

Rule 4 49C The Insolvency Act 1986

**Liquidator's Progress
Report****S.192****Pursuant to Sections 92A, 104A and 192 of the
Insolvency Act 1986**

To the Registrar of Companies

Company Number

08780061

Name of Company

(a) Insert full
name of
company**(a) BLUEINFINITAS LIMITED**(b) Insert full
name(s) and
addresses(s)**I (b)
Joseph Gordon Maurice Sadler
Elwell Watchorn & Saxton LLP
Cumberland House
35 Park Row
Nottingham NG1 6EE**the liquidator of the company attach a copy of my Progress Report under Section
192 of the Insolvency Act 1986

The Progress Report covers the period from 29 May 2015 to 28 May 2016

Signed



Date 22 June 2016

Joseph Gordon Maurice SadlerPresenter's
name,
address and
reference
(if any)**Joseph Gordon Maurice Sadler
Elwell Watchorn & Saxton LLP
Cumberland House
35 Park Row
Nottingham NG1 6EE****For Official Use**

TUESDAY



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COMPANIES HOUSE

JGMS MAC BLU02

22 June 2016

TO ALL MEMBERS & CREDITORS

Dear Sirs

**BLUEINFINITAS LIMITED
IN CREDITORS VOLUNTARY LIQUIDATION****Company number: 08780061****Office holder(s): Joseph Gordon Maurice Sadler****Date of appointment: 29 May 2015****Previous Registered Office: PO Box Suite 25, 137 Pastures Avenue, St Georges, Weston Super Mare BS22 7SB****Registered Office: Cumberland House, 35 Park Row, Nottingham NG1 6EE**

In accordance with Rule 4 49C of the Insolvency Rules 1986 (as amended), I write to provide all members and creditors of the company with an account of my acts and dealings and of the conduct of the winding-up for the period 29 May 2015 to 28 May 2016. This report should be read in conjunction with my initial report dated 29 May 2015.

I enclose the following documentation for your information -

- a) Liquidator's receipts and payments account
- b) Schedule of liquidator's remuneration and disbursements

Asset realisations

The overall asset realisations are generally higher than originally anticipated on the estimated statement of affairs as at 29 May 2015. This is attributable to greater than anticipated realisations from the cash at bank.

Cash at Bank

Upon closure of the company bank account held at Barclays Bank Plc, the credit balance in the sum of £7,114.27 was realised, when compared with the estimated statement of affairs figure at £6,700.

Tangible assets

In accordance with the provisions of Statement of Insolvency Practice 13, I confirm that the sale of the nominal computer hardware for the sum of £250 was completed on 06 July 2015 to a former director of the company. The sales proceeds are currently awaited and upon receipt will be in line with the estimated statement of affairs.

Commission Earned

The director is of the opinion that commission is due from financial intermediaries for referrals. I have liaised with these intermediaries and all have disputed that any commission is due and have stated that there may be a claim in respect of claw-back provisions typical of financial products. I am in receipt of funds totalling £1,341.93 which may relate to commissions earned and investigations are ongoing to clarify the company's entitlement to the funds.

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Elwell Watchorn & Saxton LLP, Cumberland House, 35 Park Row, Nottingham NG1 6EE

Elwell Watchorn & Saxton LLP is a limited liability partnership registered in England number OC311000
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Members: David Watchorn Limited, Graham Wolloff Limited, Joe Sadler Limited



Director's Current Account

I have been liaising with the company's former accountant who is reconciling the director's current account. Current evidence shows that there is a balance due to the company of £16,776 75 and the director has been requested to submit a proposal for repayment of the outstanding sum. For the purposes of this report no realisations are anticipated.

Fixed charge creditor

There were no secured creditors of the company.

Preferential creditors

There were no preferential creditors disclosed on the estimated statement of affairs however I am in receipt of two employee claims for arrears of wages and holiday pay in the sum of £2,223 04. I have received a claim from the Redundancy Payments Office in the sum of £1,529 79. In view of the lack of funds I have not sought to agree the preferential claims and I have not calculated any employee balancing claims. Current evidence suggests that there is unlikely to be a distribution to preferential creditors in this matter.

In summary, preferential claims in this matter total £1,529 79 and £nil has been distributed to this class of creditor.

Floating charge creditor

There was no creditor secured by a floating charge.

Non-preferential creditors

Crown creditors - The following non preferential claims have been received to date from the crown creditors -

	Per statement of affairs	Actual
	£	£
HM Revenue & Customs – PAYE and NIC	17,566	17,956 13
Redundancy Payments Office – Statutory Liabilities	-	820 10
	<u>17,566</u>	<u>18,776 23</u>

As indicated at the outset, there are no monies available to make a distribution to the non-preferential creditors and I have not taken steps to formally admit the creditors' claims.

I have been made aware of a number of investors wishing to make a claim in respect of poor performance in respect of financial products promoted by the company. I can confirm that I do not hold any investors' personal information. All investors who make contact are encouraged to commence a claim with the Financial Services Compensation Scheme ('FSCS') who, in conjunction with the Financial Conduct Authority, are assessing the validity of any claim. It is likely that the FSCS may lodge a claim in the liquidation but as yet any sum remains un-quantified.

In summary, non preferential claims in this matter totalled £48,200 on the estimated statement of affairs, formal claims have been received in the total sum of £19,140 82 and £nil has been distributed to this class of creditor.

Further work undertaken

In accordance with Statement of Insolvency Practice 2, I have made an initial assessment of whether there could be any matters that may lead to recoveries for the estate and what further investigations may be appropriate. My findings in respect of commissions earned and the director's current account are referred to above. I can also confirm that any relevant report has been submitted to the appropriate Government department or authority, including the report under the requirements of the Company Directors Disqualification Act 1986.

I have continue to pursue to proceeds regarding the assets of the company. I have processed the claims of the preferential creditors and I have also scheduled the claims of the non preferential creditors. I have dealt with queries raised by creditors, and a considerable number of investor's enquiries, as they have arisen.

Additionally, I have discharged my statutory duties as Liquidator in the day to day matters associated with the case. The appointee is bound by the Insolvency Code of Ethics when carrying out work relating to the insolvency appointment.

Outstanding matters

In summary, the following key matters remain outstanding -

- to realise the director's current account
- to declare a dividend to the preferential creditors, subject to favourable asset realisations and the costs of the liquidation

Liquidator's remuneration

The creditors previously approved a statement of affairs fee of £4,000 plus VAT. The initial creditors' meeting passed a resolution that the liquidator's remuneration be fixed on the basis of time costs properly incurred in attending to matters arising in the liquidation. I enclose a schedule which provides details of the time costs incurred and the liquidator's disbursements. To date, the liquidator has drawn no remuneration.

Additional information regarding how the liquidator will be paid can be downloaded at -

[http://www.r3.org.uk/media/documents/publications/professional/Guide to Liquidators Fees.pdf](http://www.r3.org.uk/media/documents/publications/professional/Guide%20to%20Liquidators%20Fees.pdf)

<https://www.r3.org.uk/what-we-do/publications/professional/fees>

Alternatively, a Creditor may obtain a printed copy by contacting this office directly.

Professional advisers engaged by the liquidator

I have instructed the following professional adviser to assist with the administration and progression of the case. The choice of adviser is based on their relevant experience and ability to perform this type of work, the nature and complexity of the specific assignment and the basis of the fee arrangement negotiated.

Adviser/Organisation	Service provided	Reason selected	Basis of fees	Fees paid this reporting period
MacIntyre Hudson	Accountancy advice regarding potential realisations	Client knowledge and experience	Time costs	£1,345.00

- * MacIntyre Hudson was engaged to review the company's books and records to reconcile movements on the director's current account. The agreed fee was £1,345.00.

The liquidator is satisfied that fees charged are considered reasonable in the circumstances of the case.

Declaration regarding treatment of VAT and accruals

In accordance with Statement of Insolvency Practice 7, all entries are shown net of VAT, with VAT recorded on a separate line. The receipts and payments account discloses all receipts and payments in the reporting period. However, there may be additional accrued expenditure due in respect of storage of company records and postage, stationery, telephone, mileage and external disbursements. These charges will be drawn upon case closure in accordance with the resolution already approved by creditors.

Disclaimer

This report has been circulated for the sole purpose of providing creditors with an update for information purposes only to fulfil the necessary statutory requirement. The contents are private and confidential and may not be relied upon, referred to, reproduced in whole or in part or otherwise used by creditors for any purpose other than providing an update for them for information purposes, or by any other person for any purpose whatsoever.

Yours faithfully



J G M Sadler

Liquidator

Licensed in the United Kingdom to act as an insolvency practitioner
by the Association of Chartered Certified Accountants

Enc

Receipts and Payments: BLU02 -**BLUEINFINITAS LIMITED IN CREDITORS VOLUNTARY LIQUIDATION**

Bank, Cash and Cash Investment Accounts: From: 29 May 2015 To: 28 May 2016

SOA Value £		Total to 28 May 2016	
		£	£
ASSET REALISATIONS			
0	Bank Interest Gross	2 37	
6,700	Cash at Bank on Appointment	7,114 27	
250	Tangible assets	0.00	
0	Third party funds	1,341 93	
6,950			8,458 57
COST OF REALISATIONS			
0	Accounting Fees	(1,345.00)	
0	Appointee Disbursements (Pre-appointment)	(243 90)	
0	Insolvency Bond	(36 00)	
0	Postage	(2 29)	
0	Preparation of Statement of Affairs	(4,000 00)	
0	Statutory Advertising	(253.80)	
0	VAT Irrecoverable	(1,175 74)	
			(7,056 73)
UNSECURED CREDITORS			
(85)	Director's loan account	0 00	
(17,566)	HM Revenue and Customs	0.00	
(30,549)	Trade and Expense Creditors	0 00	
(48,200)			0 00
EQUITY			
(100)	£1 Ordinary shares	0 00	
			0 00
(41,350)			1,401.84
REPRESENTED BY			
	Current Account - Interest bearing	1,401 84	
			1,401.84
			1,401.84

**BLUEINFINITAS LIMITED
IN CREDITORS VOLUNTARY LIQUIDATION**

SCHEDULE OF LIQUIDATOR'S REMUNERATION AND DISBURSEMENTS

Firm's charging policy

It is the firm's policy that all staff involved on an assignment will record all time spent on dealing with matters arising on that client and that the time will be categorised to show the type of activity carried out. The charge out rates of partners, directors and managers do not therefore include provisions for time spent by secretaries, cashiers and support staff. From 1 October 2015, additional categories of staff activity have been introduced to facilitate more detailed reporting where it is appropriate to do so.

The time cost to the estate is calculated by multiplying the time spent by the individual by their charge-out rate. Time is recorded in units of 6 minutes, with 10 units making up each hour of time spent. Charge-out rates are reviewed annually and are subject to change without prior notice. Full details of the rates applied to a specific case are available on application.

The charge-out rates of the persons involved in this case from commencement to the current time are as follows -

	Charge-out rate at commencement (up to £ per hour)
Partner	195 00
Director	165 00
Manager	135 00
Other professionals	105 00
Administrative staff	45 00

A guide to help creditors understand the law and their rights in relation to an insolvency process can be found at -

<http://www.creditorinsolvencyguide.co.uk>

Additional information regarding how the Insolvency Practitioner will be paid can be downloaded under "Fees" at -

<https://www.r3.org.uk/what-we-do/publications/professional/fees>

Alternatively, a creditor may obtain a printed copy by contacting this office directly.

Liquidator's remuneration

The fee agreed and paid for the preparation of the statement of affairs and convening the meetings of members and creditors was £4,000.

In relation to the liquidator's remuneration, the first meeting of creditors resolved that the liquidator's fees be fixed by reference to the time properly spent by the liquidator and his staff in attending to matters arising in the winding-up. The liquidator has ensured that case assignments have been carried out by appropriate grades of staff. The time costs during the course of my administration for the period covered by this report are summarised below -

Work category	Partner hours	Director hours	Manager hours	Professional staff hours	Admin staff hours	Total hours	Time cost £	Average hourly rate £
Administration (inc statutory reporting)	4.5	1.0	13.6	4.6	-	23.7	3,177.50	134.07
Investigations	9.5	-	2.3	-	-	11.8	2,163.00	183.31
Realisation of assets	7.7	-	2.6	-	-	10.3	1,852.50	179.85
Creditors (claims and distribution)	5.6	-	35.1	0.5	-	41.2	5,883.00	142.79
Totals	27.3	1.0	53.6	5.1	-	87.0	13,076.00	150.30

Due to the lack of funds available, no liquidator's remuneration has been drawn.

Liquidator's disbursements

The disbursements drawn to date can be summarised as follows -

Category 1, disbursements not requiring approval represent a re-charge to the estate for direct costs, payable to independent third parties, specifically incurred in the administration of the estate. In certain instances these costs were initially met from the firm's resources due to the lack of funds available at the time that payment was due.

Category 2, disbursements requiring approval, represent a charge to the estate for the costs incurred by the firm specifically in relation to the estate. The first meeting of creditors resolved that payment shall be made in respect of Category 2 disbursements as follows -

- External disbursements will be recharged at cost
- The in house storage of books and records will be charged at the rate of £1 per archive box per month for the duration of the liquidation period plus fifteen months in addition to the cost of boxes and ultimate confidential destruction
- Mileage will be charged at up to 45p per mile
- Postage, stationery and telephone are recharged at the rate of £2 per letter and £3 per copy of report in addition to the cost of postage

The Category 2 disbursements to date are as follows:-

<i>Nature of Disbursement</i>	<i>Paid in current period £</i>	<i>Total paid to period end £</i>	<i>Specific Accruals £ *</i>
Vehicle mileage up to 45p per mile	-	-	-
Postage, stationery and telephone	-	-	-
Storage (and confidential destruction) of company records	-	-	-
TOTAL	-	-	-

* I can confirm that due to the current lack of funds no disbursements will be drawn

Statement of creditors rights to receive further information

Within 21 days of receipt of this progress report, a creditor may request the office holder to provide further information about the remuneration and expenses set out in this report. A request must be in writing, and may be made by

- A secured creditor
- A non-preferential creditor with the concurrence of at least 5% in value of the creditors (including that creditor)
- Any non-preferential creditor with the permission of the court

The office holder must provide the requested information within 14 days, unless he considers that:

- the time or cost involved in preparing the information would be excessive, or
- disclosure would be prejudicial to the conduct of the proceedings or might be expected to lead to violence against any person, or
- the office holder is subject to an obligation of confidentiality in relation to the information requested, in which case he must give the reasons for not providing the information

Any creditor may apply to the court within 21 days of the office holder's refusal to provide the requested information, or the expiry of the 14 days time limit for the provision of the information.

Statement of creditors rights to challenge remuneration and/or expenses

Under Rule 4.131 of the Insolvency Rules 1986 (as amended), any secured creditor or any unsecured creditor with the concurrence of at least 10% in value of the unsecured creditors including that creditor, (or any unsecured creditors with less than 10% in value of the unsecured creditors, but with the permission of the court) may, within 8 weeks of receipt of this progress report, make an application to court on the grounds that the remuneration charged or the expenses incurred as set out in this progress report are excessive or, the basis fixed for remuneration is inappropriate.

A copy of our Standard Terms of Business may be downloaded from -
<http://www.ewslip.co.uk/downloads>

Alternatively, a Creditor may obtain a printed copy by contacting this office directly