

The Insolvency Act 1986
Liquidator's progress
report

S.192

Pursuant to Section 92A and
104A of the Insolvency Act 1986

To the Registrar of Companies

For official use

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Company Number

01146644

Name of Company

(a) Insert full name of
company

(a) Monarch Realisations 1 PLC

(b) Insert full name(s) and
address(es)

I/We (b) Russell Downs, Mark Shires and Ian Green of PricewaterhouseCoopers LLP, 7 More
London Riverside, London SE1 2RT


the liquidator(s) of the company attach a copy of our progress report under section 192 of the
Insolvency Act 1986

Date 22 June 2012

Signed



Presenter's name,
address and reference (if
any)

TUESDAY	THURSDAY	
		Q1CHMF83
		QIQ 05/07/2012 #67
		COMPANIES HOUSE
		A33 26/06/2012 #169
		COMPANIES HOUSE



**Monarch Realisations 1 PLC (formerly
McCarthy & Stone PLC) and Monarch
Realisations 2 Limited (formerly McCarthy &
Stone (Developments) Limited**

– in Creditors' Voluntary Liquidation

**Joint Liquidators' progress report to members
and creditors for the year ended 22 April 2012**

22 June 2012

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1. Joint Liquidators' progress report to members and creditors for the year ended 22 April 2012

Introduction

On 23 April 2009 Russell Downs, Mark Shires and Ian Green of PricewaterhouseCoopers LLP were appointed Joint Administrators of Monarch Realisations 1 PLC (formerly McCarthy & Stone PLC) ("PLC") and Monarch Realisations 2 Limited (formerly McCarthy & Stone (Developments) Limited ("Developments")) (together "the Companies")

Creditors will recall that the Administrations were concluded on 23 April 2010, whereupon the Companies went into creditors' voluntary liquidation

In accordance with Rule 4 49C of the Insolvency Rules 1986 ("IR86"), this is the Joint Liquidators' second progress report to members and all known creditors and should be read in conjunction with the Joint Liquidators' report dated 22 June 2011, a further copy of which is available on request

Liquidation committees

The Joint Liquidators have continued to report to the Liquidation Committees to review material developments and the progress of the Liquidations

Asset realisations

Business assets

The Companies' businesses and assets and substantially all of the trading liabilities were transferred on a going concern basis to two new companies ("the Newcos") immediately following the Joint Administrators' appointment as part of the wider financial restructuring of the McCarthy & Stone group

Cash balances

On completion of the Administrations, surplus funds of approximately £1 million and £10 million were released to the Joint Liquidators of PLC and Developments respectively

Land contracts

The sale of Developments' business and assets excluded 21 conditional land contracts Deposits recovered in the Liquidation and preceding Administration in respect of these contracts total £239,700

When the Joint Liquidators reported last year, deposits under two land contracts, which were subject to dispute, had not yet been realised The Joint Liquidators were seeking legal advice on future strategy

The Joint Liquidators have since agreed to cease pursuit of one of the land contract deposits in the sum of £45,000 The vendor agreed to not make a claim for damages for breach of contract which may have been significant This has avoided the costs of formal adjudication and preserved funds available for existing unsecured creditors

Information in respect of the other land contract deposit towards the end of last year indicated that the vendor company would shortly be struck off the Register of Companies, rendering the deposit of £90,000 irrecoverable However, recent information suggests that the vendor company has been restored to the Register The Joint Liquidators are exploring next steps but no assessment has been made of potential recoveries, if any

Leasehold property

As previously, reported, no value was attributed to Developments' leasehold interest in five operating sites which were vacated prior to the Administration

Offers to surrender the leases to the respective landlords during the preceding Administration were declined However, since commencement of the Liquidation, the lease to one site has

1. Joint Liquidators' progress report to members and creditors for the year ended 22 April 2012

been successfully surrendered and the Joint Liquidators have formally disclaimed Developments' interest in the remaining four properties

As a consequence, Developments' liabilities under the leases were formally terminated thereby enabling the unsecured claims of the landlords concerned to be quantified with certainty

Preference shares

Creditors may recall that Developments was granted 12% non redeemable shares in Newco as part of the consideration for its business and assets. Following tax and legal advice and Liquidation Committee sanction, the shares were sold on 15 March 2011 to the successor company of PLC for £2 million

Assets to be realised

Unrealised assets now comprise the remaining land contract deposit in respect of Developments referred to above and various tax assets, which are discussed below. PLC's unrealised assets consist solely of tax assets

Receipts and payments accounts

Accounts of the Joint Liquidators' receipts and payments for PLC and Developments for the year ended 22 April 2012 are shown in Section 2. All funds are held on interest-bearing accounts

Investigations

No matters have come to light during the last 12 months to suggest that the Joint Liquidators need to conduct any work additional to their review of the Companies' affairs prior to the Administration and compliance with their obligations under the Company Directors' Disqualification Act 1986

Claims agreement and outcome for creditors

Secured creditors

Amounts due to secured creditors by the Companies under the terms of debentures and cross-guarantees at the date of the Joint Administrators' appointment totalled circa £898 million. Approximately £575 million of secured debt was discharged under the sale of the Companies' business

The assets excluded from the sale of business are secured but are insufficient to repay the balance of the secured indebtedness. Amounts available for secured creditors comprise surplus funds net of prescribed part floating charge funds set aside for unsecured creditors (see below) and the associated costs of the Administrations and Liquidations of the Companies and of their parent, Mother Bidco Limited ("Bidco")

Under the terms of the wider financial restructuring, amounts distributable by the Companies to secured creditors are directed to be paid to the Newcos. To date, distributions to secured creditors totalling £9.5 million have been paid to Newco by Developments. In addition, PLC has distributed £253,941 to Newco in regard to pre-appointment VAT refunds recovered from HM Revenue & Customs ("HMRC")

Preferential creditors

No preferential claims have been made against the Companies from staff employed when the Joint Administrators were appointed as all employee contracts were transferred to the Newcos

1. Joint Liquidators' progress report to members and creditors for the year ended 22 April 2012

There are though preferential claims against Developments totalling £4,800 as a result of protective awards made by the Employment Tribunal in favour of several former employees who were made redundant prior to the Joint Administrators' appointment.

All such preferential claims were admitted for dividend and with the sanction of the Liquidation Committee, the Joint Liquidators distributed a dividend of 100 pence in the pound on them on 6 March 2012

Unsecured creditors

Non connected creditors

In the 12 months since 23 April 2011 the Joint Liquidators have resolved the remaining non connected creditors' claims against Developments totalling £8.4 million where further information had been requested or proofs of debt had not yet been submitted

Final unsecured claims were also received from former employees of Developments and from one former employee of PLC following Employment Tribunal protective awards

Efforts to resolve a claim against PLC of circa £467,000 continued

Inter-company claims

Creditors may recall that the largest claims in the insolvent estates are inter-company debts between the Companies, Bidco and other group entities. These claims total £328 million

During the year under review, the Joint Liquidators obtained additional information from management in support of the various components of the inter-company claims and concluded their assessment of the extent to which the debts are subject to mandatory set-off under the provisions of the Insolvency Act 1986

Dividend prospects

As reported during the Administrations, recoveries for unsecured creditors will derive from the prescribed part of floating charge funds specifically set aside for unsecured creditors under the provisions of Section 176A of the Insolvency Act 1986 ("IA86"). Creditors may recall that prescribed part funds are subject to an overall maximum of £600,000.

Since the date to which this report is prepared, Developments has distributed £540,000 by way of a first and final dividend of 0.1634 pence in the pound on admitted unsecured claims totalling £330.4 million

PLC has also declared a first dividend of 15.02 pence in the pound from distributable funds of £81,464. The issues surrounding the claim of circa £467,000 referred to above have now been resolved and a further distribution of circa 1 pence in the pound will be made in the near future

In respect of both PLC and Developments funds available for distribution and the level of admissible claims are in line with previous estimates

Professional advisers

For ongoing matters the Joint Liquidators have retained the professional advisers that were engaged in the Administrations as shown below

1. Joint Liquidators' progress report to members and creditors for the year ended 22 April 2012

Service provided	Provided to	Name of firm / organisation	Reason selected	Basis of fees
Legal advice	PLC and Developments	Linklaters LLP	Specialist insolvency and industry knowledge	Time costs
Legal advice	Developments	Lester Aldridge LLP	Prior knowledge of Developments' excluded land contracts and relationship with counterparties	Time costs, subject to pre agreed budget
Legal advice	Developments	Shakespeare Putman LLP	Prior knowledge of Developments' excluded land contracts and relationship with counterparties	Time costs, subject to pre agreed budget

The Joint Liquidators' choice was based upon their perception of the advisers' experience and ability to perform this type of work, their knowledge of the complexity and nature of the assignment and the basis of the fee arrangement with them. The Joint Liquidators continue to review the fees charged and remain satisfied that they are reasonable in the circumstances of these cases.

Liquidators' remuneration and expenses

The respective Liquidation Committees of the Companies are responsible for fixing the basis and amount of the Joint Liquidators' remuneration and Category 2 disbursements in respect of services provided by the Joint Liquidators' own firm.

The Liquidation Committees resolved that the Joint Liquidators' remuneration would be fixed by reference to the time properly given by the Joint Liquidators and their staff in attending to matters arising in the Liquidations at the Joint Liquidators' normal scale rates for work of this nature.

Fees have been drawn pursuant to that resolution and full analyses of costs up to 31 March 2011, together with details of the Joint Liquidators' charging and disbursements policy, have been provided to the Liquidation Committees.

A summary of the Joint Liquidators' remuneration and expenses is as follows:

	Developments		PLC	
	Fees £	Expenses £	Fees £	Expenses £
Approved by the Liquidation Committee and drawn				
For the period 23/04/10 to 31/08/10	106,118 40	1,784 00	46,754 26	15,930 18
For the period 01/09/10 to 31/03/11	118,810 91	359 39	45,067 59	477 00
Liquidation Committee approval not yet sought				
For the period 01/04/11 to 22/04/12	168,927 75	3,318 10	109,682 39	81 80
Forecast totals to 22/04/12	<u>393,857 06</u>	<u>5,461 49</u>	<u>201,504 24</u>	<u>16,488 98</u>

In accordance with the requirements of Statement of Insolvency Practice No 9 (payments to insolvency office holders and their associates) ("SIP9"), which was revised on 1 November 2011, an analysis of the Joint Liquidators' time costs for the period 1 April 2011 to 22 April 2012 is provided at Section 3.

In addition to the information required by SIP9, the Joint Liquidators also provide the Liquidation Committees with a detailed budget and analyses of costs by work activity to enable the Liquidation Committees to fully assess the reasonableness of requests for authority to draw remuneration made by the Joint Liquidators.

1. Joint Liquidators' progress report to members and creditors for the year ended 22 April 2012

The receipts and payments account in Section 2 details expenses met from funds in the Liquidation to 22 April 2012. In addition, the Joint Liquidators have incurred legal and other costs of circa £7,750 in PLC and £8,500 in Developments respectively, which have not yet been billed.

Other matters

During the year under review, the Companies continued to assist with resolving sundry title issues which have arisen in regard to properties transferred to the Newcos.

Creditors may recall that the business sale agreements provided that the Companies would pursue realisations of tax assets for the benefit of the Newcos. Various claims are ongoing which may result in recoveries and savings in excess of the £38 million achieved in the Administrations.

Since the date to which this report has been prepared, the Joint Liquidators have successfully recovered an additional £1.1 million, which has been paid direct by HMRC to the Newco purchaser of PLC.

The Joint Liquidators have filed the corporation tax returns for the final Administration period up to 22 April 2010 and for the first year of the Liquidation. To date, no queries have been raised by HMRC on the returns.

The Joint Liquidators have also filed notice of directors' resignations.

Creditors' rights

A statement of creditors' rights in relation to the Joint Liquidators' remuneration and expenses pursuant to IR86 is set out at Section 4.

Next report and enquiries

The Joint Liquidators will circulate their next report in 12 months' time. If any creditor has any queries in the meantime, please contact Aidan Donaldson on 020 7804 1402.



Signed

Russell Downs
Joint Liquidator

R Downs, E M Shires and I Green have been appointed as joint liquidators of Monarch Realisations 1 PLC (formerly McCarthy & Stone PLC) and Monarch Realisations 2 Limited (formerly McCarthy & Stone (Developments) Limited). R Downs, E M Shires and I Green are licensed in the United Kingdom to act as insolvency practitioners by the Institute of Chartered Accountants in England and Wales.

The joint liquidators are Data Controllers of personal data as defined by the Data Protection Act 1998. PricewaterhouseCoopers LLP will act as Data Processor on their instructions. Personal data will be kept secure and processed only for matters relating to the liquidation.

2. Receipts and payments accounts

PLC	Total to 22 April 2011 £	Transactions 23 April 2011 to 22 April 2012	Total to 22 April 2012 £	Notes
<u>Receipts</u>				
Funds transferred from the Administration	1,092,360	-	1,092,360	
Pre appointment VAT refund	11,307	242,634	253,941	
VAT refunds for associated companies	182,665	-	182,665	1
Interest	1,177	2,395	3,572	
Total	<u>1,287,509</u>	<u>245,029</u>	<u>1,532,538</u>	2
<u>Payments</u>				
Payment of pre appointment VAT refund to purchaser	11,307	242,634	253,941	3
Payment of VAT refund to Monarch Realisations 2 Limited	13,327	139,941	153,268	
Payment of VAT refund to Mother Bidco Limited	-	42,724	42,724	
Joint Administrators' final fees	43,362	-	43,362	
Joint Administrators' final fees - Mother Bidco Limited	45,156	-	45,156	
Scheme Administrators' fees	1,950	-	1,950	
Scheme Administrators' expenses	-	3,567	3,567	
Joint Administrators' final disbursements (Category 1)	108	-	108	
Joint Administrators' final disbursements (Category 2)	117,815	-	117,815	4
Joint Liquidators' fees	46,754	45,068	91,822	
Joint Liquidators' disbursements (Category 2)	14,146	477	14,623	
Joint Liquidators' fees - Mother Bidco Limited	22,465	36,469	58,934	
Room hire and statutory advertising	688	-	688	
Legal fees and disbursements	34,705	4,788	39,493	
Legal fees and disbursements - Mother Bidco Limited	30,607	-	30,607	
Corporation tax	-	222	222	
Postage and printing	-	1,939	1,939	
Bank charges	44	47	91	
Net VAT receivable / (payable)	(31,456)	17,360	(14,096)	
Total	<u>350,978</u>	<u>535,236</u>	<u>886,214</u>	
Cash in hand	<u>936,531</u>	<u>(290,207)</u>	<u>646,324</u>	5

Notes

- 1) VAT refunds for PLC, Developments and Bidco are claimed by PLC as representative member of the VAT group
- 2) No comparison has been made to the estimate of realisations in the directors' statement of affairs in the Administration as the Liquidation is a successor proceeding and realisations comprise surplus cash on completion of the Administration net of associated costs and recoveries in the Liquidation itself
- 3) As stated in the report, the Joint Liquidators are working to recover tax assets, which are payable to the Newcos per the terms of the wider financial restructuring and as directed by the secured creditors
- 4) Category 2 disbursements include the time costs for PwC Legal LLP in relation to work to strike off the dormant non trading companies within the wider group, as envisaged under the terms of the business sale agreement and as approved by the Liquidation Committee
- 5) Funds are held in an interest-bearing bank account

2. Receipts and payments accounts

Developments	Total to 22 April 2011 £	Transactions 23 April 2011 to 22 April 2012 £	Total to 22 April 2012 £	Notes
<u>Receipts</u>				
Funds transferred from the Administration	10,189,768	-	10,189,768	
Sale of preference shares	2,000,000	-	2,000,000	
Land contract deposits	37,027	-	37,027	
VAT refund from Monarch Realisations 1 PLC	-	139,941	139,941	
Sundry refunds	292	146	438	
Rate refund re excluded property	969	-	969	
Interest	10,439	2,359	12,798	
Total	<u>12,238,495</u>	<u>142,446</u>	<u>12,380,941</u>	1
<u>Payments</u>				
Payment of refund to purchaser	292	-	292	
Release of funds to purchaser pursuant to the scheme	7,625,000	1,875,000	9,500,000	2
Legal fees and disbursements	58,970	58,939	117,909	
Joint Administrators' final fees	108,024	-	108,024	
Scheme Administrators' fees	1,950	-	1,950	
Scheme Administrators' expenses	-	3,567	3,567	
Joint Administrators' final disbursements (Category 1)	724	-	724	
Joint Liquidators' fees	106,118	118,811	224,929	
Corporation tax	-	203	203	
Postage and printing	-	1,162	1,162	
National insurance contributions	2,619	-	2,619	
Bank charges	81	106	187	
Distribution to preferential creditors	-	4,800	4,800	
Net VAT receivable	34,766	35,522	70,288	
Total	<u>7,938,545</u>	<u>2,098,110</u>	<u>10,036,655</u>	
Cash in hand	<u>4,299,950</u>	<u>(1,955,664)</u>	<u>2,344,286</u>	3

Notes

1) No comparison has been made to the estimate of realisations in the directors' statement of affairs in the Administration as the Liquidation is a successor proceeding and realisations comprise surplus cash on completion of the Administration net of associated costs and recoveries in the Liquidation itself

3) As stated in the report, the Joint Liquidators are working to recover tax assets, which are payable to the Newcos per the terms of the wider financial restructuring and as directed by the secured creditors

3) Funds are held in an interest-bearing bank account

3. Information in support of the Joint Liquidators' time costs and disbursements from 1 April 2011 to 22 April 2012

Charging and disbursements policy

The time charged to the Liquidations is by reference to the time properly given by the Joint Liquidators and their staff in attending to matters arising.

It is the Joint Liquidators' policy to delegate tasks in the Liquidations to appropriate members of staff considering their level of experience and any requisite specialist knowledge, supervised accordingly, so as to maximise the cost effectiveness of the work performed. Matters of particular complexity or significance requiring more exceptional responsibility are dealt with by senior staff or the Joint Liquidators themselves

Set out below are the relevant charge-out rates per hour worked for the Joint Liquidators' staff actually or likely to be involved on the assignments from 1 May 2011. Time is charged by reference to actual work carried out. There has been no allocation of any general costs or overhead costs.

Grade	£
Partner	730
Director	641
Senior manager	494
Manager	415
Senior associate – qualified	347
Senior associate – unqualified	257
Associate	221

Specialist departments within the Joint Liquidators' firm such as Tax and VAT are also used where their expert advice is required. The figures below provide an indication of the maximum rate per hour from 1 May 2011.

Partner	875
Director	794
Senior manager	741
Manager	486
Executive / consultant	330
Analyst / assistant consultant	192
Support staff	94

In common with many professional firms, the scale rates used by the Joint Liquidators may increase to cover annual inflationary cost increases.

There is no statutory requirement for the Joint Liquidators to seek approval to draw expenses or disbursements. However, professional guidance issued to insolvency practitioners requires that, where the Joint Liquidators propose to recover costs which, whilst being in the nature of expenses or disbursements, may include an element of shared or allocated costs (such as room hire, document storage or communication facilities provided by the Joint Liquidators' own firm), they must be disclosed and be authorised by those responsible for approving their remuneration. Such expenses are known as "Category 2" disbursements and they must be directly incurred on the case and subject to a reasonable method of calculation and allocation.

The Joint Liquidators' expenses policy allows for all properly incurred expenses to be recharged to the case. Category 2 disbursements are approved by the Liquidation Committees. Category 2 disbursements from 1 April 2011 to 22 April 2012 comprise:

- Time costs of PwC Legal LLP, an associate of the Joint Liquidators' own firm, of £3,253.10 for services in connection with the pursuit of VAT assets in Developments;
- Time costs incurred by the administrators of the schemes of arrangement of PLC and Developments of £81.80 and £65.00 respectively under the terms of the wider financial restructuring.

3. Information in support of the Joint Liquidators' time costs and disbursements from 1 April 2011 to 22 April 2012

Other matters

No work has been carried out by subcontractors that could otherwise have been undertaken by the Joint Liquidators or their staff

The Joint Liquidators have no business or professional relationships with parties responsible for approving the basis of their remuneration or who provide services to the Liquidations where the relationship could give rise to a conflict of interest

Tables summarising the Joint Liquidators' time costs

PLC

Aspect of assignment	Partner	Director	Senior Manager	Senior Manager	Associate	Associate	Secretarial	Total hours	Time cost £	Average hourly rate £
Strategy and planning	-	-	5 50	-	5 20	1 40	-	12 10	4,808 60	397 40
Assets	-	-	4 70	-	1 40	-	-	6 10	2,805 90	459 98
Creditor claims/distributions	-	-	5 80	1 50	4 30	14 70	-	26 30	7,606 80	289 23
Accounting and treasury	-	-	1 20	0 90	11 70	25 25	-	39 05	10,039 85	257 10
Reporting to appointor/committee	-	-	13 40	-	11 80	-	-	25 20	10,639 10	422 19
Statutory and compliance	-	-	7 70	-	7 00	1 50	0 40	16 60	6,607 50	398 04
Tax and VAT	1 37	24 07	2 77	-	10 50	5 15	-	43 86	65,740 44	1,498 87
Employees	-	-	-	2 50	2 50	0 20	-	5 20	1,434 20	275 81
Total	1 37	24 07	41 07	4 90	54 40	48 20	0 40	174 41	109,682 39	628 88

Developments

Aspect of assignment	Partner	Director	Senior Manager	Senior Manager	Associate	Associate	Secretarial	Total hours	Time cost £	Average hourly rate £
Strategy and planning	-	-	10 40	-	5 30	1 40	-	17 10	7,239 90	423 39
Assets	-	-	12 30	-	16 50	-	-	28 80	11,715 10	406 77
Creditor claims/distributions	-	-	17 60	-	16 40	48 75	-	82 75	25,000 65	302 12
Accounting and treasury	-	-	1 20	0 30	6 75	6 20	-	14 45	4,112 05	284 57
Reporting to appointor/committee	-	-	13 80	-	13 20	0 30	-	27 30	11,385 40	417 05
Statutory and compliance	-	-	7 90	-	7 00	2 20	0 40	17 50	6,861 00	392 06
Tax and VAT	0 67	72 72	12 17	19 50	35 82	7 90	-	148 78	89,293 35	600 17
Employees	-	-	-	6 50	42 00	1 00	-	49 50	13,320 30	269 10
Total	0 67	72 72	75 37	26 30	142 97	67 75	0 40	386 18	168,927 75	437 43

Narrative explanation of the Joint Liquidators' work

Strategy and planning

- Team meetings to discuss case strategy
- Six monthly reviews of progress to 22 April and 22 October 2011
- Review of junior staff correspondence

Assets

- Liaising with legal advisers and the Newcos to remedy title issues to various properties transferred under the business sale
- Corresponding with pre-appointment bankers regarding sundry bank accounts found to be open Monarch Realisations 1 PLC and Monarch Realisations 2 Limited – in Creditors' Voluntary Liquidation

3. Information in support of the Joint Liquidators' time costs and disbursements from 1 April 2011 to 22 April 2012

- Consideration of strategy and consultation with legal advisers in regard to the remaining land contract deposits
- Undertaking research on the status of the vendors and considering future strategy

Creditor claims/distributions

- Obtaining and reviewing additional information in support of intercompany claims
- Liaising with management and legal advisers regarding the same in relation to set-off
- Admitting preferential claims against Developments and declaring a dividend of 100 pence in the pound on them
- Corresponding with unsecured creditors regarding further supporting information required to facilitate adjudication on claims
- Preparation, circulating and advertising notices of intended dividend to creditors who have not yet proved in the Liquidations
- Adjudication of claims received as a result
- Initial preparations and calculations of distributions from the prescribed parts in each estate
- Maintaining and updating creditor schedules throughout

Accounting and treasury

- Reviewing, authorising and processing receipts and payments
- Liaising with Newco regarding proposed distributions of surplus assets under the terms of the schemes of arrangement
- Carrying out periodic reconciliations of the Liquidation bank accounts

Reporting to appointor/committee

- Liaison with members regarding a proposed third meeting of the Liquidation Committees
- Preparation and circulation of a formal report to the Liquidation Committees in June 2011
- Discussions with the Liquidation Committee members on significant developments and forecast costs in relation to a potential further tax asset

Statutory and compliance

- Preparation, review and circulation of statutory receipts and payments accounts for the six months ended 22 April and October 2011
- Preparation, review and circulation of progress report to creditors and members for the year ended 22 April 2011

Tax and VAT

Due to the ongoing nature and commercial sensitivity of certain aspects of work in connection with tax assets, the following is intended to provide a high level overview. Further detail will be provided to the Liquidation Committees

- Preparation and review of computations and corporation tax returns for the year ended 22 April 2011
- Agreeing amounts due as expenses of the Liquidations and arranging payment
- Liaison with the Newcos and their tax advisors regarding tax efficiencies and potential assets being pursued
- Internal strategy discussions regarding the final pre-Administration PLC corporation tax return and subsequent agreement of the amount claimed
- Preparation and submission of additional VAT asset identified
- Monitoring lead case hearings / tribunals on VAT claims to assess possible impact
- Correspondence with HMRC throughout

Employees

- Communications with the Employment Tribunal and former employees in regard to protective award claims
- Responding to associated correspondence from the Redundancy Payments Service and Department for Work and Pensions
- Calculating amounts as ranking to be preferential and unsecured debts
- Correspondence with the former employees to agree the final amounts and status of their respective claims.

4. Statement of creditors' rights

Rule 4.49E - Creditors' and members' request for further information

4 49E(1) If (a) within the period mentioned in paragraph (2) (i) a secured creditor, or (ii) an unsecured creditor with the concurrence of at least 5% in value of the unsecured creditors including the creditor in question), or (iii) members of the company in a members' voluntary winding up with at least 5% of the total voting rights of all the members having the right to vote at general meetings of the company, or (b) with the permission of the court upon an application made within the period mentioned in paragraph (2) (i) any unsecured creditor, or (ii) any member of the company in a members' voluntary winding up, makes a request in writing to the liquidator for further information about remuneration or expenses set out in a progress report in accordance with Rule 4 49B(1)(e) or (f) (including by virtue of Rule 4 49C(5)) or in a draft report under Rule 4 49D, the liquidator must, within 14 days of receipt of the request, comply with paragraph (3) except to the extent that the request is in respect of matter in a draft report under Rule 4 49D or a progress report required by Rule 4.108 which (in either case) was previously included in a progress report not required by Rule 4 108

4 49E(2) The period referred to in paragraph (1)(a) and (b) is (a) 7 business days of receipt (by the last of them in the case of an application by more than one member) of the progress report where it is required by Rule 4 108, and (b) 21 days of receipt (by the last of them in the case of an application by more than one member) of the report or draft report in any other case

4 49E(3) The liquidator complies with this paragraph by either (a) providing all of the information asked for, or (b) so far as the liquidator considers that (i) the time or cost of preparation of the information would be excessive, or (ii) disclosure of the information would be prejudicial to the conduct of the liquidation or might reasonably be expected to lead to violence against any person, or (iii) the liquidator is subject to an obligation of confidentiality in respect of the information, giving reasons for not providing all of the information

4 49E(4) Any creditor, and any member of the company in a members' voluntary winding up, who need not be the same as the creditors or members who asked for the information, may apply to the court within 21 days of (a) the giving by the liquidator of reasons for not providing all of the information asked for, or (b) the expiry of the 14 days provided for in paragraph (1), and the court may make such order as it thinks just

4 49E(5) Without prejudice to the generality of paragraph (4), the order of the court under that paragraph may extend the period of 8 weeks or, as the case may be, 4 weeks provided for in Rule 4 131(1B) or 4 148C(2) by such further period as the court thinks just

4 49E(6) This Rule does not apply where the liquidator is the official receiver

Rule 4.131 - Creditors' claim that remuneration is or other expenses are excessive

4 131(1) Any secured creditor, or any unsecured creditor with either the concurrence of at least 10% in value of the creditors (including that creditor) or the permission of the court, may apply to the court for one or more of the orders in paragraph (4)

4 131(1A) Application may be made on the grounds that (a) the remuneration charged by the liquidator, (b) the basis fixed for the liquidator's remuneration under Rule 4 127, or (c) expenses incurred by the liquidator, is or are, in all the circumstances, excessive or, in the case of an application under sub-paragraph (b), inappropriate

4 131(1B) The application must, subject to any order of the court under Rule 4 49E(5), be made no later than 8 weeks (or, in a case falling within Rule 4 108, 4 weeks) after receipt by the applicant of the progress report, or the draft report under Rule 4 49D, which first reports the charging of the remuneration or the incurring of the expenses in question ("the relevant report")

4 131(2) The court may, if it thinks that no sufficient cause is shown for a reduction, dismiss the application, but it shall not do so unless the applicant has had an opportunity to attend the court for a hearing, of which he has been given at least 5 business days' notice but which is without notice to any other party. If the application is not dismissed under this paragraph, the court shall fix a venue for it to be heard, and give notice to the applicant accordingly

4 131(3) The applicant shall, at least 14 days before the hearing, send to the liquidator a notice stating the venue and accompanied by a copy of the application, and of any evidence which the applicant intends to adduce in support of it

4 131(4) If the court considers the application to be well-founded, it must make one or more of the following orders (a) an order reducing the amount of remuneration which the liquidator was entitled to charge, (b) an order fixing the basis of remuneration at a reduced rate or amount, (c) an order changing the basis of remuneration, (d) an order that some or all of the remuneration or expenses in question be treated as not being expenses of the liquidation, (e) an order that the liquidator or the liquidator's personal representative pay to the company the amount of the excess of remuneration or expenses or such part of the excess as the court may specify, and may make any other order that it thinks just, but an order under sub-paragraph (b) or (c) may be made only in respect of periods after the period covered by the relevant report

4 131(5) Unless the court orders otherwise, the costs of the application shall be paid by the applicant, and are not payable as an expense of the liquidation