

IN THE HIGH COURT OF JUSTICE  
CHANCERY DIVISION  
BIRMINGHAM DISTRICT REGISTRY

No. 8479

of 2012

IN THE MATTER OF MACHINEX UK LIMITED (IN ADMINISTRATION) AND OTHERS

IN THE MATTER OF LONGWALL HOLDINGS LIMITED (IN CREDITORS' VOLUNTARY LIQUIDATION) AND OTHERS

IN THE MATTER OF C POWELL & SONS LIMITED (IN MEMBERS' VOLUNTARY LIQUIDATION) AND OTHERS

IN THE MATTER OF ABLE SERVICES LIMITED (IN COMPULSORY LIQUIDATION)

IN THE MATTER OF CLASH MEDIA ADVERTISING LIMITED (IN COMPANY VOLUNTARY ARRANGEMENT)

IN THE MATTER OF GLENN MACKAY (A BANKRUPT) AND OTHERS

IN THE MATTER OF PHILIP BRIAN STEPHENSON (IN INDIVIDUAL VOLUNTARY ARRANGEMENT) AND OTHERS

AND IN THE MATTER OF AN OFFICE HOLDER

AND IN THE MATTER OF THE INSOLVENCY ACT 1986 AND INSOLVENCY RULES 1986

BETWEEN:

- (1) TREVOR JOHN BINYON
- (2) ALEXANDER KINNINMONTH
- (3) DAVID JAMES GREEN
- (4) SARAH LOUISE BURGE
- (5) CHRISTOPHER RATTEN
- (6) NIGEL IAN FOX
- (7) IAN MALCOLM DONAND GRAHAM CADLOCK
- (8) DUNCAN CHRISTOPHER LYLE



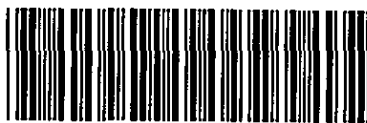
Applicants

- and -

- (1) CARL STUART JACKSON
- (2) ANDREW LAWRENCE HOSKING
- (3) KEITH ALLAN MARSHALL
- (4) DAVID JAMES GREEN
- (5) STEVEN JOHN PARKER
- (6) ALEXANDER KINNINMONTH
- (7) MATTHEW COLIN BOWKER
- (8) DUNCAN ROBERT BEAT
- (9) NIGEL IAN FOX

Respondents

FRIDAY



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25/01/2013

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COMPANIES HOUSE

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**ORDER**

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Before District Judge Sheldrake on 12 November 2012

**UPON THE APPLICATION** of the Applicants dated 9 October 2012

**AND UPON READING** the evidence

**IT IS ORDERED:**

1. That the Applicants have leave to make a composite application in respect of the insolvency proceedings identified in the Schedules A to G attached to this Order (the "Schedules").
2. That the proceedings listed in the Schedules, in so far as there are currently proceedings in any County Court or any District Registry in England and Wales other than the Birmingham District Registry, be transferred to the Birmingham District Registry solely for the purpose of considering, and if thought fit, making this Order.
3. That the Applicants do ensure that a sealed copy of every order transferring any case to this Court and of every order which may be made as a result of this application be lodged with the Court having jurisdiction over each case affected by such order for filing on the Court file relating to that case.
4. That the time for service of this application be abridged to permit the application to be heard at such time as this Court shall think fit.
5. Pursuant to Section 19, Paragraph 88 of Schedule B1 to the Act and Rule 7.10B(2) of the Rules, Carl Stuart Jackson (the "First Respondent") be removed from his office as joint administrator of the company identified in Schedule A, Part 1 hereto as being in administration;
6. Pursuant to Section 13, Paragraphs 63, 91 and 95 of Schedule B1 to the Act and Rule 7.10B(2) of the Rules, Trevor John Binyon (the "First Applicant") be appointed as joint administrator of the company identified in Schedule A, Part 1 hereto as being in administration;
7. Pursuant to Section 19, Paragraph 88 of Schedule B1 to the Act and Rule 7.10B(2) of the Rules, the First Respondent be removed from his office as joint administrator of the company identified in Schedule A, Part 2 hereto as being in administration;
8. Pursuant to Section 13, Paragraphs 63, 91 and 95 of Schedule B1 to the Act and Rule 7.10B(2) of the Rules, Alexander Kinninmonth (the "Second Applicant") be appointed as joint administrator of the company identified in Schedule A, Part 2 hereto as being in administration;
9. Pursuant to Section 19, Paragraph 88 of Schedule B1 to the Act and Rule 7.10B(2) of the Rules, the First Respondent be removed from his office as joint administrator of the company identified in Schedule A, Part 3 hereto as being in administration;

10. Pursuant to Section 13, Paragraphs 63, 91 and 95 of Schedule B1 to the Act and Rule 7.10B(2) of the Rules, David James Green (the "Third Applicant") be appointed as joint administrator of the company identified in Schedule A, Part 3 hereto as being in administration;
11. Pursuant to Section 108(2) of the Act, the First Respondent be removed from his office as joint liquidator of the companies listed in Schedule B, Part 1 hereto as being in Creditors' Voluntary Liquidation;
12. Pursuant to Section 108(2) of the Act, the Second Applicant, be appointed as joint liquidator of the companies listed in Schedule B, Part 1 hereto as being in Creditors' Voluntary Liquidation;
13. Pursuant to Section 108(2) of the Act, the First Respondent be removed from his office as joint liquidator of the companies listed in Schedule B, Part 2 hereto as being in Creditors' Voluntary Liquidation;
14. Pursuant to Section 108(2) of the Act, the Third Applicant be appointed as joint liquidator of the companies listed in Schedule B, Part 2 hereto as being in Creditors' Voluntary Liquidation;
15. Pursuant to Section 108(2) of the Act, the First Respondent be removed from his office as joint liquidator of the company identified in Schedule B, Part 3 hereto as being in Creditors' Voluntary Liquidation;
16. Pursuant to Section 108(2) of the Act, Sarah Louise Burge (the "Fourth Applicant") be appointed as joint liquidator of the company identified in Schedule B, Part 3 hereto as being in Creditors' Voluntary Liquidation;
17. Pursuant to Section 108(2) of the Act, the First Respondent be removed from his office as joint liquidator of the companies listed in Schedule C hereto being in Members' Voluntary Liquidation;
18. Pursuant to Section 108(2) of the Act, the Third Applicant be appointed as joint liquidator of the companies listed in Schedule C hereto as being in Members' Voluntary Liquidation;
19. Pursuant to Section 172(2) of the Act and Rule 7.10B(2) of the Rules, the First Respondent be removed from his office as joint liquidator of the company identified in Schedule D hereto as being subject to a Compulsory Winding Up Order;
20. Pursuant to Section 168(3) and (5) of the Act and Rule 7.10B(2) of the Rules, the Third Applicant be appointed as joint liquidator of the company identified in Schedule D hereto as being subject to a Compulsory Winding Up Order;
21. Pursuant to Section 7(5) and Paragraph 39(6) of Schedule A1 to the Act, the First Respondent be removed from his office as joint supervisor of the company identified in Schedule E hereto;
22. Pursuant to Section 7(5) and Paragraph 39(6) of Schedule A1 to the Act, Christopher Ratten (the "Fifth Applicant") be appointed as joint supervisor of the company identified in Schedule E hereto;

23. Pursuant to Section 298 of the Act and Rule 7.10B(2) of the Rules the First Respondent be removed from his office as sole trustee in bankruptcy of the individuals listed in Schedule F, Part 1 hereto;
24. Pursuant to Sections 298 and 303(2) of the Act and Rule 7.10B(2) of the Rules, Nigel Ian Fox (the "Sixth Applicant") be appointed as sole trustee in bankruptcy of the individuals listed in Schedule F, Part 1 hereto;
25. Pursuant to Section 298 of the Act and Rule 7.10B(2) of the Rules the First Respondent be removed from his office as sole trustee in bankruptcy of the individual identified in Schedule F, Part 2 hereto;
26. Pursuant to Sections 298 and 303(2) of the Act and Rule 7.10B(2) of the Rules, Ian Malcolm Donald Graham Cadlock (the "Seventh Applicant") be appointed as sole trustee in bankruptcy of the individual identified in Schedule F, Part 2 hereto;
27. Pursuant to Section 298 of the Act and Rule 7.10B(2) of the Rules the First Respondent be removed from his office as sole trustee in bankruptcy of the individual identified in Schedule F, Part 3 hereto;
28. Pursuant to Sections 298 and 303(2) of the Act and Rule 7.10B(2) of the Rules, Duncan Christopher Lyle (the "Eighth Applicant") be appointed as sole trustee in bankruptcy of the individual identified in Schedule F, Part 3 hereto;
29. Pursuant to Section 263(5) of the Act, the First Respondent be removed from his office as supervisor of the individuals listed in Schedule G hereto;
30. Pursuant to Section 263(5) of the Act, the Sixth Applicant be appointed as supervisor of the individuals listed in Schedule G hereto;
31. The creditors of the companies listed in the Schedules be notified of this Order by advertisement in the London Gazette within 14 days of the date of this Order and at the time of the next statutory reporting requirement for each case.
32. The Applicants shall notify the Secretary of State of this Order as soon as reasonably practicable after it is made.
33. All creditors of the companies and individuals listed in the Schedules do have permission to apply to the Court, on notice to the Applicants, within 28 days of being given notice of the terms of this Order for the purposes of applying to vary or discharge the Order in so far as it affects the company or companies or bankruptcy estates of which they are a creditor.
34. There be no order as to costs save that the Applicants' costs of this application be charged as a cost or expense of the estates listed in the Schedules (each estate to bear an equal share, or such other share as the Applicants may decide but with no estate having to bear an amount exceeding 10 percent of the available funds in that estate).
35. Any cases listed in the Schedules which, pursuant to paragraph 2 above are transferred to the Birmingham District Registry be transferred back to the County Court or District Registry from which they originated immediately prior to the making of this Order.
36. That service of the Application and this Order on the Second, Third, Fourth, Fifth, Sixth, Seventh, Eighth and Ninth Respondents is dispensed with;

## SCHEDULE A

### Administrations

#### Part 1

NAME OF CASE	COURT	COURT CASE NUMBER	CAPACITY OUTGOING OFFICE HOLDER APPOINTED	APPOINTED ON	CURRENT OFFICE HOLDER(S)	REPLACEMENT OFFICE HOLDER(S)
Machinex UK Limited	High Court	1700 of 2012	ADM	22/02/2012	Carl Stuart Jackson and Andrew Lawrence Hosking	Trevor John Binyon and Andrew Lawrence Hosking

#### Part 2

NAME OF CASE	COURT	COURT CASE NUMBER	CAPACITY OUTGOING OFFICE HOLDER APPOINTED	APPOINTED ON	CURRENT OFFICE HOLDER(S)	REPLACEMENT OFFICE HOLDER(S)
The HGV Centre (Portsmouth) Limited	High Court	5099 of 2011	ADM	13/06/2011	Carl Stuart Jackson and David James Green	Alexander Kinninmonth and David James Green

#### Part 3

NAME OF CASE	COURT	COURT CASE NUMBER	CAPACITY OUTGOING OFFICE HOLDER APPOINTED	APPOINTED ON	CURRENT OFFICE HOLDER(S)	REPLACEMENT OFFICE HOLDER(S)
IDDC Realisations 2012 Limited	Royal Courts of Justice	3926 of 2012	ADM	23/05/2012	Alexander Kinninmonth and Carl Stuart Jackson	Alexander Kinninmonth and David James Green

## SCHEDULE B

### Creditors' Voluntary Liquidations

#### Part 1

NAME OF CASE	COURT	COURT CASE NUMBER	CAPACITY OUTGOING OFFICE HOLDER APPOINTED	APPOINTED ON	CURRENT OFFICE HOLDER(S)	REPLACEMENT OFFICE HOLDER(S)
Aqueduct Services Limited	n/a	n/a	CVL	16/02/2012	Carl Stuart Jackson and Steven John Parker	Alexander Kinninmonth and Steven John Parker
Custom Homes Limited	n/a	n/a	CVL	04/02/2009	Nigel Ian Fox and Carl Stuart Jackson	Nigel Ian Fox and Alexander Kinninmonth
Kent Staff Services 2000 Limited	n/a	n/a	CVL	01/11/2011	Duncan Robert Beat and Carl Stuart Jackson	Duncan Robert Beat and Alexander Kinninmonth

#### Part 2

NAME OF CASE	COURT	COURT CASE NUMBER	CAPACITY OUTGOING OFFICE HOLDER APPOINTED	APPOINTED ON	CURRENT OFFICE HOLDER(S)	REPLACEMENT OFFICE HOLDER(S)
Mandar Care Homes Limited	n/a	n/a	CVL	16/03/2012	Alexander Kinninmonth and Carl Stuart Jackson	Alexander Kinninmonth and David James Green
Maritime & Leisure Investments Limited	n/a	n/a	CVL	05/04/2012	Alexander Kinninmonth and Carl Stuart Jackson	Alexander Kinninmonth and David James Green

#### Part 3

NAME OF CASE	COURT	COURT CASE NUMBER	CAPACITY OUTGOING OFFICE HOLDER APPOINTED	APPOINTED ON	CURRENT OFFICE HOLDER(S)	REPLACEMENT OFFICE HOLDER(S)
Longwall Holdings Limited	n/a	n/a	CVL	31/07/2012	Carl Stuart Jackson and Keith Allan Marshall	Sarah Louise Burge and Keith Allan Marshall

## SCHEDULE C

### Members' Voluntary Liquidations

NAME OF CASE	COURT	COURT CASE NUMBER	CAPACITY OUTGOING OFFICE HOLDER APPOINTED	APPOINTED ON	CURRENT OFFICE HOLDER(S)	REPLACEMENT OFFICE HOLDER(S)
C Powell & Sons Limited	n/a	n/a	MVL	12/09/2002	Nigel Ian Fox and Carl Stuart Jackson	Nigel Ian Fox and David James Green
Cynl Morgan (Holdings) Limited	n/a	n/a	MVL	09/09/2002	Nigel Ian Fox and Carl Stuart Jackson	Nigel Ian Fox and David James Green
Bapco Construction Limited	n/a	n/a	MVL	10/09/2002	Nigel Ian Fox and Carl Stuart Jackson	Nigel Ian Fox and David James Green
Severn Finance Limited	n/a	n/a	MVL	11/09/2002	Nigel Ian Fox and Carl Stuart Jackson	Nigel Ian Fox and David James Green

## SCHEDULE D

### Compulsory Liquidation

NAME OF CASE	COURT	COURT CASE NUMBER	CAPACITY OUTGOING OFFICE HOLDER APPOINTED	APPOINTED ON	CURRENT OFFICE HOLDER(S)	REPLACEMENT OFFICE HOLDERS
Able Services Limited	High Court	2583 of 2012	WUC	21/05/2012	Alexander Kinninmonth and Carl Stuart Jackson	Alexander Kinninmonth and David James Green



## **SCHEDULE E**

### **Company Voluntary Arrangement**

<b>NAME OF CASE</b>	<b>COURT</b>	<b>COURT CASE NUMBER</b>	<b>CAPACITY OUTGOING OFFICE HOLDER APPOINTED</b>	<b>APPOINTED ON</b>	<b>CURRENT OFFICE HOLDERS</b>	<b>REPLACEMENT OFFICE HOLDERS</b>
Clash Media Advertising Limited	Manchester	1481 of 2010	CVA	06/08/2010	Matthew Colin Bowker and Carl Stuart Jackson	Matthew Colin Bowker and Jeremy Woodside

## **SCHEDULE F**

### **Bankruptcies**

#### **Part 1**

<b>NAME OF CASE</b>	<b>COURT</b>	<b>COURT CASE NUMBER</b>	<b>CAPACITY OUTGOING OFFICE HOLDER APPOINTED</b>	<b>APPOINTED ON</b>	<b>CURRENT OFFICE HOLDERS</b>	<b>REPLACEMENT OFFICE HOLDERS</b>
Edward McNulty	Reading	326 of 2003	BKY	30/07/2004	Carl Stuart Jackson	Nigel Ian Fox
Geoffrey Charles Tibbs	Bournemouth	254 of 2005	BKY	29/06/2005	Carl Stuart Jackson	Nigel Ian Fox
Joseph Graham Chapper	High Court	10004 of 2005	BKY	01/12/2005	Carl Stuart Jackson	Nigel Ian Fox
Florence Emma Brown	Eastbourne	255 of 2005	BKY	12/01/2006	Carl Stuart Jackson	Nigel Ian Fox
Enamul Haque Laskar	Plymouth	177 of 2006	BKY	26/04/2006	Carl Stuart Jackson	Nigel Ian Fox
Philip Anthony Dowle	Bristol	1385 of 2006	BKY	20/02/2007	Carl Stuart Jackson	Nigel Ian Fox
Ian Basden	Reading	1223 of 2006	BKY	05/03/2007	Carl Stuart Jackson	Nigel Ian Fox
Andrew Edward James Davies	Ipswich	409 of 2006	BKY	08/03/2007	Carl Stuart Jackson	Nigel Ian Fox
John Richard Ford	Kings Lynn	8 of 2007	BKY	14/06/2007	Carl Stuart Jackson	Nigel Ian Fox
John Wilfrid Anton	Kingston upon Thames	133 of 2008	BKY	26/06/2008	Carl Stuart Jackson	Nigel Ian Fox
Waheed Akinsola	Boston	30 of 2004	BKY	04/08/2011	Carl Stuart Jackson	Nigel Ian Fox

#### **Part 2**

<b>NAME OF CASE</b>	<b>COURT</b>	<b>COURT CASE NUMBER</b>	<b>CAPACITY OUTGOING OFFICE HOLDER APPOINTED</b>	<b>APPOINTED ON</b>	<b>CURRENT OFFICE HOLDERS</b>	<b>REPLACEMENT OFFICE HOLDERS</b>
Glenn Mackay	Brighton	499 of 2005	BKY	20/10/2005	Carl Stuart Jackson	Ian Malcolm Donald Graham Cadlock

### Part 3

NAME OF CASE	COURT	COURT CASE NUMBER	CAPACITY OUTGOING OFFICE HOLDER APPOINTED	APPOINTED ON	CURRENT OFFICE HOLDERS	REPLACEMENT OFFICE HOLDERS
Clive Eames	Portsmouth	160 of 2004	BKY	16/07/2004	Nigel Ian Fox and Carl Stuart Jackson	Nigel Ian Fox and Duncan Christopher Lyle

## **SCHEDULE G**

### **Individual Voluntary Arrangement**

<b>NAME OF CASE</b>	<b>COURT</b>	<b>COURT CASE NUMBER</b>	<b>CAPACITY OUTGOING OFFICE HOLDER APPOINTED</b>	<b>APPOINTED ON</b>	<b>CURRENT OFFICE HOLDERS</b>	<b>REPLACEMENT OFFICE HOLDERS</b>
Philip Brian Stephenson	Torquay & Newton Abbott	97 of 2000	IVA	25/05/2000	Carl Stuart Jackson	Nigel Ian Fox
Josephine Neilsen	Torquay & Newton Abbott	98 of 2000	IVA	28/01/2003	Carl Stuart Jackson	Nigel Ian Fox