

2503648  
CITILOANS LIMITED

IN THE HIGH COURT OF JUSTICE  
CHANCERY DIVISION

NO 26 OF 2014

COMPANIES COURT

Before Mr Registrar Baisler

This 3<sup>RD</sup> day of Jan 2014

IN THE MATTER OF CITILOANS LIMITED (IN MEMBERS' VOLUNTARY  
LIQUIDATION) & OTHERS

AND IN BANKRUPTCY

IN THE MATTER OF SUSAN BUXTON (A BANKRUPT) & OTHERS

AND IN THE MATTER OF AN OFFICE HOLDER

AND IN THE MATTER OF THE INSOLVENCY ACT 1986

BETWEEN

- (1) CHRISTOPHER KIM RAYMENT
- (2) EDWARD TERENCE KERR
- (3) IAN JAMES GOULD

Applicants

- and -

- (1) DAVID SYDNEY MERRYGOLD
- (2) MATTHEW ROBERT HOWARD
- (3) JAMES DOUGLAS ERNLE MONEY
- (4) MALCOLM COHEN

Respondents

ORDER

THURSDAY



\*Q31413FE\*

QIQ

06/02/2014

#44

COMPANIES HOUSE

**UPON** THE APPLICATION OF CHRISTOPHER KIM RAYMENT, EDWARD TERENCE KERR AND IAN JAMES GOULD ("THE APPLICATION")

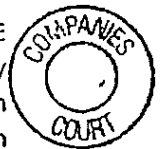
**AND UPON** reading the Witness Statements of Christopher Kim Rayment and David Sydney Merrygold

**IT IS ORDERED THAT:**

- 1        The insolvency proceedings listed in the Schedules attached hereto which are not currently before the High Court be transferred to the High Court for the purposes of this Application only, and the Applicants to ensure that a sealed copy of this Order be lodged with the Court having jurisdiction over each case affected by this Order
- 2        The First Respondent, David Sydney Merrygold, be removed from his office as Liquidator in respect of the companies in Members' Voluntary Liquidation which are set out in Schedule A hereto.
- 3        The First Applicant, Christopher Kim Rayment, shall be appointed as Liquidator in substitution of the First Respondent of the companies which are out set in Schedule A hereto
- 4        The First Respondent, David Sydney Merrygold, be removed from his office as Liquidator in respect of the companies in Creditors' Voluntary Liquidation which are set out in Schedule B hereto
- 5        The Second Applicant, Edward Terence Kerr, shall be appointed as Liquidator in substitution of the First Respondent in respect of the companies which are set out in Schedule B hereto (save in respect of Denham Park Limited which is well advanced and does not require another joint appointee).
- 6        The First Respondent, David Sydney Merrygold, be removed from his office as Liquidator in respect of the companies in Compulsory Liquidation which are set out in Schedule C hereto
- 7        The Third Applicant, Ian James Gould, shall be appointed as Liquidator in substitution of the First Respondent in respect of the company which is set out in Schedule C hereto
- 8        The First Respondent, David Sydney Merrygold, be removed from his office as Liquidator in respect of the Partnerships in Compulsory Liquidation which are set out in Schedule D hereto
- 9        The Second Applicant, Edward Terence Kerr, shall be appointed as Liquidator in substitution of the First Respondent in respect of the Partnerships which are set out in Schedule D hereto

- 10 The First Respondent, David Sydney Merrygold, be removed from his office as Trustee in Bankruptcy in respect of the Bankruptcies set out in Schedule E hereto
- 11 The Second Applicant, Edward Terence Kerr, shall be appointed as Trustee in Bankruptcy in substitution of the First Respondent in respect of the Bankruptcies set out in Schedule E hereto
- 12 The Applicants shall procure that, at the first convenient opportunity to do so, and in any event within 3 months of the date of this Order, a block advertisement in respect of each of the insolvency appointments listed in Schedules A, B, C, D and E shall be placed in the London Gazette containing notification of the following matters
  - (a) the removal of the First Respondent and the substitution of the First Respondent by the First, Second or Third Applicant, as the case may be,
  - (b) that creditors, members (in the case of Members' Voluntary Liquidations) and debtors (where they have a financial interest in the outcome of the insolvency proceedings) have liberty to apply, within 28 days after the notice has been advertised, to vary or discharge this Order,
  - (c) that creditors, members (in the case of Members' Voluntary Liquidations) and debtors (where they have a financial interest in the outcome of the insolvency proceedings) have the right to object and make representations to the First Respondent in respect of his release with 28 days after the notice has been advertised, and
  - (d) that in the case of the Liquidations and Bankruptcies listed in Schedules A, B, C, D and E, the First Respondent will be entitled to apply to the Secretary of State for his release upon the expiry of 42 days from the date the notice has been advertised

- 13 In relation to the insolvency proceedings listed in the Schedules hereto, and insofar as the Insolvency Act 1986 or the Insolvency Rules 1986 contain any requirement for advertisement of the removal of the First Respondent or his substitution by the Applicants, the requirement shall be dispensed with save to the extent provided for herein. Insofar as the First Respondent is required by law to give any notice of the removal from office, the Applicants (and each of them) are entitled to sign and send any such notice on his behalf
- 14 The period to be covered by progress reports to creditors and the dates by which those reports need to be sent to creditors and filed with the Registrar of Companies (if applicable) shall not be altered by virtue of the making of this Order or the replacement of the First Respondent by the First, Second or Third Applicant, as the case may be, pursuant to this Order, and this provision shall override any requirement in the Insolvency Rules 1986 that would otherwise require a report to be made to creditors or would otherwise alter the period to be covered by progress reports or the dates by which those reports need to be sent to creditors and Companies House, on the termination, commencement of replacement of an officeholder's appointment, including those set out in rules 4 49B(5), 4 49C-CVL(3) and 6 78A(4) of the Insolvency Rules 1986
- 15 In each Liquidation and Bankruptcy listed in Schedules A, B, C, D and E hereto, the First Respondent shall not ~~at liberty to~~ apply to the Secretary of State for his release until the expiry of 42 days from the date when the relevant notice referred to in paragraph 12 above has been placed in the London Gazette.
- 16 There be no order as to costs.
- 17 There be liberty to apply



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ORDER

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Boyes Turner LLP  
Abbots House  
Abbey Street  
Reading RG1 3BD

Schedule A – Members' Voluntary Liquidations (Companies)

Name	Current Office Holder (1)	Current Office Holder (2)	Proposed Appointee	Type	Appointed on
Citibank Limited	David Sydney Merrygold		Christopher Kim Rayment	MVL	23/08/2006
International Power Humboldt	David Sydney Merrygold	Edward Terence Kerr	Christopher Kim Rayment	MVL	23/01/2012
Pago Limited	David Sydney Merrygold	Matthew Robert Howard	Christopher Kim Rayment	MVL	19/12/2012
KRH (Realisations) Limited	David Sydney Merrygold	Matthew Robert Howard	Christopher Kim Rayment	MVL	08/01/2013
Owners Syndicate CV Limited	David Sydney Merrygold	James Douglas Ernie Money	Christopher Kim Rayment	MVL	18/01/2013
Wyndham York Limited	David Sydney Merrygold	Matthew Robert Howard	Christopher Kim Rayment	MVL	18/03/2013
Clitgroup Capital Finance Ireland Limited	David Sydney Merrygold	Malcolm Cohen	Christopher Kim Rayment	MVL	22/05/2013
Tribeca Global Management (Europe) Limited	David Sydney Merrygold	Malcolm Cohen	Christopher Kim Rayment	MVL	22/05/2013
International Power (Trading) Limited	David Sydney Merrygold	Malcolm Cohen	Christopher Kim Rayment	MVL	23/09/2013

Schedule B – Creditors' Voluntary Liquidations

Name	Current Office Holder (1)	Current Office Holder (2)	Proposed Appointee	Type	Appointed on
Gruhl Drylining (Freethorpe) Ltd	Mathew Robert Howard	David Sydney Merrygold	Edward Terence Kerr	CVL	18/02/2011
AJC Contractors Limited	David Sydney Merrygold	Mathew Robert Howard	Edward Terence Kerr	CVL	18/08/2011
Cartier Ecological Limited	Mathew Robert Howard	David Sydney Merrygold	Edward Terence Kerr	CVL	18/11/2011
Denham Park Limited	James Douglas Ernie Money	David Sydney Merrygold		CVL	13/03/2013
The Delivery Specialists Limited t/a Clarks Direct	Mathew Robert Howard	David Sydney Merrygold	Edward Terence Kerr	CVL	26/06/2013
Ruffles of Castle Hedingham Limited	David Sydney Merrygold	Mathew Robert Howard	Edward Terence Kerr	CVL	06/08/2013
1 S Hay Limited	Mathew Robert Howard	David Sydney Merrygold	Edward Terence Kerr	CVL	03/09/2013

Schedule C – Compulsory Liquidation (Company)

Name	Current Office Holder (1)	Current Office Holder (2)	Proposed Appointee	Type	Appointed on	Court	Court No
Warners M & E Limited	David Sydney Merrygold	Matthew Robert Howard	Ian James Gould	WUC	22/03/2013	High Court	8290 of 2010

Schedule D – Compulsory Liquidations (Partnerships)

Name	Current Office Holder (1)	Current Office Holder (2)	Proposed Appointee	Type	Appointed on	Court	Court No
T & S Buxton*	David Sydney Merrygold		Edward Terence Kerr	WUC	06/08/1996	Norwich County Court	4031 of 1995
Shapla Tandori Indian Restaurant	David Sydney Merrygold		Edward Terence Kerr	WUC	16/11/2011	High Court	G748 of 2011

\* consolidated with Terence Hugh Buxton – In Bankruptcy (Norwich County Court No 226 of 1995) and Susan Margaret Buxton – In Bankruptcy (Norwich County Court No 227 of 1995) the lead proceedings being No 226 of 1995

Schedule E – Bankruptcies

Name	Current Office Holder (1)	Current Office Holder (2)	Proposed Appointee	Type	Appointed on	Court	Court No
Susan Buxton <sup>1</sup>	David Sydney Merrygold		Edward Terence Kerr	BKY	06/08/1996	Norwich County Court	227 of 1995
Terence Buxton <sup>1</sup>	David Sydney Merrygold		Edward Terence Kerr	BKY	06/08/1996	Norwich County Court	226 of 1995
Ayob Ali	David Sydney Merrygold		Edward Terence Kerr	BKY	19/03/2012	High Court	5041 of 2011
Aska Bibi Ali	David Sydney Merrygold		Edward Terence Kerr	BKY	20/03/2012	High Court	5043 of 2011
Jamshed Ali	David Sydney Merrygold		Edward Terence Kerr	BKY	20/03/2012	High Court	5042 of 2011

<sup>1</sup> consolidated with T & S Buxton (a partnership) – in Liquidation (Norwich County Court No 4031 of 1995) the lead proceedings being No 226 of 1995