

5890571.

legaise etc.

08/01/2011  
Replacement of  
liquidator.  
P.J. Das  
replaces.  
T.S. Underwood  
3/11/11.

**BETWEEN:**



AIQ 04/11/2011 53  
COMPANIES HOUSE

**FRANCIS GRAHAM NEWTON (1)**  
**MATTHEW JAMES CHADWICK (2)**  
**JOANNE MARIE WRIGHT (3)**  
**PAUL JAMES BATES (4)**  
**SHAY BANNON (5)**  
**SARAH MEGAN RAYMENT (6)**  
**TRACEY LEE PYE (7)**  
**CHRISTOPHER KIM RAYMENT (8)**  
**DERMOT JUSTIN POWER (9)**  
**PATRICK ALEXANDER LANNAGAN (10)**  
**MARK JAMES SHAW (11)**

**AND**

**TOBY SCOTT UNDERWOOD (1)**  
**FRANCIS GRAHAM NEWTON (2)**  
**SHAY BANNON (3)**  
**DERMOT JUSTIN POWER (4)**  
**PATRICK ALEXANDER LANNAGAN (5)**  
**MARK JAMES SHAW (6)**  
**CHRISTOPHER KIM RAYMENT (7)**  
**SARAH MEGAN RAYMENT (8)**

## APPLICANTS

## RESPONDENTS

## ORDER

**BEFORE HIS HONOUR JUDGE KAYE QC**

**SITTING IN THE LEEDS DISTRICT REGISTRY OF THE HIGH COURT OF JUSTICE**

**UPON** the Application dated 15<sup>th</sup> September 2011

**AND UPON** hearing Counsel for the Applicants and reading the evidence

**IT IS ORDERED THAT:**

1. In respect of those Administrations, Bankruptcies, Company Voluntary Arrangements, Creditors Voluntary Liquidations, and Compulsory Liquidations identified in the Schedule attached to this Application Notice (the "Schedule") as being the subject of proceedings in the various County Courts specified in the Schedule, those proceedings be transferred to the High Court Division, solely for the purpose of making the Orders contained in the paragraphs below and thereafter be transferred back to the relevant County Court.
2. The following removals and appointments take place with immediate effect.
  - 2 1. In relation to all Administration appointments held by the First Respondent, the Respondents currently appointed as Office Holders, as identified in the Schedule, be removed from office and the First, Second, Third, Fourth, Fifth, Sixth, Seventh and/or Eighth Applicants, as the case may be as proposed and identified in the Schedule, be appointed as Joint Office Holders in their place.
  - 2 2. In relation to the Bankruptcy appointment held by the First Respondent, the First and Second Respondent be removed from office and the First and Second Applicants be appointed in respect of that Bankruptcy as the joint Office Holders in the First and Second Respondent's place as proposed and identified in the Schedule
  - 2.3. In relation to all Company Voluntary Arrangement appointments held by the First Respondent, the Respondents currently appointed as Office Holders, as identified in the Schedule, be removed from office and the First, Second, Third, Fourth, Fifth, Sixth, Seventh and/or Eighth Applicants, as the case may be as proposed and identified in the Schedule, be appointed as Joint Office Holders in their place
  - 2.4. In relation to all Creditors Voluntary Liquidation appointments held by the First Respondent, the Respondents currently appointed as Office Holders, as identified in the Schedule, be removed from office and the First, Second, Third, Fourth, Fifth, Sixth, Seventh and/or Eighth Applicants, as the case may be as proposed and identified in the Schedule, be appointed as Joint Office Holders in their place
  - 2 5 In relation to all Compulsory Liquidation appointments held by the First Respondent, the Respondents currently appointed as Office Holders, as

identified in the Schedule, be removed from office and the First, Second, Third, Fourth, Fifth, Sixth, Seventh and/or Eighth Applicants, as the case may be as proposed and identified in the Schedule, be appointed as Joint Office Holders in their place.

- 2.6 The effect of these orders is as summarised by reference to the outgoing/current and proposed/replacement office holders as set out in the Schedule.
3. The Applicants shall within 28 days of the date of this order publish in the Gazette one composite notice relating to all new appointments effected hereby and shall file any appropriate notices in respect of the First Respondent's resignation and those appointments with the Registrar of Companies and the Secretary of State for Business, Innovation and Skills (Insolvency Service) as appropriate.
4. The First Respondent shall be granted his release as appropriate 21 days after the publication in the Gazette referred to above.
5. The Applicants shall, when the next routine report is due to the creditors/members of each Administration, Bankruptcy, Company Voluntary Arrangement, Creditors Voluntary Liquidation, and Compulsory Liquidation, give written notice of the making of this order to each such creditor/member, such notice to include the following matters:
- 5.1. An explanation as to the effect of the order.
- 5.2. Express reference to the liberty to apply as set out in the order
- 5.3. In the case of the company voluntary arrangements and the administrations, the provision of such information as might reasonably be required with regard to the conduct of the arrangements or the administrations (as the case may be).
- 5.4. In the case of the liquidations (including compulsory liquidations), company voluntary arrangements and bankruptcies where liquidation or creditors committees have been appointed, an explanation that (to the extent that any information which would otherwise be required to be provided under IR 4.108(3) or 6.126(2) has not already been provided as part of that report) it is open to the committee to require the Applicants appointed or remaining in office to provide an account of the administration of the estate, including:
- 5.4.1. A summary of receipts and payments.

5.4.2 A statement that he has reconciled his accounts.

5.5. In the case of liquidations (including compulsory liquidations), company voluntary arrangements and bankruptcies where no liquidation or creditors committees have been appointed, an explanation that, to the extent that such information has not already been provided as part of the routine report, it is open to any creditor to apply for an order that the Applicants in question do provide such information as might otherwise be required by IR 4.108(3) or 6.126(2) (as the case may be), that is to say an account of the administration of the estate including:

5.5.1 A summary of receipts and payments

5.5.2. A statement that he has reconciled his accounts.

5.6. Notification that if the Applicants in question have been required to provide the information referred to in paragraphs 5.4 to 5.5 above, whether by the liquidation/creditors committee or by Court order on the application of any individual creditor, the Applicants' costs of complying with such request or order shall, unless good reasons to the contrary are demonstrated, be paid as a cost of the bankruptcy, arrangement, administration or winding up as the case may be.

5.7. In the case of the liquidations and bankruptcies, notifications to each creditor of their right under IR 11(1) (compulsory liquidation) IR 11(2) (voluntary winding up) of the Insolvency regulations and IR 25 (bankruptcies) of The Insolvency Regulations 1994 to require the Respondent to supply a statement of receipts and payments free of charge

6. Liberty to each creditor/member of each liquidation, voluntary arrangement, administration and bankruptcy to apply to vary or discharge this order within 28 days of receipt of the notices directed to be sent under paragraph 5 above.

7 The cost of this Application (including VAT) be aggregated and apportioned equally between each of the estates listed in the Schedule to be drawn as disbursements where sufficient funds are available. In respect of all Bankruptcies, Company Voluntary Arrangements, Creditors Voluntary Liquidations and Compulsory Liquidations such costs shall not exceed 10% of the value of assets realised in each particular case.

8. Service of Notice of the Application upon the Respondents be abridged.

Dated this 7 day of October 2011

SCHEDULE

Name	Case Type	Court	Court Reference	Date of Appointment	Outgoing Office Holder	Current Joint Office Holders	Proposed/Replacement Office Holders
Action Apparel Limited	ADM	London High Court	11228 of 2008	12 Dec 08	Toby Scott Underwood	Francis Graham Newton, Shay Bannon	Francis Graham Newton, Shay Bannon
Atlas Holiday Homes Limited	CVL	N/A	N/A	16-Jun 10	Toby Scott Underwood	Francis Graham Newton, Dermot Justin Power	Francis Graham Newton, Dermot Justin Power
BES Consulting Holdings Limited	ADM	Leeds District Registry	1796 of 2009	02 Jul 09	Toby Scott Underwood	Francis Graham Newton	Francis Graham Newton, Paul James Bates
Bradford Independent (St Ives Nursing Home) Limited	ADM	Leeds District Registry	554 of 2010	02 Mar 10	Toby Scott Underwood	Francis Graham Newton	Francis Graham Newton, Paul James Bates
Dixon Motor Holdings Limited	WUC	N/A	N/A	30 Jan 08	Toby Scott Underwood	Francis Graham Newton, Shay Bannon	Francis Graham Newton, Shay Bannon
Dixon Motors Property Limited	ADM	London - High Court	646 of 2008	29 Jan 08	Toby Scott Underwood	Francis Graham Newton, Shay Bannon	Francis Graham Newton, Shay Bannon
Firecheck Systems Limited	ADM	Leeds District Registry	1617 of 2008	16 Oct 08	Toby Scott Underwood	Francis Graham Newton	Francis Graham Newton, Paul James Bates
Hoyland Fox Limited	CVL	N/A	N/A	15 Jan 09	Toby Scott Underwood	Francis Graham Newton	Francis Graham Newton, Paul James Bates
Lighthouse Pub Company Limited	ADM	Leeds District Registry	348 of 2010	10-Feb-10	Toby Scott Underwood	Francis Graham Newton	Francis Graham Newton, Paul James Bates
Loxton Lighting Limited	ADM	Manchester District Registry	841 of 2010	26-Mar 10	Toby Scott Underwood	Francis Graham Newton	Francis Graham Newton, Paul James Bates
Macdonald Joinery & Construction Limited	CVA	Leeds District Registry	9A 00407 of 2009	26-Feb 09	Toby Scott Underwood	Francis Graham Newton	Francis Graham Newton, Paul James Bates
Mosaic Industries Limited	WUC	Sheffield District Registry	1531 of 2009	22 Jun 09	Toby Scott Underwood	n/a	Francis Graham Newton, Paul James Bates
Robinson, Paul Arthur	BKY	Leeds County Court	630 of 2007	09 Aug 07	Toby Scott Underwood	Francis Graham Newton	Francis Graham Newton, Matthew James Chadwick
Style Menswear Limited	CVL	N/A	N/A	27-May 10	Toby Scott Underwood	Francis Graham Newton, Shay Bannon	Francis Graham Newton, Tracey Lee Pye
Riverdale Publishing Limited	CVL	N/A	N/A	01 Apr 09	Toby Scott Underwood	Francis Graham Newton	Francis Graham Newton, Shay Bannon
Dawson Day International Limited	CVL	N/A	N/A	28 Jul-09	Toby Scott Underwood	Shay Bannon, Mark James Shaw	Shay Bannon, Mark James Shaw
Dawson Day Property Investment Limited	CVL	N/A	N/A	15 Aug 09	Toby Scott Underwood	Shay Bannon, Mark James Shaw	Shay Bannon, Mark James Shaw
Etra Limited	ADM	Leeds	2022 of 2008	23-Dec 08	Toby Scott Underwood	Shay Bannon	Shay Bannon, Sarah Megan Rayment
Widney UK Limited	CVL	N/A	N/A	17 Oct-09	Toby Scott Underwood	Christopher Kim Rayment	Christopher Kim Rayment, Joanne Marie Wright
Widney Plc	CVL	N/A	N/A	14 Oct-09	Toby Scott Underwood	Christopher Kim Rayment	Christopher Kim Rayment, Joanne Marie Wright
Kumell Real Estate	ADM	Leeds District Registry	1352 of 2010	18 Jun 10	Toby Scott Underwood	Sarah Megan Rayment	Sarah Megan Rayment, Shay Bannon
Edington Enterprises Corp	ADM	Leeds District Registry	1354 of 2010	18 Jun 10	Toby Scott Underwood	Sarah Megan Rayment	Sarah Megan Rayment, Shay Bannon
Vowden Investments Limited	ADM	Leeds District Registry	1353 of 2010	18 Jun 10	Toby Scott Underwood	Sarah Megan Rayment	Sarah Megan Rayment, Shay Bannon

Key ADM = Administration, ADR = Administrative Receivership, BKY = Bankruptcy, CVA = Company Voluntary Arrangement, CVL = Creditors Voluntary Liquidation, WUC = Compulsory Liquidation