

# M

COMPANIES FORM No. 405(1)

## Notice of appointment of receiver or manager

# 405(1)

**CHFP080**Please do not  
write in this margin

Pursuant to section 405(1) of the Companies Act 1985

Please complete  
legibly preferably  
in black type or  
bold block letteringTo the Registrar of Companies  
(Address Overleaf)

For official use

Company number

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2929844

\*Insert full name  
of company

Name of Company

\* Housepower Properties Limited

I/~~We~~ Stephen Hobson  
of  
Francis Clark  
Southernhay House  
36 Southernhay East  
Exeter EX1 1NX

give notice that

\*insert name and  
address of  
receiver/manager

Stephen Hobson  
of  
Francis Clark  
Southernhay House  
36 Southernhay East  
Exeter EX1 1NX

was appointed as Receiver of the property of the company.

The appointment was made by

\*name of court  
making the order

an order of the High Court of Justice made on 27 February 2001

charge NO 1

\*enter description  
and date of the  
instrument under  
which appointment  
is made, and state  
whether it is a  
debenture secured  
by a floating charge

Signed



Date 21 May 2001

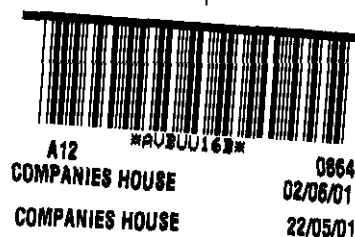
Presenter's name and address and  
reference (If any):  
9560

Francis Clark  
Southernhay House  
36 Southernhay East  
Exeter  
Devon

Time Critical Reference

For Official Use  
Liquidation Section

Post room



**IN THE HIGH COURT OF JUSTICE**

**Claim No. 991330**

**QUEEN'S BENCH DIVISION**

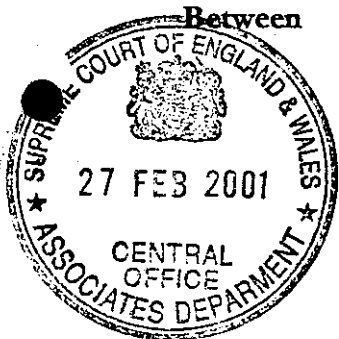
**The Hon. Mr. Justice Goldring**

**IN THE MATTER OF THE CIVIL JURISDICTION AND JUDGMENTS ACT  
1982**

**and**

**IN THE MATTER OF PROCEEDINGS PENDING BEFORE THE  
DISTRICT COURT OF BE'ER SHEVA, ISRAEL**

**Between**



**S. Dunhill General Industries to Israel Ltd (in liquidation)**

**Applicant**

**v**

**Housepower Properties Limited**

**Respondent**

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**ORDER**

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**UPON HEARING** Counsel for the Applicant and Counsel for the Respondent

**AND UPON READING** the affidavit of Jeremy Mark Davies sworn herein on 1<sup>st</sup> September 1999, the witness statements of Jeremy Mark Davies dated 15<sup>th</sup> December 2000, 17<sup>th</sup> January 2001 and 31<sup>st</sup> January 2001, the witness statements of Anup Vyas dated 16<sup>th</sup> January 2001, 22<sup>nd</sup> January 2001 and 7<sup>th</sup> February 2001, the witness statement of Dennis Lavin dated 22<sup>nd</sup> January 2001, the witness statement of Dipika Patel dated 23<sup>rd</sup> January 2001, the witness statement of Claudia Snijders dated 7<sup>th</sup> February 2001, the statement of Carlo Scribani Rossi dated 7<sup>th</sup> February 2001 and the statement of Rita Grisoni dated 7<sup>th</sup> February 2001

**AND UPON THE APPLICANT** giving the following undertakings to the Court:

1. If the Court later finds that this Order has caused loss to the Respondent and decides that the Respondent should be compensated for that loss, the Applicant will comply with any Order that the Court may make as to damages.
2. The Applicant will pay the reasonable costs of anyone other than the Respondent which have been incurred as a result of this Order including the costs of ascertaining whether that person holds any of the Respondent's assets and that if the Court later finds that this Order has caused such a person loss, and decides that the person should be compensated for that loss, the Applicant will comply with any Order the Court may make.
3. The Applicant will be answerable for all assets and sums received by the Receiver appointed by this Order and for all sums that the Receiver may become liable to pay.

**NOW IT IS HEREBY ORDERED AND DIRECTED THAT:**

4. Mr Stephen Hobson, of Francis Clark, Southernhay House, 36 Southernhay East, Exeter, be appointed until further order as Receiver without security and with power to act over all of the assets of the Respondent including without limitation the following assets:-
  - a) the interest of the Respondent in the Italian company Immobiliare Villa Daniela S.r.l., number 01624850978, registered in Milan;
  - b) the Respondent's causes of action against Banca Arner S.A. and/or Arner Consulting S.A. and/or the directors of the Respondent and/or Intertrust Limited (formerly Bentincks);
  - c) such other assets as may be notified to the Applicant.

**PROVIDED ALWAYS THAT:**

Insofar as this Order purports to have any effect outside England and Wales, no person shall be affected by it or concerned with the terms of it until it shall have been declared enforceable or shall have been recognized or registered or enforced by a foreign court (and then it shall only affect such persons to the extent of such declaration or recognition or registration or enforcement) unless that person is:

- (i) a person to whom this Order is addressed or an officer or agent appointed by Power of Attorney of such person;
  - (ii) a person who is subject to the jurisdiction of this Court and who:
    - (1) has been given written notice of this Order at his or her or its residence or place of business within the jurisdiction; and
    - (2) is able to prevent acts or omissions outside the jurisdiction of this court which assist in the breach of the terms of this Order.
- 5. The Receiver shall not without the leave of the Court take any steps relating to the conduct of these proceedings on behalf of or in the name of the Respondent Housepower Properties Ltd.
- 6. The Receiver shall not raise any objection to the Respondent at its own expense instructing solicitors and counsel to conduct these proceedings.
- 7. This Order shall not extend to any papers in the possession of the solicitors of the Respondent, which come into their possession for the purposes of these proceedings.
- 8. The Respondent shall procure so far as it lies within its power:-
  - a) that the assets to which the Receiver's appointment extends, and any documents relating to or evidencing such assets, are forthwith delivered up or transferred to the Receiver; and
  - b) that none of the said assets is disposed of by any person until after judgment in the Israeli proceedings or further order save with the consent of the Receiver or the leave of the Court.
- 9. The Receiver be authorised
  - a) to take such steps as may seem to him to be appropriate for the purpose of getting in recovering and preserving the assets to which his appointment extends and (with the leave of the Court) any assets formerly held directly or indirectly by or to the order of or for the benefit of the Respondent;

- b) to take proceedings in any jurisdiction in the name of the Respondent or in his own name (as may be appropriate) for the aforesaid purpose;
  - c) to retain legal advice both inside and outside England and Wales to assist him in the aforesaid purpose.
10. The Receiver and any party affected by this Order be at liberty to apply to a Judge of the High Court for directions concerning the conduct of the Receivership.
11. There be liberty to apply to vary or discharge this Order upon written notice to the Applicant's solicitors.
12. The costs of this application, assessed in the sum of £11,425.60 shall be paid by the Respondent to the Applicant.

Dated this 19<sup>th</sup> Day of February 2001

**PENAL NOTICE**

IF YOU THE WITHIN NAMED **HOUSEPOWER PROPERTIES LIMITED**  
DISOBEY THIS ORDER YOU MAY BE HELD TO BE IN CONTEMPT OF  
COURT AND LIABLE TO IMPRISONMENT OR FINED OR YOUR ASSETS  
SEIZED.

IN THE HIGH COURT OF JUSTICE  
Claim No. 991330

QUEEN'S BENCH DIVISION

IN THE MATTER OF THE CIVIL  
JURISDICTION AND JUDGMENTS ACT  
1982

and

IN THE MATTER OF PROCEEDINGS  
PENDING BEFORE THE DISTRICT  
COURT OF BE'ER SHEVA, ISRAEL

Between

S. Dunhill General Industries to Israel Ltd  
(in liquidation)

Applicant

v

Housepower Properties Limited

Respondent

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~~DRAFT ORDER~~

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Davies Johnson & Co  
The Old Harbour Office  
Guy's Quay, Sutton Harbour  
Plymouth  
Devon  
PL4 0ES

Tel: 01752 226020

Ref: 01S00151