant to the relevant legislation, we attach below an Estimated Statement of the Financial Position of the Company as at 3 February 2010. This records the assets and liabilities at their estimated book value at the date of our appointment together with details of the names, addresses and the estimated amounts due to the Company's creditors and any security held at the date of our appointment. We have been provided with limited financial information, hence certain of the below entries, such as the inter-company positions, are subject to further investigation. Please note that the below statement contains estimates and is therefore subject to change.

|                                                                | Book<br>value<br>£'000 | Fixed<br>Charge<br>£'000 | Floating<br>Charge<br>£'000 | Total<br>£'000 |
|----------------------------------------------------------------|------------------------|--------------------------|-----------------------------|----------------|
| <b>Asset subject to a fixed charge</b>                         |                        |                          |                             |                |
| Lease: 14-16 Bruton Place                                      | 128                    | 1,999                    | -                           | 1,999          |
| Goodwill                                                       |                        | 1                        | -                           | 1              |
|                                                                |                        | <u>2,000</u>             | <u>0</u>                    | <u>2,000</u>   |
| Fixed charge-holder                                            |                        | (8,476)                  |                             | (8,476)        |
| Deficit as regards fixed charge holder                         |                        | <u>(6,476)</u>           |                             | <u>(6,476)</u> |
| <b>Assets subject to floating charges</b>                      |                        |                          |                             |                |
| Inter-company debtors                                          | 3,359                  | -                        | Unknown                     | Unknown        |
| Stock - alcohol                                                | 91                     | -                        | 50                          | 50             |
| Plant & equipment (Jan 20 valuation)                           | 11                     | -                        | 30                          | 30             |
| Other debtors - rent deposit                                   | 167                    | 70                       | 97                          | 167            |
| Net trading proceeds                                           | -                      | -                        | 0                           | 0              |
| Prepayments                                                    | 50                     | -                        | 0                           | 0              |
|                                                                |                        | <u>70</u>                | <u>177</u>                  | <u>247</u>     |
| <b>Professional fees (estimated for illustrative purposes)</b> |                        |                          |                             |                |
| Administrators fees                                            |                        | 25                       | 55                          | 80             |
| Legal fees (75:25)                                             |                        | 15                       | 5                           | 20             |
| LSH fees (time cost, 75:25)                                    |                        | 30                       | 10                          | 40             |
| Other (inc LSH asset valuation)                                |                        | <u>0</u>                 | <u>10</u>                   | <u>10</u>      |
|                                                                |                        | <u>70</u>                | <u>80</u>                   | <u>150</u>     |
| Preferential creditors                                         |                        | -                        | 0                           | 0              |
| Net property to calculate prescribed part                      |                        | <u>N/A</u>               | <u>97</u>                   | <u>97</u>      |
| Prescribed part                                                |                        |                          | (22)                        | (22)           |
| <b>Funds available to floating charge creditor</b>             |                        |                          | <u>75</u>                   | <u>75</u>      |
| <b>b/d Prescribed Part (available for unsecured creditors)</b> |                        |                          | 22                          | 22             |
| <u>Unsecured Creditors:</u>                                    |                        |                          |                             |                |
| Inter-company / Other creditors                                |                        |                          | (1,531)                     | (1,531)        |
| HM Revenue & Customs                                           |                        |                          | (471)                       | (471)          |
| Trade creditors                                                |                        |                          | (281)                       | (281)          |
| <b>Balance</b>                                                 |                        |                          | <u>(2,261)</u>              | <u>(2,261)</u> |
| b/d secured creditor shortfall                                 |                        |                          | (6,476)                     | (6,476)        |
| <b>Estimated deficit as regards unsecured creditors</b>        |                        |                          | <u>(8,737)</u>              | <u>(8,737)</u> |

Please see important comments on the next page

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We have inserted fixed charge realisations of £2m for illustrative purposes. This figure has been chosen as it reflects the level of certain offers. However, this figure does not reflect the exact level of offers currently being negotiated as this is commercially sensitive information.

The value at which creditors' claims are stated in the Estimated Financial Position and in the table below are, as is required by legislation, those which are reflected in the books and records of the Company. The agreement of creditors' claims by the Joint Administrators, or any subsequently appointed Supervisor or Liquidator, is a separate matter and will be dealt with as appropriate in due course, initially by reference to the proofs of debt lodged in the proceedings by creditors themselves.

## UNSECURED CREDITORS

| Name of creditor                | Address                                                                                           | £         |
|---------------------------------|---------------------------------------------------------------------------------------------------|-----------|
| Penta Foods Ltd                 | 30 Wellington Road, Sandhurst, Berkshire, GU47 9AX                                                | 30.42     |
| Humitechnishmart London Ltd     | 1 Fulmarish Road, London, W6 0PL                                                                  | 86.40     |
| 3 Track Music Solutions Ltd     | 124 Marlborough Place, Brighton, East Sussex, BN1 1WN                                             | 98.80     |
| Severn & Wye Smokers Ltd        | Chaxhill, Westbury-on-Trym, Severn, GL14 1QW                                                      | 121.80    |
| Bookatable Ltd                  | 5th Floor Elizabeth House, 38 York Road, London, SE1 7NG                                          | 122.40    |
| Clarence Court                  | PO Box 147, Liskeard, Cornwall, PL14 9BZ                                                          | 260.80    |
| MSK Ingredients Limited         | Unit 5 & 6, Sheepbridge Business Centre, Sheepbridge Lane, Chesterfield, SR, 38F                  | 299.80    |
| Urban Truffles UK               | 22-24 Ely Place, London, EC1N 8TE                                                                 | 370.40    |
| Fratford Ltd                    | King House, Broadway Parade, Elm Park, Hornchurch, Essex, RM11 4RS                                | 414.00    |
| Kelsi                           |                                                                                                   | 529.20    |
| Berkmann Wine Cellars           | 10-12 Brewery Road, London, N1 9NF                                                                | 551.21    |
| H R Higgins Ltd                 | 10 Lea Road Industrial Park, Waltham Abbey, Essex, EN8 1AS                                        | 666.50    |
| Webhelp Payment Services UK Ltd | Great West House 1, 3rd Floor, Great West Rd, Brentford, TW8 9HL                                  | 668.50    |
| Ritter Courvaud Ltd             | Unit 1/4 Parkway Business Centre, Parkway, Deeside Industrial Park, Flintshire, CH6 2LE           | 721.51    |
| Crown Gas & Power               | The Oil Centre, Prettywood, Bury New Road, Bury, Lancashire, BL9 7TH                              | 774.79    |
| Envirotech Pest Control         | 113 George Lane, London, E18 1AE                                                                  | 814.20    |
| Houghton Springs Fish Farm      | Winterborne Houghton, Blandford Forum, Dorset, DT11 0PD                                           | 847.46    |
| Nutrifresco                     | vale Paraiso Edificio 6, Fracaso D Apt 2100, Alcobaca, 6200                                       | 947.56    |
| Nordurris Ltd                   |                                                                                                   | 857.00    |
| Opus Networks                   | 1st Floor, London Court, 39 London Road, Reigate, RH2 9AG                                         | 1,040.76  |
| SevenRooms Inc                  | 122 W 27th St, 7th Floor, New York, NY 10011                                                      | 1,113.00  |
| Vanessa Vilalobos               |                                                                                                   | 1,190.00  |
| Tengo Sake Ltd                  | 46 Stratford Road, London, W8 6QA                                                                 | 1,221.77  |
| The Kingsdown Water Company     | Walmer Court Farm, 466 Dover Road, Upper Walmer, Deal, CT14 7NA                                   | 1,268.80  |
| Marc Bakery & Patisserie        | Perivale Park Industrial Estate, Horsenden Lane, South Perivale, London, UB6 7RH                  | 1,395.00  |
| London Waste Technology Ltd     | 165 Kensington High Street, London, W8 6SH                                                        | 1,560.00  |
| Gourmet Supplies                | Unit A03, Leyton Industrial Village, Argal Avenue, London, E10 7GP                                | 1,660.06  |
| Rhug Estate                     | Rhug Estate Office, Corwen, Denbighshire, LL21 0EH                                                | 1,814.24  |
| Primeur                         | Unit 6, New Covent Garden Market, London, SW6 5LL                                                 | 1,815.75  |
| The Wasabi Company              | c/o The Watercress Company, Maer, Cuckfield Road, Dorchester, Dorset, DT1 1QQ                     | 1,896.80  |
| London Liner Supply             | Johnson House, Abbot's Park, Monks Way, Preston Brook, Cheshire, W40 3GH                          | 2,060.38  |
| TimeOut England Ltd             | 11 Wicklow Street, London, WC1X 8JY                                                               | 2,160.00  |
| Wild Room                       | Unit 18 & 19, Apollo Business Park, St James's Road, London, SE18 4ET                             | 2,483.20  |
| Intercompany Daily Fare Ltd     | c/o RSM Restructuring Advisory LLP, The Pinnacle, 170 Midsummer Boulevard, Milton Keynes, MK9 1BF | 2,659.33  |
| Castle Ware                     | Craighall Castle, Blingowrie, PH10 7JE                                                            | 2,093.32  |
| Celtic Fish and Game Limited    | 1a & 3a Penbeagle Ind Est, St Ives, Cornwall, TR26 2UH                                            | 3,493.64  |
| Kernowsashimi                   |                                                                                                   | 3,829.64  |
| Bifa Waste Services Ltd         | Coronation Road, Cressex, High Wycombe, Bucks, HP12 3TD                                           | 3,846.74  |
| Juntur Ducarez                  |                                                                                                   | 4,116.64  |
| Tk Trading                      | Unit 6/7, The Chase Centre, Chase Road, Park Royal, London, NW10 8DL                              | 4,154.11  |
| True World Foods                | Unit 10/11 Brent Road, Sournal, Middlesbrough, YB6 5FE                                            | 4,400.06  |
| Classic Fine Foods UK Ltd       | Westway Estate, 19-20 Priory Road, London, W8 7XS                                                 | 4,451.08  |
| Yoshinori Ish                   |                                                                                                   | 4,530.00  |
| Wiltshire Truffles              | 1 Church Lane, Ogbourne St George, Marlborough, Wiltshire, SN6 1SU                                | 5,977.80  |
| AAA Liner Services              | 31-33 Sunbeam Road, London, NW10 6JF                                                              | 6,216.01  |
| Oper Table Europe Ltd           | Alphabeta Building, 14-18 Finsbury Square, London, EC2A 1AH                                       | 8,013.60  |
| N26 Caviar                      | Isolastr. 23, Munich, Germany                                                                     | 8,499.07  |
| JFC UK Ltd                      | Unit 17, 2 Premier Park Road, Park Royal, London, NW10 7NZ                                        | 9,310.70  |
| Mash Purveyors Ltd              | 4170-172 New Covent Garden Market, Nine Elms, London, SW8 5SE                                     | 10,169.81 |
| Japan Food Express Ltd          | Unit 3, Beddington Lane Industrial Estate, 131 Beddington Lane, Dorking, Surrey, CR1 4TE          | 10,644.00 |
| GVA Grimley                     | Berkeley Square House, Berkeley Square, London, W1J 6ER                                           | 11,900.79 |
| Tazaki Foods Ltd                | 10 Innova Way, Enfield, EN3 7FL                                                                   | 13,851.34 |
| Bo Project                      | 1-1-5F Higashitamachi, Takamatsush, Kagawa, Japan                                                 | 20,550.00 |
| T&S Enterprises (London) Ltd    | 456 Heather Park Drive, Wembley, Middlesex, HA0 1SS                                               | 21,924.61 |
| C W Loeb & Co Ltd               | 107 Charterhouse Street, London, EC1M 6HA                                                         | 23,160.76 |
| City Of Westminster             | Commercial Waste, PO Box 71083, London, SE1F 4LS                                                  | 30,538.64 |
| Charles Russell Speechys        | One London Square, Cross Lanes, Guildford, Surrey, GU1 1UN                                        | 33,427.74 |

C. RECEIPTS AND PAYMENTS SUMMARY

|                              | £         | £                       |
|------------------------------|-----------|-------------------------|
| ASSET REALISATIONS           |           |                         |
| Proceeds from sale of assets | 24,980.00 |                         |
| Less: Costs of sale          | 1.63      |                         |
|                              |           | <u>24,981.37</u>        |
| COST OF REALISATIONS         | 0.00      |                         |
|                              |           | <u>0.00</u>             |
| BALANCE                      |           | <u><u>24,981.37</u></u> |

## C(II). TRADING ACCOUNT

Below is a Trading Profit and Loss account for the first 6 weeks of trading. Some headline comments are made below the statement.

| Week ending       | 09-Feb   | 16-Feb   | 23-Feb   | 01-Mar   | 08-Mar   | 15-Mar   | Total     |
|-------------------|----------|----------|----------|----------|----------|----------|-----------|
| Sales             | 69,322   | 84,309   | 67,418   | 81,183   | 59,624   | 34,094   | 395,950   |
| Cost of sales     | (48,807) | (42,955) | (47,753) | (41,974) | (50,538) | (50,498) | (282,525) |
| Expenses          | (6,177)  | (6,866)  | (10,318) | (8,140)  | (7,295)  | (6,524)  | (45,321)  |
| Monthly expenses  | (0)      | (0)      | (0)      | (35,539) | (0)      | (0)      | (35,539)  |
| Exceptional costs | (21,417) | (9,163)  | (2,494)  | (0)      | (0)      | (0)      | (33,074)  |
| Net profit        | (7,080)  | 25,325   | 6,854    | (4,469)  | 1,791    | (22,928) | (508)     |

### Key Comments

**Sales** – This represents takings at the restaurant.

**Cost of sales** – This relates to the purchases of food and drink from suppliers and the costs of the salaried staff. The payroll is paid monthly but is shown weekly for accounting purposes.

**Expenses** – These are variable expenses for items such as maintenance, PDQ commission fees and non-consumable purchases.

**Monthly expenses** – This category includes business rates and utilities, the agreed fees for Licensed Solutions.

**Exceptional costs** – This category includes several one-off payments which were necessary in order to allow for a smooth trading period. Such items included key supplier payments and the payment of staff expenses.

### Overview

As can be seen from the above, the trading performance has declined materially; this is a direct response to the Coronavirus outbreak.

We are continuing to discuss the trading strategy and the expected outcome directly with the secured creditor. At our request, the secured creditor has provided a £25k cash payment to the Joint Administrators as a contingency to cover any trading losses. Notwithstanding this, we are currently taking steps to mitigate the loss where possible.

We will provide a final trading account when we next report to the creditors.

#### D. FEE ESTIMATE

|                                                 | Budgeted hours |                                 |          |                    |                |                            |       |             |            |                     |  |
|-------------------------------------------------|----------------|---------------------------------|----------|--------------------|----------------|----------------------------|-------|-------------|------------|---------------------|--|
|                                                 | Partners       | Directors / Associate Directors | Managers | Assistant Managers | Administrators | Assistants / Support Staff | Other | Total Hours | Total Cost | Average Hourly Rate |  |
| Charge rate                                     | £625           | £410                            | £235     | £210               | £210           | £180                       | £0    |             |            |                     |  |
| ADMINISTRATION AND PLANNING                     |                |                                 |          |                    |                |                            |       |             |            |                     |  |
| Appointment documentation                       | -              | 3.50                            | 0.90     | -                  | 10.00          | -                          | -     | 14.40       | £3,747     | £260                |  |
| Background Information                          | -              | -                               | -        | -                  | 1.10           | -                          | -     | 1.10        | £231       | £210                |  |
| Case Management                                 | 1.50           | 4.90                            | 0.70     | -                  | 13.40          | 3.90                       | -     | 24.40       | £6,627     | £272                |  |
| Closure                                         | 1.00           | 2.00                            | -        | -                  | 7.00           | 2.50                       | -     | 12.50       | £3,365     | £269                |  |
| Director(s) / debtor / bankrupt                 | -              | -                               | -        | -                  | 1.80           | -                          | -     | 1.80        | £378       | £210                |  |
| Pension Scheme (administration)                 | -              | -                               | -        | -                  | 3.00           | -                          | -     | 3.00        | £630       | £210                |  |
| Post-appointment general                        | -              | -                               | 0.70     | -                  | -              | -                          | -     | 0.70        | £165       | £235                |  |
| Pre-appointment Matters                         | 0.40           | -                               | 0.30     | -                  | -              | -                          | -     | 0.70        | £321       | £458                |  |
| Receipts & payments                             | -              | 0.50                            | 3.20     | 0.20               | 2.40           | 3.00                       | -     | 9.30        | £2,043     | £220                |  |
| Statement of Affairs preparation                | -              | 2.00                            | -        | -                  | 4.40           | -                          | -     | 6.40        | £1,744     | £273                |  |
| Tax Matters                                     | -              | 2.00                            | -        | -                  | 2.10           | -                          | -     | 4.10        | £1,261     | £308                |  |
|                                                 | 2.90           | 14.90                           | 5.80     | 0.20               | 46.20          | 9.40                       | -     | 78.40       | £20,511    | £262                |  |
| INVESTIGATIONS                                  |                |                                 |          |                    |                |                            |       |             |            |                     |  |
| Investigations / CDDA                           | -              | 1.00                            | -        | 0.10               | 2.00           | 1.00                       | -     | 4.10        | £1,031     | £251                |  |
|                                                 | -              | 1.00                            | -        | 0.10               | 2.00           | 1.00                       | -     | 4.10        | £1,031     | £251                |  |
| REALISATION OF ASSETS                           |                |                                 |          |                    |                |                            |       |             |            |                     |  |
| Assets general - other                          | -              | 2.50                            | -        | -                  | 3.50           | -                          | -     | 6.00        | £1,760     | £293                |  |
| Chattels                                        | -              | -                               | -        | -                  | 0.40           | -                          | -     | 0.40        | £84        | £210                |  |
| Land & Property                                 | 2.00           | 3.90                            | -        | -                  | 3.30           | 2.00                       | -     | 11.20       | £3,902     | £348                |  |
| Sale of Business                                | 3.60           | 28.60                           | -        | -                  | 18.00          | -                          | -     | 50.20       | £17,756    | £354                |  |
| Stock & WIP                                     | 1.00           | -                               | -        | -                  | -              | -                          | -     | 1.00        | £625       | £625                |  |
|                                                 | 6.60           | 35.00                           | -        | -                  | 25.20          | 2.00                       | -     | 68.80       | £24,127    | £351                |  |
|                                                 | 6.60           | 35.00                           | -        | -                  | 25.20          | 2.00                       | -     | 68.80       | £24,127    | £351                |  |
| TRADING                                         |                |                                 |          |                    |                |                            |       |             |            |                     |  |
| Trading                                         | 0.60           | 30.70                           | -        | -                  | -              | -                          | -     | 31.50       | £13,087    | £415                |  |
|                                                 | 0.60           | 30.70                           | -        | -                  | -              | -                          | -     | 31.50       | £13,087    | £415                |  |
| CREDITORS                                       |                |                                 |          |                    |                |                            |       |             |            |                     |  |
| 1st creditors / shareholders meetings & reports | 1.00           | 5.50                            | -        | -                  | 7.10           | -                          | -     | 13.60       | £4,371     | £321                |  |
| Committee                                       | -              | -                               | -        | -                  | -              | -                          | -     | -           | £0         | £0                  |  |
| Employees                                       | 0.50           | 6.30                            | 1.70     | -                  | 9.10           | 2.50                       | -     | 20.10       | £5,656     | £281                |  |
| Other creditor meetings & reports               | 2.00           | 2.00                            | -        | -                  | 3.00           | -                          | -     | 7.00        | £2,700     | £386                |  |
| Preferential creditors                          | -              | -                               | 2.00     | -                  | -              | -                          | -     | 2.00        | £470       | £235                |  |
| Secured creditors                               | 2.00           | 5.20                            | -        | -                  | 0.50           | -                          | -     | 7.70        | £3,487     | £453                |  |
| Unsecured creditors                             | 0.10           | -                               | 0.10     | -                  | 5.30           | 3.10                       | -     | 8.60        | £1,757     | £204                |  |
|                                                 | 5.60           | 19.00                           | 3.80     | -                  | 25.00          | 5.60                       | -     | 59.00       | £18,441    | £313                |  |
| CASE SPECIFIC MATTERS                           |                |                                 |          |                    |                |                            |       |             |            |                     |  |
| Legal Matters                                   | -              | 3.00                            | -        | -                  | 4.20           | -                          | -     | 7.20        | £2,112     | £293                |  |
|                                                 | -              | 3.00                            | -        | -                  | 4.20           | -                          | -     | 7.20        | £2,112     | £293                |  |
| Total Hours                                     | 15.90          | 103.60                          | 9.60     | 0.30               | 101.60         | 18.00                      | -     | 249.00      |            |                     |  |
| Total time costs                                | £9,938         | £42,476                         | £2,256   | £63                | £21,336        | £3,240                     | £0    | £79,309     |            |                     |  |
| Average hourly rate                             |                |                                 |          |                    |                |                            |       |             |            |                     |  |
|                                                 |                |                                 |          |                    |                |                            |       |             | £319       |                     |  |

# E. POST-APPOINTMENT TIME ANALYSIS

Joint Administrators' post appointment time cost analysis for the period 3 February 2020 to 24 March 2020

|                                                 |            |             |            |         |             |          |             |             |        |  |
|-------------------------------------------------|------------|-------------|------------|---------|-------------|----------|-------------|-------------|--------|--|
| Administration and Planning                     |            |             |            |         |             |          |             |             |        |  |
| Appointment                                     | 0.0        | 3.5         | 0.9        | 0.0     | 10.0        | 0.0      | 14.4        | £ 3,366.50  | 233.28 |  |
| Background Information                          | 0.0        | 0.0         | 0.0        | 0.0     | 1.1         | 0.0      | 1.1         | £ 179.50    | 103.18 |  |
| Case Management                                 | 0.5        | 3.4         | 0.7        | 0.0     | 8.4         | 0.9      | 13.9        | £ 3,816.00  | 274.51 |  |
| Director(s)/debtor/bankrupt                     | 0.0        | 0.0         | 0.0        | 0.0     | 1.0         | 0.0      | 1.0         | £ 210.00    | 210.00 |  |
| Pension Scheme                                  | 0.0        | 0.0         | 0.0        | 0.0     | 1.8         | 0.0      | 1.8         | £ 287.50    | 159.72 |  |
| Post-appointment - general                      | 0.0        | 0.0         | 0.7        | 0.0     | 1.0         | 0.0      | 1.7         | £ 451.50    | 265.50 |  |
| Pre-appointment matters                         | 0.4        | 0.0         | 0.3        | 0.0     | 0.0         | 0.0      | 0.7         | £ 353.50    | 505.00 |  |
| Receipts and Payments                           | 0.0        | 0.5         | 3.2        | 0.2     | 1.4         | 0.0      | 5.3         | £ 974.00    | 103.77 |  |
| Statement of Affairs                            | 0.0        | 0.0         | 0.0        | 0.0     | 2.4         | 0.0      | 2.4         | £ 378.00    | 157.50 |  |
| Tax Matters                                     | 0.0        | 0.0         | 0.0        | 0.0     | 0.1         | 0.0      | 0.1         | £ 17.50     | 175.00 |  |
| Total                                           | 0.9        | 7.4         | 5.8        | 0.2     | 27.2        | 0.9      | 42.4        | £ 10,034.00 | 236.65 |  |
| Investigations                                  |            |             |            |         |             |          |             |             |        |  |
| Investigations/CDDA                             | 0.0        | 0.0         | 0.0        | 0.1     | 0.0         | 0.0      | 0.1         | £ 28.00     | 280.00 |  |
| Total                                           | 0.0        | 0.0         | 0.0        | 0.1     | 0.0         | 0.0      | 0.1         | £ 28.00     | 280.00 |  |
| Realisation of Assets                           |            |             |            |         |             |          |             |             |        |  |
| Assets - general/other                          | 0.0        | 0.0         | 0.0        | 0.0     | 1.5         | 0.0      | 1.5         | £ 165.00    | 110.00 |  |
| Chattels                                        | 0.0        | 0.0         | 0.0        | 0.0     | 0.4         | 0.0      | 0.4         | £ 70.00     | 175.00 |  |
| Land and Property                               | 2.0        | 1.9         | 0.0        | 0.0     | 3.3         | 0.0      | 7.2         | £ 2,802.50  | 389.24 |  |
| Sale of business                                | 3.6        | 26.6        | 0.0        | 0.0     | 17.0        | 0.0      | 47.2        | £ 17,266.00 | 365.81 |  |
| Stock and WIP                                   | 1.0        | 0.0         | 0.0        | 0.0     | 0.0         | 0.0      | 1.0         | £ 625.00    | 625.00 |  |
| Total                                           | 6.6        | 28.5        | 0.0        | 0.0     | 22.2        | 0.0      | 57.3        | £ 20,928.50 | 365.24 |  |
| Trading                                         |            |             |            |         |             |          |             |             |        |  |
| Trading                                         | 0.8        | 28.7        | 0.0        | 0.0     | 0.0         | 0.0      | 29.5        | £ 13,415.00 | 454.75 |  |
| Total                                           | 0.8        | 28.7        | 0.0        | 0.0     | 0.0         | 0.0      | 29.5        | £ 13,415.00 | 454.75 |  |
| Creditors                                       |            |             |            |         |             |          |             |             |        |  |
| 1st Creditors/shareholders meetings and reports | 0.0        | 2.5         | 0.0        | 0.0     | 2.1         | 0.0      | 4.6         | £ 1,356.00  | 294.78 |  |
| Employees                                       | 0.5        | 6.3         | 1.7        | 0.0     | 9.1         | 2.5      | 20.1        | £ 5,744.50  | 285.80 |  |
| Secured Creditors                               | 0.0        | 3.2         | 0.0        | 0.0     | 0.5         | 0.0      | 3.7         | £ 1,532.50  | 414.19 |  |
| Unsecured Creditors                             | 0.1        | 0.0         | 0.1        | 0.0     | 3.3         | 1.1      | 4.6         | £ 745.00    | 151.96 |  |
| Total                                           | 0.6        | 12.0        | 1.8        | 0.0     | 15.0        | 3.6      | 33.0        | £ 9,378.00  | 284.18 |  |
| Case Specific Matters - Legal Matters           |            |             |            |         |             |          |             |             |        |  |
| Legal Matters                                   | 0.0        | 0.0         | 0.0        | 0.0     | 1.2         | 0.0      | 1.2         | £ 132.00    | 110.00 |  |
| Total                                           | 0.0        | 0.0         | 0.0        | 0.0     | 1.2         | 0.0      | 1.2         | £ 132.00    | 110.00 |  |
| Total                                           |            |             |            |         |             |          |             |             |        |  |
|                                                 | 8.9        | 76.6        | 7.6        | 0.3     | 65.6        | 4.5      | 163.5       | £ 53,915.50 | 329.76 |  |
|                                                 | £ 5,582.50 | £ 34,824.50 | £ 1,794.00 | £ 63.00 | £ 11,087.50 | £ 784.00 | £ 53,915.50 |             |        |  |
| Total Hours                                     |            |             |            |         |             |          |             |             |        |  |
| Total Time Cost                                 | 8.9        | 76.6        | 7.6        | 0.3     | 65.6        | 4.5      | 163.5       | £ 53,915.50 | 329.76 |  |
| Average Rates                                   | 625.00     | 452.02      | 236.05     | 210.00  | 169.02      | 174.22   | 329.76      |             |        |  |
|                                                 | £ 5,582.50 | £ 34,824.50 | £ 1,794.00 | £ 63.00 | £ 11,087.50 | £ 784.00 | £ 53,915.50 |             |        |  |

## F. PRE-ADMINISTRATION TIME ANALYSIS

Joint Administrators' pre administration time cost analysis

|                                    |                   | 2019/2020          |                   | 2020/2021     |               | 2021/2022         |               | 2022/2023       |                    | 2023/2024     |                 | 2024/2025          |               |
|------------------------------------|-------------------|--------------------|-------------------|---------------|---------------|-------------------|---------------|-----------------|--------------------|---------------|-----------------|--------------------|---------------|
|                                    |                   | Hours              | Cost              | Hours         | Cost          | Hours             | Cost          | Hours           | Cost               | Hours         | Cost            | Hours              | Cost          |
| <b>Administration and Planning</b> |                   |                    |                   |               |               |                   |               |                 |                    |               |                 |                    |               |
| Appointment                        | 0.0               | 4.9                | 0.0               | 0.0           | 0.0           | 0.0               | 0.0           | 0.0             | 0.0                | 0.0           | 4.9             | £ 2,254.00         | 460.00        |
| Background information             | 0.0               | 3.2                | 0.0               | 0.0           | 0.0           | 0.0               | 0.0           | 0.0             | 0.0                | 0.0           | 3.2             | £ 1,472.00         | 460.00        |
| Case Management                    | 2.2               | 4.6                | 1.2               | 0.0           | 0.0           | 0.2               | 0.0           | 1.6             | 0.0                | 0.0           | 9.8             | £ 3,960.00         | 404.08        |
| Director(s)/debtor/bankrupt        | 0.6               | 0.0                | 0.0               | 0.0           | 0.0           | 0.0               | 0.0           | 0.0             | 0.0                | 0.0           | 0.6             | £ 375.00           | 625.00        |
| Pre-appointment matters            | 0.5               | 10.3               | 2.7               | 0.0           | 0.0           | 5.0               | 0.0           | 0.0             | 0.0                | 0.0           | 18.5            | £ 6,810.00         | 368.11        |
| <b>Total</b>                       | <b>3.3</b>        | <b>23.0</b>        | <b>3.9</b>        | <b>0.0</b>    | <b>0.0</b>    | <b>5.2</b>        | <b>0.0</b>    | <b>1.6</b>      | <b>0.0</b>         | <b>0.0</b>    | <b>37.0</b>     | <b>£ 14,871.00</b> | <b>401.92</b> |
| <b>Realisation of Assets</b>       |                   |                    |                   |               |               |                   |               |                 |                    |               |                 |                    |               |
| Assets - general/other             | 0.0               | 0.0                | 0.0               | 0.0           | 0.0           | 4.5               | 0.0           | 0.0             | 0.0                | 0.0           | 4.5             | £ 945.00           | 210.00        |
| Sale of business                   | 0.0               | 1.2                | 0.1               | 0.0           | 0.0           | 12.4              | 0.0           | 2.0             | 0.0                | 0.0           | 15.7            | £ 4,186.50         | 266.66        |
| <b>Total</b>                       | <b>0.0</b>        | <b>1.2</b>         | <b>0.1</b>        | <b>0.0</b>    | <b>0.0</b>    | <b>16.9</b>       | <b>0.0</b>    | <b>2.0</b>      | <b>0.0</b>         | <b>0.0</b>    | <b>20.2</b>     | <b>£ 5,131.50</b>  | <b>254.03</b> |
| <b>Creditors</b>                   |                   |                    |                   |               |               |                   |               |                 |                    |               |                 |                    |               |
| Secured Creditors                  | 0.1               | 0.0                | 0.0               | 0.0           | 0.0           | 0.0               | 0.0           | 0.0             | 0.0                | 0.0           | 0.1             | £ 62.50            | 625.00        |
| Unsecured Creditors                | 0.1               | 0.0                | 0.0               | 0.0           | 0.0           | 0.0               | 0.0           | 0.0             | 0.0                | 0.0           | 0.1             | £ 62.50            | 625.00        |
| <b>Total</b>                       | <b>0.2</b>        | <b>0.0</b>         | <b>0.0</b>        | <b>0.0</b>    | <b>0.0</b>    | <b>0.0</b>        | <b>0.0</b>    | <b>0.0</b>      | <b>0.0</b>         | <b>0.0</b>    | <b>0.2</b>      | <b>£ 125.00</b>    | <b>625.00</b> |
| <b>Total Hours</b>                 | <b>3.5</b>        | <b>24.2</b>        | <b>4.0</b>        | <b>0.0</b>    | <b>0.0</b>    | <b>22.1</b>       | <b>0.0</b>    | <b>3.6</b>      | <b>0.0</b>         | <b>0.0</b>    | <b>57.4</b>     | <b>£ 20,127.50</b> | <b>350.65</b> |
| <b>Total Time Cost</b>             | <b>£ 2,167.50</b> | <b>£ 11,017.00</b> | <b>£ 1,125.00</b> | <b>£ 0.00</b> | <b>£ 0.00</b> | <b>£ 5,292.00</b> | <b>£ 0.00</b> | <b>£ 526.00</b> | <b>£ 20,127.50</b> | <b>£ 0.00</b> | <b>£ 526.00</b> | <b>£ 20,127.50</b> | <b>350.65</b> |
| <b>Average Rates</b>               | <b>619.29</b>     | <b>455.25</b>      | <b>281.25</b>     | <b>0.00</b>   | <b>0.00</b>   | <b>239.46</b>     | <b>0.00</b>   | <b>146.11</b>   | <b>350.65</b>      | <b>0.00</b>   | <b>146.11</b>   | <b>350.65</b>      | <b>350.65</b> |

## G. PROOF OF DEBT FORM

Rule 14.4. of the Insolvency (England and Wales) Rules 2016

|                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|-----------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Marc (Umu) Limited - In Administration (company No: 04597195)</b>                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <b>Graham Bushby and Nick Edwards appointed as Joint Administrators to the company on 3 February 2020</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| Relevant date for creditors' claims: 03 February 2020                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 1                                                                                                         | Name of creditor<br><small>If a company please also give company registration number</small>                                                                                                                                                                                                                                                                                                                                    |
| 2                                                                                                         | Address of creditor for correspondence                                                                                                                                                                                                                                                                                                                                                                                          |
| 3                                                                                                         | Total amount of claim including any Value Added Tax and outstanding uncapitalised interest as at the relevant date<br><small>Less any payments made after that date in relation to the claim; any deduction in respect of discounts and any adjustment by way of mutual dealings and set off in accordance with relevant legislation</small>                                                                                    |
| 4                                                                                                         | Details of any documents by reference to which the debt can be substantiated<br><small>There is no need to attach them now, but you should retain them safely as the Joint Administrators may ask you at a future date to produce any document or other evidence which is considered necessary to substantiate the whole or any part of the claim, as may the chairman or convenor of any qualifying decision procedure</small> |
| 5                                                                                                         | If amount in 3 above includes outstanding uncapitalised interest please state amount                                                                                                                                                                                                                                                                                                                                            |
| 6                                                                                                         | Particulars of how and when debt incurred<br><small>If you need more space append a continuation sheet to this form</small>                                                                                                                                                                                                                                                                                                     |
| 7                                                                                                         | Particulars of any security held, the value of the security and the date it was given                                                                                                                                                                                                                                                                                                                                           |
| 8                                                                                                         | Particulars of any reservation of title claimed in respect of goods supplied to which the claim relates                                                                                                                                                                                                                                                                                                                         |
|                                                                                                           | Signature of creditor or person authorised to act on his behalf                                                                                                                                                                                                                                                                                                                                                                 |
|                                                                                                           | Name in BLOCK LETTERS                                                                                                                                                                                                                                                                                                                                                                                                           |
|                                                                                                           | Date                                                                                                                                                                                                                                                                                                                                                                                                                            |
|                                                                                                           | Position with or in relation to creditor                                                                                                                                                                                                                                                                                                                                                                                        |
|                                                                                                           | Address of person signing (if different from 2 above)                                                                                                                                                                                                                                                                                                                                                                           |

### Notes:

1. This form can be authenticated for submission by email, to [restructuring.london.core@rsmuk.com](mailto:restructuring.london.core@rsmuk.com), by entering your name in block capitals and sending the form as an attachment from an email address which clearly identifies you or has been previously notified to the office holder. If completing on behalf of a company, please state your relationship to the company.