

CASE NO. 8145 of 2012

IN THE HIGH COURT OF JUSTICE
CHANCERY DIVISION
BIRMINGHAM DISTRICT REGISTRY
HIS HONOUR JUDGE PURLE QC
DATED 15 MAY 2012



IN THE MATTER OF SAMSEAR CONSTRUCTION LIMITED (IN COMPULSORY LIQUIDATION) AND OTHERS

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

AND IN THE MATTER OF ANTHONY HEYMAN (IN BANKRUPTCY) AND OTHERS

AND IN THE MATTER OF ARGENT ENTERTAINMENTS LIMITED (IN COMPULSORY LIQUIDATION) AND OTHERS

AND IN THE MATTER OF ACADEMY BUILDING CONTRACTORS (LEICESTER) LIMITED (IN CREDITORS VOLUNTARY LIQUIDATION) AND OTHERS

AND IN THE MATTER OF DIEMASTERS LIMITED (IN COMPANY VOLUNTARY ARRANGEMENT) AND OTHERS

AND IN THE MATTER OF NADIM AFZAL (IN BANKRUPTCY) AND OTHERS

AND IN THE MATTER OF ALMA JOYCE DABIN (IN INDIVIDUAL VOLUNTARY ARRANGEMENT) AND OTHERS

AND IN THE MATTER OF THE INSOLVENCY ACT 1986

BETWEEN:-

THE ASSOCIATION OF CHARTERED CERTIFIED ACCOUNTANTS

Applicant

-and-

NINOS KOUMETTOU (1)
COSTAS MORFAKIS (2)

Respondents

ORDER



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A01 13/07/2012 #131
COMPANIES HOUSE

FRIDAY

UPON THE APPLICATION of The Association of Chartered Certified Accountants ("the Applicant") for, inter alia, a Block Transfer Order of the appointments formerly held by Mr

Theodoulos Papanicola ("Mr Papanicola") and transferred to Mr Costas Morfakis ("the Second Respondent") and Mr Ninos Koumettou ("the First Respondent") pursuant to the Orders of HHJ Cooke dated 8 November 2011 and HHJ Purle QC dated 23 December 2011 ("the Application")

AND UPON the Court making an order for a block transfer of the appointments transferred to the Second Respondent on 20 March 2012

AND UPON hearing Counsel for the Applicant, Counsel for the First Respondent and Counsel for Mr Kevin John Hellard of Grant Thornton UK LLP, 30 Finsbury Square, London EC2P 2YU and Mr Stephen John Hunt of Griffins, Tavistock House Couth, Tavistock Square, London WC1H 9LG ("Successor Practitioners").

AND UPON READING the Witness Statements and documents filed in support of the application

AND UPON Counsel for the First Respondent confirming that in the particular circumstances of this case the First Respondent is unable or unwilling to continue in office in relation to the appointments specified in Annex 1 to this Order

IT IS ORDERED THAT:

- 1 The cases listed in Annex 1 attached to this Order, in so far as they are currently proceedings in a County Court, in the High Court in London or in another District Registry, be transferred to the Birmingham District Registry for the purpose of making the orders listed below.
- 2 The First Respondent be removed from the office of Supervisor of each of the company voluntary arrangements listed in Schedule A of Annex 1 to this Order with immediate effect
- 3 The Successor Practitioners be appointed as the Supervisors (such appointment to be joint and several) of each of the company voluntary arrangements listed in Schedule A of Annex 1 to this Order in place of the First Respondent with immediate effect.
- 4 The First Respondent be removed from the office of Supervisor of each of the individual voluntary arrangements listed in Schedule A of Annex 1 to this Order with immediate effect.
5. The Successor Practitioners be appointed as the Supervisors (such appointment to be joint and several) of each of the individual voluntary arrangements listed in

Schedule A of Annex 1 to this Order in place of the First Respondent with immediate effect

- 6 The First Respondent be removed from the office of Liquidator of each of the companies listed in Schedule B of Annex 1 to this Order with immediate effect.
7. The Successor Practitioners be appointed as the Joint Liquidators (such appointment to be joint and several) of each of the companies listed in Schedule B of Annex 1 to this Order in place of the First Respondent with immediate effect.
8. The First Respondent be removed from the office of Trustee in Bankruptcy of each of the individuals listed in Schedule C of Annex 1 to this Order with immediate effect.
9. The Successor Practitioners be appointed as the Joint Trustees in Bankruptcy (such appointment to be joint and several) of each of the individuals listed in Schedule C of Annex 1 to this Order in place of the First Respondent with immediate effect
- 10 The Successor Practitioners shall give notice of their appointments:
 - 10.1 to all creditors of the estates listed in Schedule A of Annex 1 to this Order within 28 days of date of this Order in writing by First Class Post;
 - 10.2 to all creditors of the estates listed in Schedules B and C of Annex 1 to this Order within 28 days of the date of this Order by way of advertisement in the London Gazette,
11. All creditors of the estates listed in Annex 1 to this Order do have permission to apply to the Court, on notice to the Applicant, within 28 days of the abovementioned (in sub-paragraph 10 2) advertisement (in the case of the creditors of the estates listed in Schedules B and C of Annex 1 to this Order) or within 28 days of notice being posted (in the case of the creditors of the estates listed in Schedule A of Annex 1 to this Order) for the purpose of applying to vary or discharge the Order in so far as it affects the estate or estates of which they are a creditor.

AND IT IS ORDERED THAT:

12. The First Respondent shall be absolved from his duties to issue reports arising solely by reason of his vacation from office from the appointments specified in Annex 1 to this Order

- 13 The Successor Practitioners be joined to the Application for the purpose of making the costs order as set out in paragraph 14 below
14. The Applicant's and First Respondent's costs of this Application (including the costs reserved by the Order of HHJ Purle QC dated 20 March 2012) be charged as a cost or expense of the estates listed in Annex 1 to this Order (each estate to bear an equal share, but with no estate having to bear an amount exceeding 10% of available funds in that estate) save that
- (i) the First Respondent is not entitled to an indemnity for his costs of the adjourned hearing on 15 May 2012 (and, accordingly, is not entitled to charge those costs as a cost or expense of the estates listed in Annex 1 to this Order);
 - (ii) the First Respondent do pay the Applicant's costs of the adjourned hearing on 15 May 2012 agreed in the sum of £14,400 (inclusive of VAT), and
 - (iii) the First Respondent do pay the Successor Practitioners' costs of the adjourned hearing on 15 May 2012 summarily assessed in the sum of £5,260.

For the avoidance of any doubt, the First Respondent is not entitled to an indemnity in respect of the Applicant's and Successor Practitioners' costs which he is hereby ordered to pay.

15. The First Respondent is entitled to be paid all properly and reasonably incurred fees, costs, charges and other expenses incurred by him in his capacity as office holder of the estates listed in Annex 1 to this Order in accordance with the Insolvency Act 1986 and the Insolvency Rules 1986.
- 16 The Applicant has permission to apply.

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B E T W E E N.-

THE ASSOCIATION OF CHARTERED CERTIFIED
ACCOUNTANTS

Applicant

-and-

NINOS KOUMETTOU (1)
COSTAS MORFAKIS (2)

Respondents

ORDER

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Ref: LSB/NPH/65387.002
Solicitors for the Applicant

SCHEDULE A
(Office Held: Supervisor)
Company Voluntary Arrangement

Court	Distinctive number	Case name
The High Court of Justice	18157 of 2009	The Penworth Pub co Limited t/a The Wharf Inn
High Court of Justice	5099 of 2007	Diemasters Limited
High Court of Justice	939 of 2006	ER Logistics UK Limited
High Court of Justice	2440 of 2009	Exhibition Support Company Limited
High Court of Justice	6056 of 2011	Hanovia Solutions Limited
High Court of Justice	4375 of 2010	Hardtops Direct Limited
High Court of Justice	6725 of 2010	K & D Installations Limited
High Court of Justice	6710 of 2007	Lawlords Cost Consultants
High Court of Justice	9970 of 2010	Mercman Limited t/a Gymeez
High Court of Justice	2587 of 2010	Nazeing Golf Club Limited
High Court of Justice	4416 of 2007	Old Frames Limited
High Court of Justice	4895 of 2010	The Kew Gardener Limited
	8298 of 2010	T R Engineering Projects Limited
High Court of Justice	6711 of 207	Venue & Hotel Services Limited
High Court of Justice	2991 of 2010	Cambrian Roofing Limited
High Court of Justice	9604 of 2007	Alert Professional LGV Training Limited
High Court of Justice	13432 of 2009	Auriga Jewellery Limited

Individual Voluntary Arrangement

Court	Distinctive number	Case name
Stoke-on-Trent County Court	779 of 2006	Joanne Carpenter
Stafford County Court	55 of 2007	Rosemary Ruth Hawkins
High Court of Justice	1348 of 2007	Mary Teresa Matthew
Coventry County Court	610 of 2006	Andrew Mark Rawlings
Coventry County Court	7CV80434 of 2007	Glyn Barry Storer
Coventry County Court	7CV80435 of 2007	Patricia Storer
Portsmouth County Court	247 of 2006	Alma Joyce Dabin

SCHEDULE B
(Creditors Voluntary Liquidation)
(Office Held Liquidator)

Court	Distinctive number	Case name
N/A	N/A	Academy Building Contractors (Leicester)

		Limited
N/A	N/A	Atlantic Fashions Limited
N/A	N/A	Adeo Consulting Limited
N/A	N/A	Advanced Guards (UK) Limited
N/A	N/A	Adevia Health Limited
N/A	N/A	Brook Lane Properties Limited
N/A	N/A	Builder Anywhere Limited
N/A	N/A	Brook Mill Developments Limited
N/A	N/A	Bell Slater Limited
N/A	N/A	Bactel Limited
N/A	N/A	Barry Collen Limited
N/A	N/A	Computer Training College Limited
N/A	N/A	Creative Imaging UK Limited
N/A	N/A	Cool As Ice Limited
N/A	N/A	Costelloe Estates Limited
		Core Management Services UK Limited t/a Claimed 4U
N/A	N/A	Car Cosmetics (Hampshire) Limited
N/A	N/A	C K Properties (Bristol) Limited T/a Dragon Kiss
N/A	N/A	D C.J. Thompson & Co Limited t/a Movie Store
N/A	N/A	Derby Trade Services Limited
N/A	N/A	Etech Group Europe Limited
N/A	N/A	Eumedic Limited
N/A	N/A	Fleetman Construction Limited
N/A	N/A	Geoffrey Parker Limited
N/A	N/A	Golden M Construction Limited
N/A	N/A	Glass Trading Co. Ltd FKA Homeshield Group Limited
N/A	N/A	HPA Services Limited
N/A	N/A	Imptex Trims Limited
N/A	N/A	Intouch Mail Systems Limited
N/A	N/A	IVM UK Limited
N/A	N/A	JKD Civil Engineering Limited
N/A	N/A	Longmanor Projects Limited
N/A	N/A	Leeds Smith Consulting Limited
N/A	N/A	L & G Management Limited
N/A	N/A	Leading Ventures Associates Limited
N/A	N/A	Macmillan London Hair

		Studios Limited
N/A	N/A	Mulberry Consultants (Chester) Limited
N/A	N/A	Matetshi International Limited
N/A	N/A	Mira Natural Stones Limited
N/A	N/A	Nationwide Waste Management Limited
N/A	N/A	NTS Furniture Limited
N/A	N/A	N W Bars Limited
N/A	N/A	Norfolk Hotel (Bham) Limited
N/A	N/A	Norwest Sales & Distribution Limited
N/A	N/A	Newframes (London) Limited
N/A	N/A	North West Bricklaying Limited
N/A	N/A	One Systems Solutions Limited
N/A	N/A	Prime Commodities (UK) Limited
N/A	N/A	Prime Telecom (UK) Limited
N/A	N/A	Parker Williamson Property Services Limited
N/A	N/A	Partnership Training Academy Limited
N/A	N/A	Polyguard Security Services (UK) Limited
N/A	N/A	Pinnacle Secure Solutions Limited
N/A	N/A	Presentation and Design Services Limited
N/A	N/A	Renta Villa Limited
N/A	N/A	Raw Chemical Distributions Limited
N/A	N/A	SPQR Europe Limited
N/A	N/A	The Imperium Corporation Limited
		The Film Provoked Limited
N/A	N/A	The Mobile Community (UK) Limited
N/A	N/A	3B Glass Limited
N/A	N/A	The Gallery Bar & Grill Limited
N/A	N/A	The Gallery Bar & Grill (Formby) Limited
N/A	N/A	Time and Tune Limited
N/A	N/A	The Tank Company Limited
N/A	N/A	Uni-Data UK Limited
N/A	N/A	WIC PCY Limited
N/A	N/A	World of Spas Limited
N/A	N/A	Xperta Technology Limited

N/A	N/A	Young Builders Limited
N/A	N/A	Zest Recruitment Services Limited
N/A	N/A	Zodiac Screw Gauge Limited
N/A	N/A	CJH Farms Limited
N/A	N/A	Meritline t/a Meritline Travel
Newcastle upon Tyne District Registry	2297 of 2010	North View Engineering Limited

(Members' Voluntary Liquidation)

(Office Held: Liquidator)

Court	Distinctive Number	Case name
N/A	N/A	MPG Tower Hire Limited

Compulsory Winding up Order (WUC)

Court	Distinctive number	Case name
High Court	8381 of 2007	Argent Entertainments Limited
Birmingham District Registry	9144 of 2008	Aqua Store Limited
High Court transferred to Liverpool	3405/3104 of 2008	Ashcroft Welding & Fabrications Limited
High Court of Justice	8765 of 2008	Broughtons Limited
Birmingham County Court	6241 of 2009	Building Blocks Day Care Limited
High Court of Justice	15175 of 2009	Barl Limited
High Court of Justice	571 of 2010	Blade Plant Hire & Groundworks Limited
Croydon County Court	111 of 2007	CSJ & Partners Limited T/as Lime of Epsom
High Court of Justice	4736 of 2008	Compton Hair Dressing Limited
High Court of Justice	6887 of 2008	Childsplay Software Limited
High Court of Justice	19358 of 2009	Drake Travel Services Limited
High Court of Justice	3416 of 2008	Exclusive Cleaning Services Limited
High Court Slough County Court	9381 of 2008	E R Blackborow Limited
	771 of 2009	Ellisons General Builders Limited
Birmingham County Court	00021837 of 2009	Euro Vision Services Limited
High Court of Justice	5695 of 2008	Force One Security Services Limited
High Court of Justice-	6925 of 2010	5EQ Limited

Birmingham District Registry		
High Court Southend	3556 of 2007	Global Halsway Limited
High Court	21985 of 2009	Gone to Hell Limited
High Court of Justice	5749 of 2005	Hustler Hollywood (UK) Limited
Sheffield County Court	7957 of 2010	Horizon Home Improvements (Partnership) with Kevin and Rebecca Brail
High Court of Justice	870 of 2011	Impact Decorators Limited
High Court of Justice	14502 of 2009	J.B R. Constructions Limited
High Court of Justice	13645 of 2009	J Wrights Decorators Limited
High Court Ipswich County Court	3414 of 2008	Keswick Logistics Limited
High Court of Justice	15500 of 2009	K K Co Limited
Bristol District Registry	1203 of 2008	Limelight Worldwide Communications Limited
High Court of Justice	11597 of 2009	MP Horseboxes Limited
Norwich County Court	394 of 2009	Multimodal Freight Services Limited
Southampton County Court	184 of 2010	Mortgage Marketplace Limited
High Court of Justice	20630 of 2009	Mead General Building Limited
High Court of Justice	18269 of 2009	Mobbitts Limited
High Court of Justice	1279 of 2010	Maymask (127) Limited t/a Cygnet Hotel
High Court Newcastle	10757 of 2008	Northwards Security Limited
High Court of Justice	5745 of 2007	Oriant Telecom Limited
Leeds District Registry	358 of 2010	Oldbury Skip Hire Limited
High Court of Justice	10847 of 2008	Polar Electrical Supplies Limited
Birmingham District Registry	5993 of 2009	R3 2009 Limited (previously Melson Wingate Limited)
High Court of Justice	21424 of 2009	React Plant Limited
High Court of Justice	7282 of 2005	Standard Guards Limited
High Court of Justice	2834 of 2008	Saint Sebastian Limited
High Court of Justice	10755 of 2008	Scientific Instrument Developments

High Court of Justice	2743 of 2010	S.A Jones Contractors Limited
High Court of Justice	6537 of 2010	Steve Whitehead Joinery & Glazing Services Limited
High Court of Medway County Court	47 of 2007	TTS Distribution Limited t/a Goldesal Logistics
The High Court of Justice	6535 of 2008	T & P Inns Limited
The High Court of Justice	7595 of 2008	The Simply Wild Food Company Limited
High Court of Justice	19827 of 2009	Tardis Plumbing & Bathroom Supplies Limited
High Court of Justice, Chancery Division, Birmingham District Registry	7011 of 2008	William Neely (24/7) Limited
High Court of Justice	14441 of 2009	Wild Orchid-Vendetta Limited
High Court of Justice	10426 2009	AN & EA Baynes Limited T/as The Links Hotel
High Court of Justice	20234 of 2009	Aqua Cleaning (London) Limited
Stoke-on-Trent County Court	1388 of 2009	Automec Diagnostics Limited
Tauton County Court	45 of 2009	Contract Painting Limited
Kingston upon Hull County Court	355 of 2009	GP Joinery (Hull) Limited
High Court of Justice	5413 of 2010	New Beginnings Training & Recruitment Consultancy Limited
High Court of Justice	7261 of 2011	Acme Facilities Management (Edinburgh) Limited
Manchester District Registry	1473 of 2011	A & A Scaffolding (Bury) Limited
High Court of Justice	6693 of 2011	Lime Solutions (UK) Limited

SCHEDULE C
(Office held: Trustee)

Court	Distinctive number	Case name
Preston County Court	370 of 2008	Nadim Afzal
Burnely County Court	416 of 2009	David Peter Alderson
Blackpool County Court	8 of 2010	Mr Yasar Akbaba (now known as Robert James Adams)
Crewe County Court	618 of 2008	Paul William Abbots
Sheffield County Court	378 of 2006	Stephen Gareth Bailey T/as S & A Structural Services
Kidderminster County Court	43 of 2007	Mario John Baker
Doncaster County Court	131 of 2008	Philip Beevor