Claim No.-701 OF 2013

IN THE HIGH COURT OF JUSTICE CHANCERY DIVISION LEEDS DISTRICT REGISTRY

IN THE MATTER OF THE LICENCE HOLDER

AND

IN THE MATTER OF THE INSOLVENCY ACT 1986

AND

IN THE MATTER OF JOSEPH ALEXANDER BATES AND OTHER BANKRUPTCIES LISTED IN SCHEDULE 1

AND

IN THE MATTER OF JOE ANNING ADDAE AND OTHER INDIVIDUAL VOLUNTARY ARRANGEMENTS LISTED IN SCHEDULE 2

AND

IN THE MATTER OF 1ST EQUITY LIMITED AND OTHER ADMINISTRATIONS LISTED IN SCHEDULE 3 AND

IN THE MATTER OF OAKLAND CIVIL ENGINEERING LIMITED IN ADMINISTRATIVE RECEIVERSHIP IN SCHEDULE 4

AND .

IN THE MATTER OF ALLTOOLS LIMITED AND OTHER COMPANY VOLUNTARY ARRANGEMENTS LISTED IN SCHEDULE 5

AND

IN THE MATTER OF CABLEFORD LIMITED AND OTHER COMPULSORY LIQUIDATIONS LISTED IN SCHEDULE 6

AND

IN THE MATTER OF 3K'S RE-CLAD LIMITED AND OTHER CREDITORS' VOLUNTARY LIQUIDATIONS LISTED IN SCHEDULE 7

AND

IN THE MATTER OF ALH RAIL COATINGS LIMITED AND OTHER MEMBERS' VOLUNTARY LIQUIDATIONS LISTED IN SCHEDULE $\boldsymbol{8}$

BETWEEN

MS CLAIRE LOUISE FOSTER

and

(1) MR ROBERT NEIL DYMOND

(2) MS LISA JANE HOGG

(3) MS FIONA GRANT

(4) MS GEMMA LOUISE ROBERTS

(5) MS KELLY ANNE BURTON

DRAFT ORDER

BEFORE HIS HONOUR JUDGE BEHRENS

UPON THE APPLICATION of the Applicant Issued on 16 May 2013

Applicant





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20/06/2013 COMPANIES HOUSE #256

AND UPON HEARING Counsel on behalf of the Applicant

AND UPON the Respondents being neither present nor represented but having consented to the making of the Order set out below

AND UPON READING letters from the Respondents consenting to the application of the Applicant

AND UPON READING a letter from the Department for Business, Innovation and Skills

AND UPON READING the documents on the Court file

IT IS ORDER THAT:-

- In respect of those Bankruptcies, Individual Voluntary Arrangements ("IVAs"), Administrations, Administrative Receivership, Company Voluntary Arrangements ("CVAs"), Compulsory Liquidations, Creditors' Voluntary Liquidations ("CVLs") and Members' Voluntary Liquidations ("MVLs") listed in Schedules 1 to 8 attached to this order ("the Schedules") which are the subject of proceedings in the County Courts, other District Registries and Royal Courts of Justice, those proceedings be transferred to the High Court, Leeds District Registry, solely for the purpose of hearing the application for the Orders contained in paragraphs 2 to 14 below.
- 2. The Applicant be removed from office of those estates of individuals for which she is the sole appointee, as Trustee in Bankruptcy listed in Schedule 1 which will all be transferred to the Third Respondent alone with immediate effect as shown in Schedule 1.
- 3. The Applicant be removed from office of the estates of Individuals for which she is the Supervisor of IVAs listed in Schedule 2 which will be transferred to the relevant Respondent shown in Schedule 2 with immediate effect.
- 4. The Applicant be removed from office of those companies for which she is the sole appointee as Liquidator listed in Schedule 6 which will both be transferred to the Third Respondent alone with immediate effect as shown in Schedule 6.
- 5. The Applicant be removed from office of the estates of the companies, including Supervisor of CVAs, Administrator, Administrative Receiver and Liquidator (both Compulsory and Voluntary) for which she is the joint appointee listed in Schedules 3 to 8 which will be transferred to the relevant Respondent shown in the Schedules with immediate effect.
- 6. The Applicant be replaced as such office holder in the case of each such estate by the Respondents named in the Schedules as her proposed replacement, these replacements to take effect within the timescales referred to at paragraphs 2, 3, 4 and 5 above.

- 7. The Respondents shall be entitled to:-
 - 7 1 publish in the Gazette one composite notice relating to all new appointments which are required by law to be published in the Gazette;
 - apportion the costs of the said composite Gazette notice between those estates with sufficient funds to discharge the costs of this notice in full equally; and
 - 7.3 charge to each individual estate the costs of obtaining an Insolvency Practitioner's licence bond in respect of that estate.
- 8. The Applicant shall be granted her release as appropriate 21 days after the publication of the notice in the Gazette referred to at paragraph 7.1 above.
- 9. Without incurring any additional expenses to any of the said estates, the Respondents shall, when the next routine report is due to the creditors of each estate, notify each creditor of the making of this Order, such notice to contain the following matters:-
 - 9.1 An explanation of the effect of the Order.
 - 9.2 Express reference to the liberty to apply contained in paragraph 10 below.
 - 9.3 In the case of IVAs and CVAs, the provision of all such information as might reasonably be required with regard to the conduct of the IVA or CVA (as the case may be).
 - 9.4 In the case of CVLs and Bankruptcies under the Insolvency Act 1986 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 Insolvency Rule 4.108(3) or Rule 6.126(2) has not already been provided as part of the routine report) it is open to that committee to require the Respondent appointed to provide an account of the administration of the estate, including:-
 - 9.4.1 a summary of receipts and payments; and
 - 9.4.2 a statement that the Respondent has reconciled his or her accounts.
 - 9.5 In the case of CVLs and bankruptcles under the Insolvency Act 1986 where no iliquidation 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 that creditor to apply to Court for an Order that the Respondent appointed do provide such information as might otherwise be required by Rule

- 4.108(3) or Rule 6.126(2) (as the case may be). That is to say, an account of the administration of the estate, including:-
- 9.5.1 a summary of receipts and payments; and
- 9.5.2 a statement that the Respondent has reconciled his or her accounts.
- 9.6 Notification that the Respondent has been required to provide information referred to in paragraphs 9.4 or 9.5 above, whether by liquidation, creditors' committee or by Court Order on the application of any individual creditors, the Respondent's costs of so complying will, unless there are good reasons to the contrary, be paid as an expense of the bankruptcy or liquidation as the case may be.
- 9.7 In the case of liquidations under the Insolvency Act 1986, notification to each creditor and member of his/her right under Rule 11(2) (voluntary winding up) of the Insolvency Regulations 1994 to require the appointed Respondent to supply a statement of receipts and payments free of charge.
- 9.8 In the case of bankruptcies under the Insolvency Act 1986, notification to each creditor of his/her right under Rule 25 of the Insolvency Regulations 1994 to require the appointed Respondent to supply a statement of receipts and payments free of charge.
- 10. Liberty to each creditor of each estate to apply to vary or discharge this Order within 21 days of receipt of the notices directed to be sent under paragraph 9 above.
- An Order that following the Orders made in paragraphs 1 to 10 above, the bankruptcies, IVAs, CVAs, Administrations, Administrative Receivership, Compulsory Liquidations, CVLs and MVLs referred to in the Schedules be transferred back to the respective County Courts, District Registries and Royal Courts of Justice, as the case may be.
- 12. The costs of this application (including VAT) be aggregated and apportioned equally between each of the estates listed in the Schedules provided that:
 - if the costs which fall to be borne by any of the estates exceeds 10% of the realisable assets within that estate:
 - that estate shall only bear part of those apportioned costs, that part being an amount equal to 10% of that estate's readily realisable assets;
 - 12.3 the excess shall be apportioned and borne rateably amongst the other estates in proportion to their realisable assets.

13. Service of the said Application Notice be dispensed with.

Dated this 24 day of May 2013

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IN THE HIGH COURT OF

CASE NO. 701 OF 2013

JUSTICE

CHANCERY DIVISION

LEEDS DISTRICT

REGISTRY

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BETWEEN

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Applicant

and

(1) MR ROBERT NEIL DYMOND (2) MS LISA JANE HOGG (3) MS FIONA GRANT (4) MS GEMMA LOUISE ROBERTS

(5) MS KELLY ANNE BURTON

Respondents

CRAFF ORDER



hiw Keeble Hawson LLP Solicitors Commercial House Commercial Street Sheffield. S1 2AT

Reference: MRD/JMB/WIL2209/903 Solicitors for the Applicant

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SCHEDULE 7

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	members and creditors	27/09/2012	Lisa Jene Hogg	Robert Neil Dymond	Fosse Way Training Ltd T/a Pitman Training Centre	CVL	FOSS01C
ı	Members and Craditors	17/10/2012	Lisa Jane Hogg)Robert Neil Dymond	Fordbridge Building Services Limited	CVL	FORDOTC
	Members and Creditors	,03/10/2012	Lisa Jane Hogg	Gemma Lou se Roberts	F Bar Limited Va The Coach and Horses	S C	510a83
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Lise Jane Hogg Robert Neil Dymond 12/01/2011 members and creditors	Kurawcod Lunited	CVL	KURADZC

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The Porting Limited	The Online Group of Companies Limited	The JJ Group Limited	The Hercules Pub Company Ltd	The Ceramic Experience (Galashrels)	The Carpet Company (Ormskirk)		The Bg Adventure Store Limited	Telaer Services Limited	Tale Consulting Engineers Ltd						Startine Limited T/A Pear Tree Place	Specialist Electric Limited	South East Roofing & Building	Southern Curtainsider Services	SOS Healthcare Limited	Soar Valley Filters Limited	. Soan Engineenng Limited	S & L Construction (Poole) I imited		S D Sherwoods Restaurant Limited Va Sherwoods		S C Consulting Engineers Limited La SC Consulting		. SAS European Storage Solutions					, Roka Bathrooms Limited	_ Roger Webster Wholesale Limited	. Rock Solid Workwear Limited		Richpress Limited Va Status Design & Print	Rehance Building Services Limited	L Re-Give Limited	Recovery in Action Community
'Lısa Jane Hogg	Lisa Jane Hogg	Lisa Jane Hogg	Lisa Jane Hogg	Gemma Louise Roberts	Flona Grant	Lisa Jane Hogg	Gemma Louise Roberts	Lisa Jane Hogg	Frona Grant	Gemma Louise Roberts	Lisa Jane Hogg	Lisa Jane Hogg	Gemma Louise Roberts	Lisa Jane Hogg	Gemma Louise Roberts	Lisa Jane Hogg	Gemma Louise Roberts		Gemma Lou se Roberts		Gemma Lou se Roberts	Gemma Louise Roberts	Robert Nell Dymond	Gemma Louise Roberts	Robert Neil Dymond	Gemma Louise Roberts	Lisa Jane Hogg	Lisa Jane Hogg	Lısa Jane Hogg	Lisa Jane Hogg	Gemma Lou, e Roberts	Fiona Grant	Gemma Lovise Roberts	Lise Jane Hogg	Gemma Lo. se Roberts	Lisa Jane Hogg	Lisa Jane Hogg	Gemma Louise Arberts	Gemma Louise Roberts	Robert Neil Dymond
Robert Neil Dymond	Robert Neil Dymond	Robert Nell Dymond	Robert Nell Dymond	Lisa Jane Hoon	I sa Jane Hook	Hobert Neil Dymond	Lisa Jane Hoon	Gemma Louise Roberts	Lisa Jane Hogg	Lisa Jane Hogg	Gemma Louise Roberts	Robert Neil Dymand	Lisa Jane Hogg	Roberts		Hoberts	Lisa Jame Hogg	Robarts		Gemma Louise Roberts	Lisa Jane Hogg	Lka Jane Hogg	Lisa Jane Hogg	Lisa Jane Hogo	Lisa Jane Hogg	Lisa Jane Hogg	Gemma Louise Roberts	Gemma Louise Roberts	Gemma Louise Hoberts	Robert Neil Dymond	Lisa Jane Hogg	Lisa Jane Hogg	Lisa Jane Hogg	Robert Nell Dymond	Lisa Jane Hogg	Robert Nell Dymond	Robert Neil Dymond	Lisa Jane Hogg	Lisa Jane Hogg	Lea Jane Hogg
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Zebco Sports Europe (Holdings) Limited	Zebco Sports Group Limited	Xtel Communications (UK) Limited	Write Now Publications Limited	Walton Engineering (EA) Limited	Whiteside Plumbing Co Ltd	Weish & Co (Wilhemsea) Limited	VKD Communications Limited	Vision Office Management Limited	Ultimate Steet Limited	Ultimate Windows Limited	Two and Out Limited the The Surrey Tayern	TRS Motorsport Technology Limited	T R Morgan Limited	Trac Tech UK Limited	T & P Log stics Limited	Totally Tropicals Limited	Topdog Bulldozers Limited	Titan Transtecn Limited	The Sorcer Village Liss leed

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