

**2.24B**

The Insolvency Act 1986

**Administrator's progress report**

Name of Company  Zebra Finance Limited
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Company number  03065024
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In the High Court of Justice, Chancery Division, Leeds District Registry  (full name of court)
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Court case number  1318 of 2013
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(a) Insert full name(s) and address(es) of administrator(s)

I/We (a)  
Gareth David Rusling  
The P&A Partnership  
93 Queen Street  
Sheffield  
S1 1WF  
DX 10616 Sheffield

Andrew Philip Wood  
The P&A Partnership  
93 Queen Street  
Sheffield  
S1 1WF  
DX 10616 Sheffield

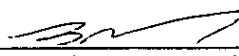
administrator(s) of the above company attach a progress report for the period

(b) Insert date

From  (b) 21 October 2013	To
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(b) 20 April 2014
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Signed

  
Joint / Administrator(s)

Dated

19.5.14

**Contact Details**

You do not have to give any contact information in the box opposite but if you do, it will help Companies House to contact you if there is a query on the form

The contact information that you give will be visible to searchers of the public record

Gareth David Rusling  
The P&A Partnership  
93 Queen Street  
Sheffield  
S1 1WF  
DX 10616 Sheffield

0114 2755033

TUESDAY



A09

\*A38AIPQ1\*

20/05/2014

#72

COMPANIES HOUSE

When you have completed and signed this form, please send it to the Registrar of Companies at -  
Companies House, Crown Way, Cardiff CF14 3UZ DX 33050 Cardiff

**IN THE HIGH COURT OF JUSTICE  
CHANCERY DIVISION  
LEEDS DISTRICT REGISTRY**

**NO 1318 of 2013**

**ZEBRA FINANCE LIMITED (“the Company”)**

**AND**

**IN THE MATTER OF THE INSOLVENCY ACT 1986 (“the Act”)**

**JOINT ADMINISTRATORS’ PROGRESS REPORT TO CREDITORS PURSUANT TO RULE 2.47 OF  
THE INSOLVENCY RULES 1986**

**This report has been prepared under the provisions of the Insolvency Rules for the sole purpose of advising the creditors of the Company of the progress of the Administration. This report is private and confidential and may not be copied or quoted from in whole or in part, referred to or relied upon for any other purpose, other than advising creditors.**

**The P&A Partnership  
93 Queen Street  
Sheffield  
S1 1WF  
Tel: 0114 275 5033  
Fax: 0114 276 8556  
Email: [epost@thepandapartnership.com](mailto:epost@thepandapartnership.com)**

## ZEBRA FINANCE LIMITED

### 1. INTRODUCTION

1.1 This report to creditors is made pursuant to Rule 2.47 of the Insolvency Rules 1986

### 2. STATUTORY INFORMATION

Company name	Zebra Finance Limited
Registered address	93 Queen Street Sheffield S1 1WF  Formerly - Century House 29 Clarendon Road Leeds LS2 9PG
Company number	03065024
Other trading names of the Company	None
Date of incorporation	6 June 1995
Objects	Consumer Finance Broker
Authorised share capital	164,666 ordinary shares of £1 each
Issued share capital	164,666 ordinary shares of £1 each
Shareholders	Falls Cap LLC – 66,666 ordinary shares of £1 each Robert John Easton – 24,500 ordinary shares of £1 each Peter Grenville Fletcher – 24,500 ordinary shares of £1 each Michael Alan Woodall – 24,500 ordinary shares of £1 each Peter Charles Richardson – 24,500 ordinary shares of £1 each
Debenture holder	None
Directors	Robert John Easton Peter Grenville Fletcher Michael Alan Woodall Peter Charles Richardson
Company Secretary	Peter Granville Fletcher

### 3. COURT HAVING CONTROL OF ADMINISTRATION PROCEEDINGS AND JOINT ADMINISTRATORS' APPOINTMENT

- 3 1 The High Court of Justice, Chancery Division, Leeds District Registry is the Court seized of the Administration proceedings. The Court reference number is 1318 of 2013.
- 3 2 On 21 October 2013, the directors of the Company filed a Notice of Appointment of Administrators pursuant to Paragraphs 22 and 29 of Schedule B1 to the Act. Gareth David Rusling and Andrew Philip Wood of The P&A Partnership, 93 Queen Street, Sheffield S1 1WF were appointed Joint Administrators of the Company.
- 3 3 Gareth David Rusling and Andrew Philip Wood are Insolvency Practitioners licensed by the Insolvency Practitioners Association of Valiant House, 4-10 Heneage Lane, London EC3A 5DQ.
- 3 4 In accordance with Paragraph 100(2) of Schedule B1 to the Act both of the Joint Administrators may exercise any or all of the functions of the Joint Administrators jointly or alone.

### 4. JOINT ADMINISTRATORS' STRATEGY

- 4 1 The Joint Administrators' Proposals for achieving the purpose of Administration ("Proposals"), approved by creditors on 19 December 2013, were to achieve a better result for the Company's creditors as a whole than would be likely if the Company were wound up without first being in Administration.
- 4 2 We continue to anticipate that the above objective will be achieved as we expect a distribution to the unsecured creditors will be made available however, the quantum is unknown at present. Any dividend will be distributed within the subsequent Liquidation of the Company.

### 5. PROGRESS REPORT

- 5 1 This report covers the period following the appointment of the Joint Administrators on 21 October 2013 until 20 April 2014.
- 5 2 Shown below and overleaf is a summary of the Joint Administrators' receipts and payments covering the period between 21 October 2013 and 20 April 2014.

*Note*  
*All receipts and payments are shown net of value added tax*

**Joint  
Administrators'  
Statement of  
Affairs (£)**

**21/10/2013  
to  
20/04/2014  
(£)**

#### RECEIPTS

Goodwill, IP & Trading Records	1	1
Chattels	9,999	5,999
Contracts & WIP	70,000	42,000
Book Debts	20,000	12,000
Barclays Claim	Uncertain	-
Solicitors Interest	-	3
		<u>60,003</u>

## PAYMENTS

Advertising/PR	275
Office Holders' Fees	33,000
Incidental Outlay – Category 2 Disbursements	
Motor & Expenses	25
Postage & Stationery	175
Agent's Fees	6,182
Legal Fees	10,064
Statutory Advertising	156
VAT Not Recoverable	9,967
	<u>59,844</u>
<b>Balance in Hand</b>	<u>159</u>

### Balance in Hand represented by

Interest bearing account	-
Non-interest bearing account	159
VAT receivable	-
	<u>159</u>

*Note*

*All receipts and payments are shown net of value added tax*

- 5 3 As advised previously, upon the appointment of the Joint Administrators, the Company's business and assets were sold to Trent Finance Limited ("Trent") for the sum of £100,000. A summary of the assets included within the sale is detailed below -

Assets	Amount (£)
Chattels	9,999
Contracts and WIP	70,000
Goodwill, IP & Trading Records	1
Book Debts	20,000
	<u>100,000</u>

- 5 4 The directors of the Company are also the directors and shareholders of Trent
- 5 5 Pursuant to SIP 16, a detailed explanation and justification of why a pre-packaged sale was undertaken was disclosed with the initial notice of the Joint Administrators' appointment which was circularised to creditors on 4 November 2013
- 5 6 The sum of £60,000 was received upon completion from Trent with the remaining balance of £40,000 being payable on deferred terms, as detailed below -

Due Date	Amount (£)
31 May 2014	10,000
30 June 2014	10,000
31 July 2014	10,000
31 August 2014	10,000

- 5 7 The deferred consideration has been secured by way of a personal guarantee from Mr P Fletcher
- 5 8 As detailed previously, as part of the sale of the business and assets to Trent, the Joint Administrators entered into a licence for Trent to occupy the Company's former trading premises at Lincoln House, Stephenson's Way, Wyvern Business Park, Derby for a period of two months from the date of completion ending on 20 December 2013. Under the terms of the agreement, Trent were responsible for discharging all liabilities falling due under the lease

- 5 9 As the licence period has expired, the Joint Administrators wrote to Trent requesting confirmation that all licence payments were up to date and that these had been discharged directly to the landlord and whether new terms of occupation have been agreed between Trent and the landlord
- 5 10 Trent advised the Joint Administrators that all payments had been made directly to the landlord and were currently up to date Trent also confirmed that new terms of occupation have been agreed with the landlord however, these were awaiting to be formalised
- 5 11 The Joint Administrators have yet to receive confirmation that occupation has been formalised and have therefore written to Trent requesting confirmation of this
- 5 12 As detailed in the Joint Administrators' Proposals, the Company was the joint claimant in an ongoing claim for circa £500,000 against Barclays Bank Plc ("Barclays") which related to the alleged mis-selling of an interest rate hedging agreement The claim was issued against Barclays by joint claimants, and the Company and Zebra Special Finance Limited
- 5 13 As mentioned previously, the Joint Administrators concluded that it was not feasible to pursue the above claim further due to the complexities and uncertainties surrounding the success of the claim and the costs associated in pursuing this further
- 5 14 Therefore, the directors, through Trent, approached the Joint Administrators and stated their desire to continue with the claim and offered to purchase what right, title and interest the Company had in the claim against Barclays This offer was accepted by the Joint Administrators and was agreed that subject to a successful outcome and a settlement or award exceeding £50,000 net of costs, Trent would pay the Company 12.5% of the net of costs settlement or award
- 5 15 We have now received confirmation from Trent that following a hearing held on 27 February 2014 to strike out the claim against Barclays, was found in favour of Barclays Trent have confirmed that they have consulted with their legal advisors and have concluded not to pursue the matter through the Court of Appeal thereby bringing the action to an end
- 5 16 It was estimated on the Joint Administrators' statement of affairs that there would be no preferential creditor claims and that unsecured creditor claims would be in the region of £198,884 We do not anticipate receiving any preferential creditor claims in this matter however, unsecured creditor claims received to date total £390,590
- 5 17 Within the Act there are provisions for a fund, called the Prescribed Part, to be set aside for distribution to the unsecured creditors The fund is calculated on the net realisations of property subject to a floating charge contained in a debenture created on or after 15 September 2003
- 5 18 There are no outstanding charges registered at Companies House As such, the Prescribed Part provisions will not apply
- 5 19 We anticipate that there will be a distribution available to the unsecured creditors in this matter however, the quantum of which is unknown at present Any such distribution will be made within the subsequent Liquidation of the Company
- 5 20 Upon their appointment, the Joint Administrators instructed Charterfields Limited ("Charterfields") International Asset Consultants, to assist in the realisation of the Company's assets In addition, Walker Morris LLP ("WM") were also instructed by the Joint Administrators to assist in any legal advice which may be required during the period of the Administration
- 5 21 Charterfields are being paid on a percentage of realisations basis in respect of the Company's assets To date, they have received funds totalling £6,182 which consists of fees and disbursements in the sum of £6,000 and £182 respectively Charterfields have outstanding fees in the sum of £4,000 which will be discharged following realisation of the remaining deferred consideration

- 5 22 With regard to WM, it has been agreed that their remuneration will be based upon an hourly rate. Funds totalling £10,064 which consists of fees and disbursements in the sum of £10,000 and £64 respectively have been discharged. WM currently have outstanding work in progress in the sum of £16,696, an element of which will be discharged following receipt of further realisations.
- 5 23 The Joint Administrators are to be reimbursed for any expense or necessary disbursements properly charged or incurred in the course of carrying out their duties in this matter. These expenses include category 1 and 2 disbursements such as mileage at "AA" rate, meeting room hire, photocopying, stationery, postage, searches, redirection of mail, storage of the Company's books and records on a commercial basis within the Joint Administrators' storage facility and any other costs appertaining to the conduct of this Administration. Such expenses or disbursements are to be paid from the assets of the Company in accordance with the Proposals approved by creditors on 19 December 2013.
- 5 24 Please refer to the attached Creditors' Guide to the Fees, Expenses and Disbursements charged by The P&A Partnership. A Creditors' Guide to Fees is available and provides explanations of creditors' rights. This can be accessed via the Internet at [www.thepandapartnership.com/resources](http://www.thepandapartnership.com/resources) or alternatively a copy can be requested by telephoning The P&A Partnership Help Desk +44 (0)114 275 5033.
- 5 25 The Proposals, approved by creditors on 19 December 2013, stated that the Joint Administrators' remuneration shall be calculated by reference to the time properly given by the Joint Administrators and their staff in attending to all matters arising during the course of the Administration.
- 5 26 Attached at Appendix 1 are Statements of Insolvency Practice 9 time analyses showing pre-appointment time costs, of £12,034, with further time costs for the post-appointment period 21 October 2013 to 20 April 2014 in the sum of £62,906. The sum of £33,000 has been drawn on account which represents the whole of the pre-appointment time costs and an element of the post-appointment time costs.
- 5 27 The following matters have been particularly time consuming -
- 5 27 1 A significant amount of time has been expended in reviewing the merits in pursuing the Barclays claim further and holding discussions with Trent to agree a deal to be structured in this respect,
  - 5 27 2 The Joint Administrators have spent a considerable amount of time liaising with creditors by way of verbal and written communication in relation to their unsecured claims and requests for updates on the Administration progress,
  - 5 27 3 Significant levels of time have been spent investigating enquiries and concerns received from third parties with regard to various issues surrounding the Company,
  - 5 27 4 Time has also been expended with regard to enquiring with regard to the licence to occupy the Company's former premises and ensuring that rental payments are up to date and terms of occupation have been agreed, and
  - 5 27 5 The above is in addition to the Joint Administrators' statutory duties.
- 5 28 A secured creditor, an unsecured creditor with the concurrence of at least 5% in value of the unsecured creditors (including that creditor), or an unsecured creditor with the permission of the Court, has a period of twenty one days from the date of receipt of this progress report to request further information in respect of the Joint Administrators' remuneration and expenses.

5 29 Any secured creditor, any unsecured creditor with either the concurrence of at least 10% in value of the creditors (including that creditor), or an unsecured creditor with the permission of the Court, may make an application to the Court on the grounds that the remuneration charged and or expenses incurred by the Joint Administrators are excessive or the basis fixed for the Joint Administrators' remuneration is inappropriate. Such an application to the Court must be made within eight weeks of the date of receipt of this progress report.

Dated this 19<sup>th</sup> day of May 2014



**Gareth David Rusling**  
**Joint Administrator**  
**Acting as agent of the Company**  
**without personal liability**



**ZEBRA FINANCE LIMITED – IN ADMINISTRATION**

**APPENDIX 1**

**JOINT ADMINISTRATORS' SIP 9 TIME COST ANALYSIS**

**PRE-APPOINTMENT & POST APPOINTMENT COSTS**

**SIP 9 - Time & Cost Summary**

Period 02/10/13 20/10/13

## Time Summary

Classification of work function	Hours					Time Cost (£)	Average hourly rate (£)
	Partner	Manager	Other Senior Professionals	Assistants	Total Hours		
Administration & planning	4 00	8 00	0 20	0 00	12 20	3,218 20	263 79
Investigations	0 00	0 00	0 00	0 00	0 00	0 00	0 00
Realisations of assets	7 80	6 40	0 90	0 00	15 10	4,256 90	281 91
Trading	0 00	0 00	0 00	0 00	0 00	0 00	0 00
Creditors	1 00	0 20	0 00	0 00	1 20	381 00	317 50
Case specific matters	12 30	0 00	0 30	0 00	12 60	4,177 80	331 57
Pre Sip9 Time Recording	0 00	0 00	0 00	0 00	0 00	0 00	0 00
Total Hours	25 10	14 60	1 40	0 00	41 10	12,033 90	292 80
Total Time Cost (£)	8,408 50	3,358 00	267 40	0 00			

**SIP 9 - Time & Cost Summary**

Period 21/10/13 20/04/14

## Time Summary

Hours						Time Cost (£)	Average hourly rate (£)
Classification of work function	Partner	Manager	Other Senior Professionals	Assistants	Total Hours		
Administration & planning	13 80	52 80	43 10	11 10	120 80	25,517 20	211 24
Investigations	4 00	10 30	4 20	0 00	18 50	4 511 20	243 85
Realisations of assets	8 00	28 40	6 10	0 50	43 00	10,397 10	241 79
Trading	0 00	0 00	0 00	0 00	0 00	0 00	0 00
Creditors	23 40	16 50	13 20	8 00	61 10	14,475 20	236 91
Case specific matters	14 10	11 10	3 50	1 50	30 20	8 005 00	265 07
Pre Sip9 Time Recording	0 00	0 00	0 00	0 00	0 00	0 00	0 00
Total Hours	63 30	119 10	70 10	21 10	273 60	62,905 70	229 92
Total Time Cost (£)	21,205 50	27,678 00	13,178 20	844 00			

**Creditors Guide to the Fees, Expenses and Disbursements charged by The P&A Partnership**  
**Rates applicable from the 1<sup>st</sup> March 2014**

### **Details of Insolvency Practitioners Licensing Bodies**

John Russell, Brendan Ambrose Guilfoyle, Andrew Philip Wood, Christopher Michael White, Gareth David Rusling, Steven Edward Butt and Ashleigh William Fletcher are all licensed by the Insolvency Practitioners Association of Valiant House, 4-10 Heneage Lane, London, EC3A 5DQ Derek Ewan Simpson is licensed by The Institute of Chartered Accountants of Scotland of CA House, 21 Haymarkets Yard, Edinburgh EH12 5BH

### **Insolvency Practitioners Fees**

The Insolvency Rules 1986 entitles the Insolvency Practitioner to receive remuneration for his services and sets out the basis of how such remuneration shall be fixed which includes a percentage of the assets realised and monies distributed to creditors, a set amount, by reference to the time properly given by the office holders, their partners and staff in attending to matters arising, or one or more of the above bases and different basis may be fixed for different things Where it has been agreed by resolution of the secured creditors, a creditor's committee or creditors generally, that the office holders remuneration will be calculated by reference to a time basis, then such remuneration will be calculated in units of 6 minutes at the following hourly standard rates -

Grade	Total Hourly Standard Rates £	Total Hourly Complex Rates £
Partners/Associate Partners & Directors	335-450	495 – 600
Senior Manager & Managers	230-305	320 – 440
Administrators	191-230	
Assistants	40-191	

These are our current hourly charge out rates and are exclusive of value added tax Rates are reviewed annually and creditors will be advised of any alteration thereto In cases of exceptional complexity or risk, the insolvency practitioner reserves the right to obtain authority from the secured creditors, creditor's committee or the creditors generally, that their remuneration on such time as is agreed shall be charged on the above higher hourly complex rate

### **Debt Collection, Contested Asset Recovery and Related Services**

Contested debt collection will be referred to P&A Receivables Services PLC, an associated company of The P&A Partnership and its dedicated legal firm James Peters & Co The fees of P&A Receivables Services PLC shall be charged by reference to the time properly given by their staff, such fees will be calculated in units of 6 minutes at the hourly rate of £80 P&A Receivables Services PLC may also be used to recover items such as plant and machinery, to locate debtors and to serve documents The fees for work of this nature will be calculated in accordance with P&A Receivables Services PLC's standard rates

James Peters & Co fees will be charged by reference to time costs properly incurred, calculated in 6 minute units at an hourly rate of between £111 and £217, plus their disbursements These fees are in accordance with the guideline rates for summary assessment of costs following consultation between the legal profession and the Designated Civil Judge and are typical of legal firms in this geographical area

### **Expenses and Disbursements**

The payment of **Category 1** disbursements will be a charge against the estate to recover the actual cost of the disbursement paid out in respect of the administration of the estate, typically statutory advertising, searches, external room hire or travel expenses A separate amount will be charged by way of an expense to recover the cost of **Category 2** disbursements for services provided by the insolvency practitioner's firm Category 2 disbursements will include storage of company's books and records at the insolvency practitioner's own storage facility The books and records will be stored in banker's boxes and a storage fee will be charged at the rate of £7 50 per box per month This charge covers the transportation of records from the company's premises, storage, retrieval of books and records in storage for administration purposes and the destruction of such books and records after the first anniversary of the completion of the insolvency administration Travelling by motor vehicle on business for the administration of the insolvency will be charged to the estate per mile at the appropriate rate currently published by the "AA" for the type of vehicle and engine size used All circulars will be sent out by first class post and the actual postage costs will be charged as an expense to the estate

### **Introduction to Lending Sources**

The P&A Partnership may make referrals to P&A Lender Services Ltd ('PALS') being an associated company PALS and its authorised representatives are not authorised under the Financial Services and Markets Act 2000 or by the Financial Services Authority to provide specific investment advice but they may be able to introduce funding seeking parties ('FSP's') to one or more reputable lending services ('Lender')

In such circumstances where any party associated with the referral is subsequently subject to any formal insolvency procedure and the Partners of The P&A Partnership are appointed office holders in relation to any formal insolvency, then any arrangement fees or commissions or payments becoming due to PALS (if any) from any Lender in respect of the acquisition or future trading of the business and assets of the insolvent party, will be paid into the realisation fund in the formal insolvency for the benefit of creditors

Our Ref Z363013/J/CD/KK