

331803

ACTIONLEISURE PLC

IN THE HIGH COURT OF JUSTICE

Claim No. 3CH 00279

CHANCERY DIVISION

LEEDS DISTRICT REGISTRY

IN THE MATTER OF 132nd LEGIBUS AND 59 OTHER COMPANIES IN
ADMINISTRATION

IN THE MATTER OF K AND AE TIPLING TRADING AS INSTRIP DEMOLITION

IN THE MATTER OF AGB INTERNATIONAL PLC AND 38 OTHER COMPANIES
IN COMPANY VOLUNTARY ARRANGEMENT

IN THE MATTER OF GOODA AND PARTNERS LIMITED AND 6 OTHER
COMPANIES IN CREDITORS VOLUNTARY LIQUIDATION

IN THE MATTER OF BZW CONVERTIBLE INVESTMENT TRUST PLC IN
MEMBERS VOLUNTARY LIQUIDATION

IN THE MATTER OF COAL INVESTMENTS MINE LIMITED AND 2 OTHER
COMPANIES IN COMPULSORY LIQUIDATION

IN THE MATTER OF WALTER ERIC DEICHER AND 8 OTHERS IN
BANKRUPTCY

IN THE MATTER OF FRANCIS WILLIAM PEEBLES AND 1 OTHER IN
VOLUNTARY ARRANGEMENT

IN THE MATTER OF THE HOMEBAKERY AN INSOLVENT PARTNERSHIP

AN IN THE MATTER OF THE INSOLVENCY ACT 1986

AND IN THE MATTER OF AN OFFICE HOLDER AND OTHERS



- (1) MURDOCH LANG MCKILLOP
- (2) ALAN DAVID LEWIS
- (3) IVAN MARK JACQUES
- (4) ALAN JACOB KATZ
- (5) IAIN THOMAS WATTERS
- (6) PHILLIP ROBERT SYKES
- (7) ANTHONY WILLIAM BRIERLEY

Applicants

and

- (1) MARTIN FISHMAN
- (2) DAVID DUGGINS
- (3) ADRIAN JOHN WOLSTENHOLME
- (4) SIMON ALLPORT
- (5) RICHARD DIXON FLEMING
- (6) IAN BEST
- (7) GARRY WILSON
- (8) IAN PETER PHILIPS
- (9) COLIN PETER DEMPSTER
- (10) ROY BAILEY



Respondents

ORDER

UPON the Application of Murdoch Lang McKillop & Others dated 23 June 2003

AND UPON hearing Counsel for the Applicants and there being no attendance by the Respondents

AND UPON reading the Witness Statements of Murdoch Lang McKillop and others and the exhibits thereto.

BY CONSENT it is ordered that:

- 1 The schedule to the said Application be amended as appears on the Schedule attached to this Order.
- 2 Such of the insolvency proceedings set out in the attached schedule herein that are proceeding in any Court other than this Court be transferred to this Court for the purposes of this Application and thereafter be transferred back to that Court.

- 3 The First Applicant be removed from his office of Administrator of the Administrations set out in the schedule herein.
- 4 The First Applicant be removed from his office of Supervisor of the Voluntary arrangements set out in the schedule herein.
- 5 The First Applicant be removed from his office of Liquidator of the Liquidations set out in the schedule herein.
- 6 The Second Applicant be removed from his office of Administrator of the Administrations set out in the schedule herein.
- 7 The Second Applicant be removed from his office of Liquidator of the Liquidations set out in the schedule herein.
- 8 The Third Applicant be removed from his office of Administrator of the Partnership Administration set out in the schedule herein.
- 9 The Fourth Applicant be removed from his office of Trustee of Bankruptcies the set out in the schedule herein.
- 10 The Fourth Applicant be removed from his office of Supervisor of the Voluntary Arrangement set out in the schedule herein.
- 11 The Fourth Applicant be removed from his office of Administrator of the Partnership and as responsible insolvency practitioner in relation to Kevan Bell, Lynette Bell, John M Bell and Mary Bell set out in the schedule herein.
- 12 The Fifth Applicant be removed from his office of Administrator of the Administration set out in the schedule herein.
- 13 The Fifth Applicant be removed from his office of Liquidator of the Liquidations set out in the schedule herein.
- 14 The Fifth Applicant be removed from his office of Supervisor of the Voluntary Arrangement set out in the schedule herein.
- 15 The Sixth Applicant be removed from his office of Liquidator of the Liquidation set out in the schedule herein.
- 16 The Seventh Applicant be removed from his office of Liquidator of the Liquidation set out in the schedule herein.
- 17 The First Respondent be appointed as Administrator of the Administrations set out in the schedule herein in place of the relevant Applicant.
- 18 The First Respondent be appointed as Supervisor of the Voluntary arrangement set out in the schedule herein in place of the relevant Applicant.
- 19 The First Respondent be appointed as Liquidator of the Liquidations set out in the schedule herein in place of the relevant Applicant.
- 20 The Second Respondent be appointed as Administrator of the Administration set out in the schedule herein in place of the relevant Applicant.

- 21 The Seventh Respondent be appointed as Liquidator of the Insolvent partnership set out in the schedule herein in place of the relevant Applicant.
- 22 The Seventh Respondent be appointed as Trustee of the Bankruptcies set out in the schedule herein in place of the relevant Applicant.
- 23 The Seventh Respondent be appointed as Administrator of the Partnership Administration set out in the schedule herein in place of the relevant Applicant.
- 24 The Ninth Respondent be appointed as Administrator of the Administration set out in the schedule herein in place of the relevant Applicant.
- 25 The Tenth Respondent be appointed as Administrator of the Administration set out in the schedule herein in place of the relevant Applicant.
- 26 The costs of this Application be an expense of the administrations bankruptcies, voluntary arrangements, liquidations and be apportioned rateably, save to the extent that where funds are not available in certain of these insolvencies costs will be attributed to the administrations liquidations, voluntary arrangements, and bankruptcies where funds are available, for the purpose of discharging the costs of this Application, provided that costs payable pursuant to this Order in relation to any particular insolvency shall not exceed 10% of the value of the perceived assets in that particular insolvency or voluntary arrangement.
- 27 There be liberty to each creditor of the estates listed in the schedule herein to apply to vary or discharge this Order in so far as it relates to an estate of which that person is a creditor within 28 days of being given notice of the same.
- 28 Within 28 days of his appointment the appropriate Respondent is to write to each creditor explaining the terms of this Order. In the case of a liquidator the letter should also explain that were there is a creditor's committee the committee can require the Applicant to account for his stewardship. The letter should also make clear that where there is no such committee an individual creditor can apply to Court within 28 days for an Order that the Applicant comply with rule 4.108(3) of the Insolvency Rules 1986 and that unless there are good reasons to the contrary the costs of the Applicant in complying with such a request from the committee or creditor should be an expense of the insolvency proceedings.
- 29 Pursuant to Rule 7.4(6) of the Insolvency Rules 1986 the need to serve this application upon the Respondents be dispensed with.

Dated this 30 day of June 2003

NAME	TYPE	COURT REFERENCE	TO BE REMOVED	TO CONTINUE IN OFFICE	TO BE APPOINTED
132nd Legibus Limited	Administration	High Court 13828 of 1991	Murdoch McKillop		Martin Fishman
AGB International Plc	Administration	High Court 13764 of 1991	Murdoch McKillop	Martin Fishman	
AGB Research Plc	Administration	High Court 13765 of 1991	Murdoch McKillop	Martin Fishman	
Allcentre Properties Limited	Administration	High Court 13701 of 1991	Murdoch McKillop	Martin Fishman	
BGA Audits Limited	Administration	High Court 13706 of 1991	Murdoch McKillop	Martin Fishman	
BGA Questqual Limited	Administration	High Court 518 of 1992	Murdoch McKillop		Martin Fishman
BGA RMI Limited	Administration	High Court 1597 of 1992	Murdoch McKillop	Martin Fishman	
BGA Surveys Limited	Administration	High Court 13705 of 1991	Murdoch McKillop	Martin Fishman	
BGA Telsales Limited	Administration	High Court 13724 of 1991	Murdoch McKillop	Martin Fishman	
Bishopsgate Investment Trust Plc	Administration	High Court 13681 of 1991	Murdoch McKillop	Martin Fishman	
Bishopsgate Property Limited	Administration	High Court 13698 of 1991	Murdoch McKillop	Martin Fishman	
Headington Group Plc	Administration	High Court 13689 of 1991	Murdoch McKillop	Martin Fishman	
Headington Holdings Limited	Administration	High Court 13678 of 1991	Murdoch McKillop	Martin Fishman	

NAME	TYPE	COURT REFERENCE	TO BE REMOVED	TO CONTINUE IN OFFICE	TO BE APPOINTED
Headington Investments Limited	Administration	High Court 13629 of 1991	Murdoch McKillop	Martin Fishman	
Headington Paper Limited	Administration	High Court 13712 of 1991	Murdoch McKillop	Martin Fishman	
Hollis Industries Plc	Administration	High Court 13696 of 1991	Murdoch McKillop	Martin Fishman	
Indexpride Limited	Administration	High Court 2089 of 1992	Murdoch McKillop		Martin Fishman
Linkright Limited	Administration	High Court 13710 of 1991	Murdoch McKillop	Martin Fishman	
London and Bishopsgate Group Limited	Administration	High Court 13685 of 1991	Murdoch McKillop	Martin Fishman	
London and Bishopsgate Holdings Plc	Administration	High Court 13686 of 1991	Murdoch McKillop	Martin Fishman	
LRM Limited	Administration	High Court 262 of 1992	Murdoch McKillop		Martin Fishman
Magna Cell Limited	Administration	High Court 7620 of 1992	Murdoch McKillop	Martin Fishman	
Maxwell Cable TV Limited	Administration	High Court 13688 of 1991	Murdoch McKillop	Martin Fishman	
Maxwell Central and East European Partners Plc	Administration	High Court 13899 of 1991	Murdoch McKillop		Martin Fishman
Maxwell Legal Services Plc	Administration	High Court 520 of 1992	Murdoch McKillop		Martin Fishman
Maxwell Media Plc	Administration	High Court 1377 of 1991	Murdoch McKillop	Martin Fishman	

NAME	TYPE	COURT REFERENCE	TO BE REMOVED	TO CONTINUE IN OFFICE	TO BE APPOINTED
Maxwell Media Trust Plc	Administration	High Court 13679 of 1991	Murdoch McKillop	Martin Fishman	
Maxwell Technical Services International Limited	Administration	High Court 13711 of 1991	Murdoch McKillop	Martin Fishman	
Metromode Limited	Administration	High Court 13829 of 1991	Murdoch McKillop		Martin Fishman
Micro Dealer International Limited	Administration	High Court 13702 of 1991	Murdoch McKillop	Martin Fishman	
Mirror Group (Holdings) Limited	Administration	High Court 13682 of 1991	Murdoch McKillop	Martin Fishman	
Mirrorsoft Limited	Administration	High Court 13717 of 1991	Murdoch McKillop	Martin Fishman	
PHA Investments Limited	Administration	High Court 260 of 1992	Murdoch McKillop		Martin Fishman
PHL Estates Limited	Administration	High Court 1037 of 1992	Murdoch McKillop		Martin Fishman
Professional and Executive Recruitment Limited	Administration	High Court 13723 of 1991	Murdoch McKillop	Martin Fishman	
Repas Limited	Administration	High Court 259 of 1992	Murdoch McKillop		Martin Fishman
Robert Maxwell Group Plc	Administration	High Court 13628 of 1991	Murdoch McKillop	Martin Fishman	
Robert Maxwell Group Trading Plc	Administration	High Court 13684 of 1991	Murdoch McKillop	Martin Fishman	
Squires Appointments (Southern) Limited	Administration	High Court 13704 of 1991	Murdoch McKillop	Martin Fishman	

NAME	TYPE	COURT REFERENCE	TO BE REMOVED	TO CONTINUE IN OFFICE	TO BE APPOINTED
TEL Limited	Administration	High Court 13766 of 1991	Murdoch McKillop	Martin Fishman	
TNPL Realisations Limited	Administration	High Court 13830 of 1991	Murdoch McKillop		Martin Fishman
VIP Marine and Aviation Limited	Administration	High Court 13959 of 1991	Murdoch McKillop		Martin Fishman
Visaford Limited	Administration	High Court 7133 of 1992	Murdoch McKillop	Martin Fishman	
Vista Computer Systems Limited	Administration	High Court 13722 of 1991	Murdoch McKillop	Martin Fishman	
NSM Plc	Administration	High Court 443 of 1997	Murdoch McKillop and Alan Lewis	Richard Fleming	David Duggins
M & P Motorcycle Accessories Limited	Administration	High Court 6131 of 2001	Alan Lewis	David Duggins	Martin Fishman
Caverdale Rentals Limited	Administration	High Court 6130 of 2001	Alan Lewis	David Duggins	Martin Fishman
Speed Marine Holdings Limited	Administration	High Court 6124 of 2001	Alan Lewis	David Duggins	Martin Fishman
Caverdale Securities Limited	Administration	High Court 6128 of 2001	Alan Lewis	David Duggins	Martin Fishman
Express Marine Services Limited	Administration	High Court 6125 of 2001	Alan Lewis	David Duggins	Martin Fishman
Shoreline (Yachtsmen) Limited	Administration	High Court 6126 of 2001	Alan Lewis	David Duggins	Martin Fishman
Motorcycle Parts Supply Limited	Administration	High Court 6132 of 2001	Alan Lewis	David Duggins	Martin Fishman
Flare (Prill) Limited	Administration	High Court 2535 of 2000	Alan Lewis	David Duggins	

NAME	TYPE	COURT REFERENCE	TO BE REMOVED	TO CONTINUE IN OFFICE	TO BE APPOINTED
Gibbons Refractories Limited	Administration	High Court 2536 of 2000	Alan Lewis	David Duggins	
Uno Plc	Administration	High Court 995 of 2000	Alan Lewis	Simon Allport and Richard Fleming	
World of Leather Plc	Administration	High Court 996 of 2000	Alan Lewis	Simon Allport and Richard Fleming	
Action Leisure Group Plc	Administration	High Court 6127 of 2001	Alan Lewis	David Duggins	Martin Fishman
Flare Group Plc	Administration	High Court 2533 of 2000	Alan Lewis	David Duggins	
K & A E Tipling t/a Instrup Demolition	Partnership administration	Newcastle upon Tyne 416 of 1996	Ivan Jacques and Alan Katz		Garry Wilson
AGB International Plc	CVA	High Court 13764 of 1991	Murdoch McKillop	Martin Fishman	
AGB Research Plc	CVA	High Court 13765 of 1991	Murdoch McKillop	Martin Fishman	
Allcentre Properties Limited	CVA	High Court 13701 of 1991	Murdoch McKillop	Martin Fishman	
BGA Audits Limited	CVA	High Court 13706 of 1991	Murdoch McKillop	Martin Fishman	
BGA Questqual Limited	CVA	High Court 518 of 1992	Murdoch McKillop	Martin Fishman	
BGA RMI Limited	CVA	High Court 1597 of 1992	Murdoch McKillop	Martin Fishman	
BGA Surveys Limited	CVA	High Court 13705 of 1991	Murdoch McKillop	Martin Fishman	
BGA Telsales	CVA	High Court 13724 of	Murdoch McKillop	Martin Fishman	

NAME	TYPE	COURT REFERENCE	TO BE REMOVED	TO CONTINUE IN OFFICE	TO BE APPOINTED
Limited		1991			
Bishopsgate Investment Trust Plc	CVA	High Court 13681 of 1991	Murdoch McKillop	Martin Fishman	
Bishopsgate Property Limited	CVA	High Court 13691 of 1991	Murdoch McKillop	Martin Fishman	
Headington Group Plc	CVA	High Court 13689 of 1991	Murdoch McKillop	Martin Fishman	
Headington Investments Limited	CVA	High Court 13629 of 1991	Murdoch McKillop	Martin Fishman	
Headington Paper Limited	CVA	High Court 13712 of 1991	Murdoch McKillop	Martin Fishman	
Indexpride Limited	CVA	High Court 2089 of 1992	Murdoch McKillop	Martin Fishman	
Linkright Limited	CVA	High Court 13710 of 1991	Murdoch McKillop	Martin Fishman	
London & Bishopsgate Holdings Plc	CVA	High Court 13686 of 1991	Murdoch McKillop	Martin Fishman	
LRM Limited	CVA	High Court 262 of 1992	Murdoch McKillop	Martin Fishman	
Magna Cell Limited	CVA	High Court 7620 of 1992	Murdoch McKillop	Martin Fishman	
Maxwell Cable TV Limited	CVA	High Court 13688 of 1991	Murdoch McKillop	Martin Fishman	
Maxwell Legal Services Plc	CVA	High Court 520 of 1992	Murdoch McKillop	Martin Fishman	
Maxwell Media Plc	CVA	High Court 1377 of 1991	Murdoch McKillop	Martin Fishman	
Maxwell Media Trust	CVA	High Court 13679 of	Murdoch McKillop	Martin Fishman	

NAME	TYPE	COURT REFERENCE	TO BE REMOVED	TO CONTINUE IN OFFICE	TO BE APPOINTED
Plc		1991			
Metromode Limited	CVA	High Court 13829 of 1991	Murdoch McKillop	Martin Fishman	
Microdealer International Limited	CVA	High Court 13702 of 1991	Murdoch McKillop	Martin Fishman	
Mirror Group (Holdings) Limited	CVA	High Court 13682 of 1991	Murdoch McKillop	Martin Fishman	
Mirrorsoft Limited	CVA	High Court 13717 of 1991	Murdoch McKillop	Martin Fishman	
PHL Estates Limited	CVA	High Court 1037 of 1992	Murdoch McKillop	Martin Fishman	
Professional and Executive Recruitment Limited	CVA	High Court 13723 of 1991	Murdoch McKillop	Martin Fishman	
Robert Maxwell Group PLC, Headington Holdings Limited and London & Bishopsgate Group Limited	Pooled CVA		Murdoch McKillop	Martin Fishman	
Robert Maxwell Group Trading plc	CVA	High Court 13684 of 1991	Murdoch McKillop	Martin Fishman	
Squires Appointments (Southern) Limited	CVA	High Court 13704 of 1991	Murdoch McKillop	Martin Fishman	
TNPL Realisations Limited	CVA	High Court 13830 of 1991	Murdoch McKillop	Martin Fishman	
VIP Marine and	CVA	High Court 13959 of	Murdoch McKillop	Martin Fishman	

NAME	TYPE	COURT REFERENCE	TO BE REMOVED	TO CONTINUE IN OFFICE	TO BE APPOINTED
Aviation Limited		1991			
Visaford Limited	CVA	High Court 7133 of 1992	Murdoch McKillop	Martin Fishman	
Vista Computer Systems Limited	CVA	High Court 13722 of 1991	Murdoch McKillop	Martin Fishman	
TEL Limited	CVA	High Court 13766 of 1991	Murdoch McKillop	Martin Fishman	
Repas Limited	CVA	High Court 259 of 1992	Murdoch McKillop	Martin Fishman	
Gooda & Partners Limited	CVL		Alan Lewis	Martin Fishman	
Gooda Walker Limited	CVL		Alan Lewis	Martin Fishman	
London Wall Members Agency Limited	MVL		Alan Lewis		Martin Fishman
Coal Investments Coventry Mine Limited	Compulsory Liquidation		Alan Lewis	Martin Fishman	
APSB Realisations Limited	CVL		Iain Watters		Colin Dempster
British International Helicopters Limited	Administration	High Court 13882 of 1991	Iain Watters and Murdoch McKillop		Martin Fishman
British International Helicopters Limited	CVA	High Court 13882 of 1991	Iain Watters and Murdoch McKillop		Martin Fishman
BZW Convertible Investment Trust plc	MVL		Iain Watters and Phillip Sykes		Colin Dempster

NAME	TYPE	COURT REFERENCE	TO BE REMOVED	TO CONTINUE IN OFFICE	TO BE APPOINTED
Microworld Computer Systems Limited	Compulsory Liquidation	High Court 7490 of 1986	Murdoch McKillop		Colin Dempster
Balmoral Coal Group plc	Compulsory Liquidation	Newcastle upon Tyne 5286 of 1989	Murdoch McKillop and Anthony Brierley		Colin Dempster
Walter Eric Deicher	Bankruptcy	Newcastle upon Tyne 411 of 1992	Alan Katz	Garry Wilson	
Francis William Peebles	IVA	Newcastle upon Tyne 88 of 1995	Alan Katz	Garry Wilson	
David Tweedale Gray	Bankruptcy	Stockton on Tees 41 of 1992	Alan Katz	Garry Wilson	
Ronald Errington	Bankruptcy	Newcastle upon Tyne 57 of 1994	Alan Katz	Garry Wilson	
Andrew Harry Ball	Bankruptcy	Sheffield 361 of 1994	Alan Katz	Garry Wilson	Garry Wilson
Kevan M Bell	Bankruptcy	Harrogate 17 of 1994	Alan Katz		Garry Wilson
Lynette Bell	Bankruptcy	Harrogate 17 of 1994	Alan Katz		Garry Wilson
John M Bell	Bankruptcy	Harrogate 17 of 1994	Alan Katz		Garry Wilson
Mary Bell	Bankruptcy	Harrogate 17 of 1994	Alan Katz		Garry Wilson
KM Bell, LE Bell, JM Bell and M Bell T/A The Home Baker	Insolvent Partnership	Harrogate 17 of 1994	Alan Katz		Garry Wilson
David Hardcastle	Bankruptcy	Newcastle upon Tyne 496 of 1993	Alan Katz	Garry Wilson	
David Hardcastle	IVA	Newcastle upon Tyne 496 of 1993	Alan Katz	Garry Wilson	
Communications Patents Limited	CVL		Murdoch McKillop		Martin Fishman

NAME	TYPE	COURT REFERENCE	TO BE REMOVED	TO CONTINUE IN OFFICE	TO BE APPOINTED
Cabintree plc	CVL		Murdoch McKillop	Ian Philips	Martin Fishman
PBB1 (BHM) Limited	CVL		Murdoch McKillop		Martin Fishman
Cricknet St Thomas Dairies Limited	Administration	High Court 2963 of 1996	Murdoch McKillop		Roy Bailey