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DOWNSHAW LODGE  
LIMITED



**IN THE HIGH COURT OF JUSTICE**  
**BUSINESS AND PROPERTY COURTS IN BIRMINGHAM**  
**BEFORE DISTRICT JUDGE RICH**  
**ON THE 2<sup>nd</sup> DECEMBER 2022**

INSOLVENCY AND COMPANIES LIST (CHD)

IN THE MATTER OF EASY2NAME LIMITED (IN MEMBERS VOLUNTARY LIQUIDATION) AND OTHERS CB-2022-BHM-000605

IN THE MATTER OF AZTECH BUILDING MAINTENANCE LIMITED (IN CREDITORS VOLUNTARY LIQUIDATION) AND OTHERS

IN THE MATTER OF A I FLOORING LIMITED (IN COMPULSORY LIQUIDATION) AND OTHERS

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

IN THE MATTER OF BEVERLEY MOORES (IN BANKRUPTCY) AND OTHERS

AND IN THE MATTER OF PETER BOROWIAK (IN IVA) AND OTHERS

AND IN THE MATTER OF AN OFFICE-HOLDER

AND IN THE MATTER OF THE INSOLVENCY ACT 1986

BETWEEN:

- (1) INSOLVENCY PRACTITIONERS ASSOCIATION
- (2) DAVID CHAPMAN FOR THE OFFICIAL RECEIVER

Applicants

- and -

- (1) ROBERT SADLER
- (2) DAVID NORMAN KAYE
- (3) RODERICK GRAHAM BUTCHER
- (4) MATTHEW DIX
- (5) NICOLA BAKER
- (6) STEVEN EDWARDS
- (7) PETER O'HARA
- (8) ADAM NAKAR
- (9) DOUGLAS PINTEAU
- (10) FRAZER ULRICK

Respondents

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ORDER

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SATURDAY



A5 31/12/2022 #288  
COMPANIES HOUSE

UPON the application of the Insolvency Practitioner Association (IPA) & David Chapman for The Official Receiver ("**the Application**")

**AND UPON** reading the witness statement of Martina Panayi, dated 25 November 2022

**AND UPON** the First Respondent, Robert Sadler, no longer holding a licence to act as a qualified Insolvency Practitioner within the jurisdiction of England and Wales

**IT IS ORDERED THAT:**

1. The insolvency proceedings listed in Schedules A to F hereto which are not currently before the High Court of Justice, Business and Property Courts of Birmingham Insolvency and Companies List (CD) ('BPC Birmingham') be transferred to BPC Birmingham for the purposes only of this Application and making this order, and the Applicants will seek to ensure that Frazer Ulrick of Westgates Restructuring Limited ("**the Successor Practitioner**") lodge a sealed copy of this Order with the Court having jurisdiction over each case affected by this Order immediately upon this order taking effect, and thereafter the proceedings which were transferred to the High Court shall be returned to the appropriate District Registry or County Court.
2. The First Respondent is removed from his office as Liquidator in respect of those companies in Members' Voluntary Liquidation which are set out in Schedule A hereto.
3. The Successor Practitioner is appointed as Liquidator in substitution for the First Respondent in respect of those companies which are set out in Schedule A hereto in which he is identified as the proposed appointee.
4. The First Respondent is removed from his office as Liquidator in respect of those companies in Creditors' Voluntary Liquidation which are set out in Part 1 of Schedule B hereto.
5. The Successor Practitioner is appointed as Liquidator in substitution for the First Respondent in respect of those companies which are set out in Part 1 of Schedule B hereto in which he is identified as the proposed appointee.
6. The First Respondent is removed from his office as Joint Liquidator in respect of those companies in Creditors' Voluntary Liquidation which are set out in Part 2 of Schedule B of the Schedule hereto.
7. The Successor Practitioner is appointed as Joint Liquidator in substitution for the First Respondent in respect of S.D.P. Floor Screeds Limited.
8. The First Respondent is removed from his office as Liquidator in respect of those companies in Compulsory Liquidation which are set out in Schedule C hereto.
9. The Successor Practitioner is appointed as Liquidator in substitution for the First Respondent/Official Receiver in respect of those companies which are set out in Schedule C hereto in which he is identified as the proposed appointee.

10. The First Respondent is removed from his office as Supervisor in respect of those companies in Company Voluntary Arrangements (CVAs) which are set out in Schedule D hereto.
11. The Successor Practitioner is appointed Supervisor in substitution for the First Respondent in respect of those companies which are set out in Schedule D hereto in which he is identified as the proposed appointee.
12. The First Respondent/Official Receiver is removed from his office as Trustee in Bankruptcy in respect of the individuals set out Schedule E hereto.
13. The Successor Practitioner is appointed as Trustee in Bankruptcy in substitution for the First Respondent/Official Receiver in respect of the individuals which are set out in Schedule E hereto in which he is identified as the proposed appointee.
14. The First Respondent is removed from his office as Supervisor in respect of the Individual Voluntary Arrangements (IVAs) which are set out in Schedule F hereto.
15. The Successor Practitioner is appointed as Supervisor in substitution for the First Respondent in respect of the individuals which are set out in Schedule F hereto in which he is identified as the proposed appointee.
16. The Successor Practitioner shall give notice of his appointment to all creditors, members (in the case of the members' voluntary liquidation) and debtors (in the case of company voluntary arrangements and individual voluntary arrangements) of the appointments which are listed in Schedules A to F hereto within 28-days from the date of this Order by way of a block advertisement in the Gazette, giving notice:
  - 16.1 of the removal of the First Respondent and the substitution of the Successor Practitioner; and
  - 16.2 that any creditors, members (in the case of the members' voluntary liquidation) and debtors (in the case of company voluntary arrangements and individual voluntary arrangements) affected by this Order have liberty to apply to the Court within 28-days after the notice has been advertised to set aside or vary the terms of this Order
17. The period to be covered by any progress reports relating to the appointments which are listed in Schedules A to F hereto and the dates by which those reports need to be sent out shall not be altered by virtue of the making of this Order or the replacement of the First Respondent by the Successor Practitioner pursuant to this Order; and for the avoidance of doubt, any such requirements necessitating an alteration in the reporting dates by reason of the date of commencement, termination or replacement of any appointments, are hereby waived.
18. Provided that the Successor Practitioner takes reasonable steps to ensure that he complies with the deadlines for any reporting or other obligations under the Insolvency Act 1986 and the Insolvency Rules 2016, any breach of any such deadlines shall not constitute an offence for the purposes of these provisions or make the Successor Practitioner liable for any sanction or fine.
19. In relation to any appointments over which the First Respondent is or was appointed as the office holder which are not listed in Schedules A to F hereto, the Applicant has permission to restore this

Application for the purpose of the removal of the First Respondent and transferring to the Successor Practitioner those appointments and the appointments of any other person(s) with whom the First Respondent may hold or have held office jointly (subject, where appropriate, to that person / those persons consenting to the transfer of appointment(s))

20. In respect of any of the insolvent estates which are listed in Schedules A to F hereto, the Successor Practitioner shall be at liberty to give notice of statutory final meetings by way of advertisement in the Gazette. Any such advertisement shall be made within 3- months of the date of this Order or (if later) within 3-months of the date of receipt by the Successor Practitioner of the First Respondent's working files in respect of the insolvent estate which is to be the subject of the final meeting.
21. If any of the appointments hereby transferred are intended by the Successor Practitioner to be closed upon transfer to him, the final notices to creditors, members and debtors (with a vested interest in the insolvent estate) and the closure may be provided by means of an advertisement in the Gazette within 3-months of receipt by the Successor Practitioner of the relevant case files.
22. The First Respondent is prohibited from drawing any remuneration or withdrawing any other monies whatsoever from the insolvent estates which are identified in Schedules A to F hereto without the permission of the Court or the written consent of the Successor Practitioner.
23. The First Respondent do forthwith deliver up and transfer to the Successor Practitioner any monies or other assets, books, records and working files in his possession, custody, power or control which belong or relate to any of the insolvent estates which are listed in Schedules A to F hereto, including but not limited to taking all reasonable steps to facilitate the Successor Practitioner obtaining an IPS cloud licence from Turnkey (registered to the Successor Practitioner's email address) and accessing all electronic case files via sharepoint.
24. The First Respondent is not entitled to any indemnity in respect of the costs of this Application and, accordingly, the First Respondent is not entitled to charge those costs as a cost or expense of the insolvent estates, which are listed in Schedules A to F hereto.
25. That the order of priority of the costs and expenses in respect of the insolvent estates which are listed in Schedules A to F hereto be varied, such that any costs and expenses of the First Respondent shall rank behind those of the Successor Practitioner pursuant to Section 156 Insolvency Act 1986 and Rule 10.149 Insolvency Rules 2016.
26. Any creditor, member (in the case of the members' voluntary liquidations) and debtors (in the case of individual voluntary arrangements or company voluntary arrangement) of the appointments which are listed in Schedules A to F hereto who has an objection to this Order shall have 28-days from the notice referred to in paragraph 16 above to apply to Court to set aside or vary the terms of this Order. Such application shall not affect the transfer of any of the appointments, which are listed in Schedules A to F hereto until further or other Order by the Court.
27. There be permission to the Applicants to apply to add appointments to the Application and to this Order if further appointments are discovered over which the First Respondent is appointed and generally.

28. The Successor Practitioner shall give notice to the Secretary of State and the Registrar of Companies of the terms of this Order as soon as reasonably practicable upon it taking effect and shall also file a copy of this Order with the Courts listed in Schedules A to F hereto.
29. The First Respondent shall receive his release as office holder in respect of the cases listed in the Schedules hereto, subject to and conditional on the Successor Practitioner providing written confirmation to the Court that he is satisfied that the First Respondent has delivered up to him all necessary information and documentation in relation to the insolvency estates listed in the Schedule hereto. Save that such release may be subject to further order in the event of an application by any creditor or member under paragraph 26 of this order for the specific case subject to that application.
30. The costs of this Application shall be paid as an expense of the insolvency cases and shall be apportioned equally between each of the cases listed in Schedules A to F (excluding Part 2 of Schedule B) such that the estate of each of the cases listed in Schedules A to F (excluding Part 2 of Schedule B) shall bear an equal proportion of the costs, or such other share as the Successor Practitioner may decide, but subject to any such proportion not exceeding a sum equivalent to 10% of the asset realisations in any such case as at the date of this Order.
31. This Order has been made by the Court under CPR 23.9 as the Court has disposed of an application without hearing and without service. Any party may apply to have this order set aside or varied within 7 days of the date of service of this order on that party.
32. This order has been made by the Court under CPR 23.9, as the court has disposed of an application without hearing and without service. Any party may apply to have this order set aside or varied within 7 days of the date of service of this order on that party.
33. The Claimant's Solicitors to serve this Block Transfer Order upon the Defendants.

#### **IMPORTANT NOTICE TO THE FIRST RESPONDENT**

**YOU MUST OBEY THIS ORDER AND SHOULD READ IT CAREFULLY.**

**WARNING:** IF YOU FAIL TO COMPLY WITH THIS ORDER WITHOUT REASONABLE EXCUSE HAVING BEEN GIVEN TO AND ACCEPTED BY THE COURT, YOU WILL BE GUILTY OF CONTEMPT OF COURT AND A WARRANT MAY BE ISSUED FOR YOU TO BE ARRESTED AND BROUGHT BEFORE THE COURT FOR EXAMINATION. YOU MAY ALSO BE SENT TO PRISON, FINED OR HAVE YOUR ASSETS SEIZED.

**YOU MAY ALSO BE PREVENTED FROM MAKING ANY APPLICATIONS TO COURT IF YOU DO NOT DISCHARGE THESE OBLIGATIONS BY THE DUE DATE.**

## Schedule A: Members Voluntary Liquidations

Case name	Lead IP	Replacement IP	Type	Appointed on	Court Case Number	Asset Realisations	Future Anticipated Realisations
Easy2name Limited	Rob Sadler	Frazer Ulrick	MVL	24/03/2021		£ -	£ -
HC Associates Limited	Rob Sadler	Frazer Ulrick	MVL	19/12/2019		£ -	£ -
Higginson Homes Limited	Rob Sadler	Frazer Ulrick	MVL	28/05/2022		£ 3,832	£ -
Howard Consulting Limited	Rob Sadler	Frazer Ulrick	MVL	08/06/2021		£ -	£ -
Lightaway Limited	Rob Sadler	Frazer Ulrick	MVL	14/05/2022		£ 4,642	£ -
Newgate Estate (Hackness) Limited	Rob Sadler	Frazer Ulrick	MVL	28/02/2020		£ 10,813	£ -
Rossefield Estates, Limited	Rob Sadler	Frazer Ulrick	MVL	25/02/2021		£ 33,580	£ -
Say It Personally Ltd	Rob Sadler	Frazer Ulrick	MVL	24/03/2021		£ -	£ -

## Schedule B: Creditors Voluntary Liquidations

### Part 1:

Case name	Lead IP	Replacement IP	Current Type	Appointed on	Court Case Number	Asset Realisations	Anticipated Realisations
Aztech Building & Maintenance Limited	Rob Sadler	Frazer Ulrick	CVL	14/06/2022		£ 1,571	Uncertain
Blue Moon Sport Limited	Rob Sadler	Frazer Ulrick	CVL	03/05/2022		£ -	£ -
BWR Haulage Limited	Rob Sadler	Frazer Ulrick	CVL	15/10/2020		£ 10,770	£ -
Cobain Roofing Ltd	Rob Sadler	Frazer Ulrick	CVL	07/10/2020		£ 2,789	Uncertain
Dale Scaffolding Co. Ltd	Rob Sadler	Frazer Ulrick	CVL	18/05/2022		£ 500	£ 5,000
Definitive Media Worldwide Ltd	Rob Sadler	Frazer Ulrick	CVL	10/06/2022		£ -	£ -
Derwent Vale Building Services Limited	Rob Sadler	Frazer Ulrick	CVL	15/10/2020		£ -	£ -
Eagle Roofing (UK) Limited	Rob Sadler	Frazer Ulrick	CVL	22/06/2021		£ 33,031	£ 50,000
Evora Construction Limited	Rob Sadler	Frazer Ulrick	CVL	05/10/2020		£ 11	£ 100,000
Heavenly Services (UK) Ltd	Rob Sadler	Frazer Ulrick	CVL	4-May-2022		£ -	Uncertain
Lunchbox Theatrical Productions Limited	Rob Sadler	Frazer Ulrick	CVL	09/10/2019		£ 4,119	Uncertain
Market Weighion Social Club Limited	Rob Sadler	Frazer Ulrick	CVL	11/06/2019		£ 116,709	£ -
Northbank Demolition Company Limited	Rob Sadler	Frazer Ulrick	CVL	28/02/2020		£ 325,774	£ -
Rainham Insulation Services Limited	Rob Sadler	Frazer Ulrick	CVL	11/07/2019		£ 27,389	£ -
Room 2 Music Limited	Rob Sadler	Frazer Ulrick	CVL	03/05/2022		£ -	£ -
Sofia Rose Transport Limited	Rob Sadler	Frazer Ulrick	CVL	15/10/2020		£ -	£ -
Steve Bromwich Consultants Limited	Rob Sadler	Frazer Ulrick	CVL	13/06/2022		£ -	£ -
T J Barbers Ltd	Rob Sadler	Frazer Ulrick	CVL	23/06/2022		£ 379	£ -
Ultimate Style Worldwide Salons Limited	Rob Sadler	Frazer Ulrick	CVL	19/07/2021		£ -	£ -

### Part 2:

Case name	Lead IP	Replacement IP	Current Type	Appointed on	Court Case Number	Asset Realisations	Anticipated Realisations
			Joint IP				

European Commercial Interiors Limited	David	N/A	CVL	15/10/2020		
Lakeside Ceilings & Partitions Limited	Roderick Graham	N/A	CVL	15/10/2020		
Middleton Clarke Ltd	Matthew Dix	N/A	CVL	15/10/2020		
Northcliffe Motor Services Limited	Nicola Baker	N/A	CVL	15/10/2020		
Shakespeare's Rose Theatre Ltd	Steven	N/A	CVL	01/10/2019		
Farpod Limited	Peter O'Hara	N/A	CVL	15/10/2020		
S.D.P Floor Screeds Limited	Rob Sadler	Frazer Ulrick	Adam Nakar & Douglas Pintreau	CVL	15/10/2020	
						Uncertain
						Uncertain



**Schedule C: Compulsory Winding Up**

Case name	Lead IP	Replacement IP	Type	Appointed on	Court	Case	Asset	Future Anticipated Realisations
						Number	Realisations	
A I Flooring Limited	Rob Sadler	Frazer Ulrick	WUC	15/10/2020			£ 2,682 £	10,000
Dynamic Drill and Fire Limited	Rob Sadler	Frazer Ulrick	WUC	15/10/2020			£ 3,029	Uncertain
ICD Roof Solutions Limited	Rob Sadler	Frazer Ulrick	WUC	18/11/2019			£ 9,664	Uncertain
J A Haworth Ltd	Rob Sadler	Frazer Ulrick	WUC	05/02/2021			£ 10,415	Uncertain

# **Schedule D - Company Voluntary Arrangements**

<b>Case name</b>	<b>Lead IP</b>	<b>Replacement IP</b>	<b>Type</b>	<b>Appointed on</b>	<b>Court Case Number</b>	<b>Asset Realisations</b>	<b>Future Anticipated Realisations</b>
Downshaw Lodge Limited	Rob Sadler	Frazer Ulrick	CVA	18/09/2019		£ 600	£ -
MYA Clinics Ltd	Rob Sadler	Frazer Ulrick	CVA	08/01/2020		£ 8,085	£ 1,300,000
York Cocoa House Ltd	Rob Sadler	Frazer Ulrick	CVA	22/01/2020		£ 542	£ 310,000

## Schedule E - Bankruptcies

Case name	Lead IP	Replacement IP	Type	Appointed on	Court	Case Number	Asset Realisations	Future Anticipated Realisations
Beverley Moores	Rob Sadler	Frazer Ulrick	Bankruptcy	25/07/2019		£	8,086	£ 75,000
Gary John Adams	Rob Sadler	Frazer Ulrick	Bankruptcy	15/10/2020		£	8,171	£ 50,000
Graham Ian Disbrey	Rob Sadler	Frazer Ulrick	Bankruptcy	15/10/2020		£	7,663	Uncertain
James Robert Chapman	Rob Sadler	Frazer Ulrick	Bankruptcy	11/06/2019		£	8,113	£ 71,780
Michael Bartusek Coelho	Rob Sadler	Frazer Ulrick	Bankruptcy	15/10/2020		£	-	£ -
Paul Martin Clayton	Rob Sadler	Frazer Ulrick	Bankruptcy	15/10/2020		£	32	£ 150,000
Whitehouse, Albert	Rob Sadler	Frazer Ulrick	Bankruptcy	19/12/2019		£	-	£ -
Rayasal Ali Khan	Rob Sadler	Frazer Ulrick	Bankruptcy	15/03/2010		£	-	£ -

# **Schedule F: Individual Voluntary Arrangements**

Case name	Lead IP	Replacement IP	Type	Appointed on	Case Number	Asset Realisations	Future Anticipated Realisations
Peter Borowiak	Rob Sadler	Frazer Ulrick	IVA	07/09/2020		£ 91,361	£ -
Toni Patricia Palmer	Rob Sadler	Frazer Ulrick	IVA	07/09/2020		£ 3,865	£ -
Thomas Andrew Edward Staunton	Rob Sadler	Frazer Ulrick	IVA	21/01/2021		£ 2,260	£ 36,000
Trevor Leslie Mudd	Rob Sadler	Frazer Ulrick	IVA	19/06/2020		£ -	£ -