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IN THE HIGH COURT OF JUSTICE IN NORTHERN IRELAND
CHANCERY DIVISION
(BANKRUPTCY AND COMPANIES)

IN THE MATTER of the Companies (Northern Ireland) Order 1986

AND IN THE MATTER of A&L Security Management Limited

BETWEEN:

SEAN McCAFFERTY

APPLICANT:

And

HIGH COURT OF JUSTICE
28 MAY 2008
NORTHERN IRELAND

THE REGISTRAR OF COMPANIES

RESPONDENT:

I, Matthew Higgins, Solicitor of 296 Cliftonville Road, Belfast, make Oath and say as follows:-

1. I am a partner in the firm of Higgins Hollywood Deazley, the Solicitors on record for the Applicant and am duly authorised to make this Affidavit on his behalf and in support of the Application herein to restore A&L Security Management Limited to the Register of Companies for Northern Ireland.

2. I beg to refer to the following pleadings when produced pinned together and marked 'MFH1' at the time of swearing hereof:-

   (i) Writ of Summons issued on the 19 January 2005;

   (ii) Statement of Claim served the 16 February 2005;

   (iii) Order of Master Wilson dated 22 June 2006 pursuant to which the Applicant was given liberty to amend the Writ of Summons to identify the First Named Defendant by its proper corporate identity, that is A&L Security Management Ltd;

   (iv) Order of Master McCorry dated 12 February 2007 extending time for the Applicant to comply with the aforesaid Order of Master Wilson;

   (v) Order marking default judgement against the First Named Defendant dated 22 December 2006;

   (vi) Order Setting Aside Default Judgement dated 13 March 2007.

3. As appears, the Applicant claims damages for personal injuries, loss and damage sustained by him on the 2 February 2003, while a lawful visitor to a night club owned by the Second Named Defendant. It is alleged that on the night in question, the Applicant was subjected to a vicious assault by servants

and agents of the First Named Defendant, the security company, as a result of which the Applicant sustained serious personal injuries, loss and damge.

4. A&L Security Management Ltd was incorporated under the Companies (Northern Ireland) Order 1986 on 2 July 2002 and I beg leave to refer to copies of the Certificate of Incorporation and Memorandum and Articles of Association of the said company pinned together by me at the time of swearing hereof and marked 'MFH2'.

5. The aforesaid company was, I believe, dissolved on 24 November 2006 for failing to file documents.

6. I am advised by Counsel and believe that there is a strong prima facie case against the company in question and that in order to pursue the Applicant's personal injuries claim it is essential that an Application be made to restore the company to the Register.

7. The Originating Summons herein has been served upon both the Registrar and the Crown. Correspondence from the latter is now shown to me and marked'MFH3'.

8. The company insurers have indicated that they are not indemnifying the Security Company but the Applicant ultimately will be relying on his rights under the Third Parties Rights Against Insurers Act 1930.

9. By reason of the foregoing, I humbly ask this Honourable Court to grant the relief claimed herein.

10. Save as where otherwise appears, I depose to the foregoing from facts within my own knowledge and belief.

Sworn at 458 OLD PARK ROAD, BELFAST
This 23RD day of MAY 2008
Before me a Solicitor empowered to administer Oaths in the Supreme Court of Judicature in Northern Ireland

This Affidavit is filed on behalf of the Applicant by Higgins Hollywood Deazley, Solicitors, 296 Cliftonville Road, Belfast BT14 6LE, Solicitors for the Applicant.

IN THE HIGH COURT OF JUSTICE IN NORTHERN IRELAND
CHANCERY DIVISION
(BANKRUPTCY AND COMPANIES) 08/56304

IN THE MATTER of the Companies (Northern Ireland) Order 1986

AND IN THE MATTER of A&L Security Management Limited

BETWEEN:

SEAN McCAFFERTY

APPLICANT:

And

THE REGISTRAR OF COMPANIES

RESPONDENT:

LET THE REGISTRAR OF COMPANIES attend before the Master in Chambers, Royal Courts of Justice, Chichester Street, Belfast, on the 5th day of June 2008, at 10.00 am, on the hearing of an Application by the Applicant for the following relief, namely:-

1. An Order restoring A&L Security Management Limited to the Register of Companies pursuant to Article 604 (2) of the Companies (Northern Ireland) Order 1986.

2. Further or other relief.

3. An Order providing for the costs of this Application

Counsel for the Applicant - Paula Ranaghan

Dated this 23 day of May 2008

Signed: Higgins Hollywood Deazley

Higgins Hollywood Deazley
296 Cliftonville Road
Belfast
Solicitors for the Applicant

To: The Registrar of Companies
Waterfront Plaza, Belfast

To: The Crown Solicitor
Royal Courts of Justice
Chichester Street, Belfast

NOTE

This Summons may not be served later than 12 months beginning with the above date unless renewed by Order of the Court.

If a Respondent does not attend personally or by his Counsel or Solicitor at the time and place above mentioned, such Order will be made as the Court may think just and expedient

Registry of Companies, Credit Unions & Industrial Provident & Friendly Societies

Department of
Enterprise, Trade and Investment
www.detini.gov.uk

1st Floor
Waterfront Plaza
8 Laganbank Road
Belfast BT1 3BS
Tel: 02890 905303
Email: david.bennett@detini.gov.uk

HIGGINS,HOLLYWOOD,DEAZLEY
296 CLIFTONVILLE RD
BELFAST
BT14 6LE

04/06/08

Dear Sir

Re: A&L SECURITY MANAGEMENTLTD NI 43597

I refer to your letter dated 02/06/08 regarding the above company.

The Company was dissolved and was removed from the Register on 24/11/06

I have no objection to the Restoration of the company provided that an undertaking is given: -

(1) to pay the costs of restoration to the Register of Companies (£50);

(2) to pay the costs of publishing the notice of restoration in the Belfast Gazette;

(3) to file appropriate forms when the company is to be struck off.

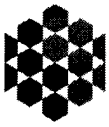
I have copied this letter to the Master (Bankruptcy) and the Crown Solicitors.
The Registrar will be not represented at the hearing on 05/06/08.

Yours sincerely

FRANCES BROWN

[redacted]

Registry of Companies, Credit Unions & Industrial Provident & Friendly Societies



Department of
Enterprise, Trade and Investment
www.detini.gov.uk

1st Floor
Waterfront Plaza
8 Laganbank Road
Belfast BT1 3BS
Tel: 02890 905303
Email: david.bennett@detini.gov.uk

Mr J Leonard
Crown Solicitors Office
Royal Courts of Justice
Chichester Street
BELFAST

04/06/08

Dear Mr Leonard

APPLICATION TO RESTORE A COMPANY TO THE REGISTER –

A&L SECURITY MANAGEMENT LTD NI 43597

Please find copy of correspondence attached for your information.

Yours sincerely

FRANCES BROWN
COMPANIES REGISTRY

Registry of Companies, Credit Unions & Industrial Provident & Friendly Societies

Department of
Enterprise, Trade and Investment
www.detini.gov.uk

1st Floor
Waterfront Plaza
8 Laganbank Road
Belfast BT1 3BS
Tel: 02890 905329
Email:

Master (Bankruptcy)
Chancery Division
Royal Courts of Justice
Chichester Street
BELFAST

04/06/08

Dear Sir

APPLICATION TO RESTORE A COMPANY TO THE REGISTER –

A&L SECURITY MANAGEMENT LTD NI 43597

Please find copy of correspondence attached for your information.

Yours sincerely

FRANCES BROWN
COMPANIES REGISTRY

Registry of Companies, Credit Unions & Industrial Provident & Friendly Societies

Department of
Enterprise, Trade and Investment
www.detini.gov.uk

1st Floor
Waterfront Plaza
8 Laganbank Road
Belfast BT1 3BS
Tel: 028 905329
Textphone: 028 9052 9304
Fax: 028 90905291
Email:

The Editor
The Belfast Gazette
16 Arthur Street
BELFAST
BT1 4GD

12/06/08

Dear Sir/Madam

PUBLICATION OF RESTORATION NOTICE

NI 043597 A&L SECURITY MANAGEMENT LIMITED

Please arrange for publication of the enclosed notice.

Your invoice should be sent to; -

Mrs Frances Brown
Companies Registry
First Floor
Waterfront Plaza
8 Laganbank Road
Belfast
BT1 3BS

CMS updated
Cardiff informed
Compliance informed

F.Brown
12/6/08

Yours sincerely

FRANCES BROWN

IN THE HIGH COURT OF JUSTICE IN NORTHERN IRELAND
CHANCERY DIVISION (COMPANIES)

In the matter of A&L SECURITY MANAGEMENT LIMITED and in the matter of the Companies (Northern Ireland) Order 1986.

Notice is hereby given that by an Order made on 05th JUNE 2008 upon the application by originating summons filed on 28th MAY 2008 of the above-named A&L SECURITY MANAGEMENT LIMITED (hereinafter called "the company") upon reading the evidence, and upon hearing the Solicitor for the Applicants and the Solicitor for the Respondents, and the Applicants by their Solicitor's undertaking within seven days of receiving a demand for payment from the Registrar of Companies to pay to the Registrar of Companies the costs of inserting the notice of restoration in the Belfast Gazette and there being no opposition on behalf of her Majesty or the Registrar of Companies to the relief sought by the originating summons, it is ordered that –

1. the name of the above-named A&L SECURITY MANAGEMENT LIMITED be restored to the Register of Companies;

2. the Applicant to deliver an office copy of this Order to the Registrar of Companies within seven days of the Order being filed;

3. the Registrar of Companies do advertise the Order in his official name in the Belfast Gazette.

FRANCES BROWN
For Registrar of Companies for Northern Ireland