

SEPARATOR SHEET



Claim No:CR-2023-002688
IN THE HIGH COURT OF JUSTICE
BUSINESS AND PROPERTY COURTS OF ENGLAND AND
WALES
COMPANIES COURT (ChD)



CR-2023-002688

IN THE MATTER OF CETEX.ONLINE LIMITED
AND IN THE MATTER OF FLOFORTE LIMITED
AND IN THE MATTER OF THE COMPANIES ACT 2006

ICC Judge Barber

11 July 2023

BETWEEN

MR JONATHAN BAILEY

Claimant

-and-

(1) THE REGISTRAR OF COMPANIES
(2) CETEX.ONLINE LIMITED
(3) FLOFORTE LIMITED

Defendants

ORDER

UPON the claim by Part 8 Claim Form issued on 23 May 2023

AND UPON reading the evidence filed

AND UPON reading the letter of non-objection dated 2023 from the First Defendant

AND UPON hearing Counsel for the Claimant, Mr Max Cole and the Defendants not attending

AND UPON the Court declaring, for the purposes of section 1096(1) of the Companies Act 2006 (the "Act"), that the material on the register maintained by the First Defendant and set in in paragraph 1 and 2 below is factually inaccurate, or derived from something which is factually inaccurate, or forged

AND UPON the Court being satisfied, for the purposes of section 1096(3) of the Act that the presence of that material on that register has caused or may cause damage to the Second Defendant and Third Defendant and the interests of those Defendants in removing that material outweighs any interest of other persons in that material continuing to appear on the register

AND UPON the Court further declaring, for the purposes of s125 of the Act that the name of the Claimant has been entered in the registers of members of the Second Defendant and Third Defendant without sufficient cause

AND UPON the Court further declaring for the purposes of s790V of the Act that the name of the Claimant has been entered on the register of people with significant control over the Third Defendant

IT IS ORDERED THAT:

1. Pursuant to section 1096 of the Act, the register in respect of the Second Defendant (company number 11130034) maintained by the First Defendant shall be rectified as follows:
 - a. On the form IN01(e) by striking out the name "Jonathan Henry Bailey" as company director, holder of 300000 ordinary shares and person who signed the certificate of compliance.
 - b. In the memorandum of association, by striking out the name "Jonathan Henry Bailey" as subscriber.
 - c. On the "people" section of the Companies House website, by striking out the name "Jonathan Henry Bailey" as director.
2. Pursuant to section 1096 of the Act, the register in respect of the Third Defendant (company number 10919543) maintained by the First Defendant shall be rectified as follows:
 - a. On the form IN01(e) by striking out the name "Jonathan Bailey" as company secretary, company director, holder of 1 ordinary share, person with significant control and person who signed the certificate of compliance.
 - b. In the memorandum of association, by striking out the name "Jonathan Bailey" as subscriber.
 - c. On the "people" section of the Companies House website, by striking out the name "Jonathan Bailey" as director and as a person with significant control.
3. The register of members of the Second Defendant shall pursuant to s125 of the Act be rectified by striking out the name Jonathan Henry Bailey as the holder of shares.
4. The register of members of the Third Defendant shall pursuant to s125 of the Act be rectified by striking out the name Jonathan Bailey as the holder of shares.
5. The register of people with significant control over the Third Defendant be rectified by striking out the name Jonathan Bailey.
6. The rectifications described in paragraphs 1-5 above shall take effect from the dates of incorporation of the Second Defendant and Third Defendant, such that the Claimant shall be deemed never to have held the statuses described.

7. A copy of this Order shall be delivered to the First Defendant who shall ensure that the register maintained by the First Defendant and the information about the Second and Third Defendants publicly available at Companies House (including Companies House online) shall be amended accordingly.
8. The Second Defendant and Third Defendant shall jointly pay the costs of and occasioned by the claim, to be assessed if not agreed Costs against D2 and D3]
9. No order as to costs in respect of the First Defendant.
10. This order shall be served by the Claimant on the Defendants.
11. Liberty to apply to ICC Judge Barber.

Service of the Order

The Court has provided a sealed copy of this order to the serving party:
Northover Law, 6 Deanery Street, London W1K 1BA, (jnorthover@northoverlaw.co.uk)