

In the High Court of Justice
Chancery Division
Leeds District Registry

Claim no SC-00797

Before His Honour Judge Behrens sitting as a Judge of the High Court
On 12nd December 2005.

BETWEEN :

Paul Howard Finn

Applicant

And

- (1) Peter Adrian Finn
- (2) Andrew John Duncan
- (3) Andrew Gordon Stoneman
- (4) Adrian David Allen
- (5) Stephen Penn
- (6) Malcolm Cohen
- (7) Stephen Swaden

Respondents

ORDER

UPON CONSIDERING the application on paper in accordance with paragraph 7 of the Practice Direction: Insolvency Proceedings

AND UPON reading the Witness statement of Paul Howard Finn dated December 2005 and the exhibits thereto

IT IS ORDERED THAT:

- (1) Those cases set out in Schedule 1 hereto be transferred to the High Court for the purpose of this Application;



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* Case ① = endappt 5367-15.

appt = 8098-2

- (2) The Applicant be removed as trustee in bankruptcy and Peter Adrian Finn do replace the Applicant as trustee in bankruptcy in the cases set out in Part A of Schedule 1 hereto;
- (3) The Applicant be removed as trustee in bankruptcy and Martin Christopher Hepworth do replace the Applicant as trustee in bankruptcy in the cases set out in Part B of Schedule 1 hereto;
- (4) The Applicant be removed as Supervisor of the Individual Voluntary Arrangement (IVA) and Peter Adrian Finn do replace the Applicant as Supervisor of the IVA in the cases set out in Part C of Schedule 1 hereto;
- (5) The Applicant be removed as Joint Administrator and Martin Christopher Hepworth do replace the Applicant as Joint Administrator in the case set out in Part D of Schedule 1 hereto;
- (6) The Applicant be removed as Liquidator and Peter Adrian Finn do replace the Applicant as Liquidator in the cases set out in Part E of Schedule 1 hereto;
- (7) The Applicant be removed as Liquidator and Peter Adrian Finn do replace the Applicant as Liquidator in the cases set out in Part F of Schedule 1 hereto;

- (8) The Applicant be removed as Joint Liquidator and Peter Adrian Finn do replace the Applicant as Joint Liquidator in the cases set out in Part G of Schedule 1 hereto;
- (9) The Applicant be removed as Liquidator and Peter Adrian Finn do replace the Applicant as Liquidator in the cases set out in Part H of Schedule 1 hereto;
- (10) The Applicant be removed as Liquidator and Peter Adrian Finn do replace the Applicant as Liquidator in the cases set out in Part J of Schedule 1 hereto;
- (11) The Applicant be removed as Provisional Liquidator and Peter Adrian Finn do replace the Applicant as Provisional Liquidator in the cases set out in Part K of Schedule 1 hereto;
- (12) The Applicant be removed as Joint Supervisor of the Company Voluntary Arrangement (CVA) and Martin Christopher Hepworth do replace the Liquidator as Joint Supervisor of the CVA in the case set out in Part L of Schedule 1 hereto;
- (13) The Applicant be removed as Supervisor of the Company Voluntary Arrangement (CVA) and Peter Adrian Finn do replace the Applicant as Supervisor of the CVA in the cases set out in Part M of Schedule 1 hereto;

(14) The Applicant be removed as Joint Trustee in Bankruptcy and Peter Adrian Finn remain as sole Trustee in the case set out in Part N of Schedule 1 hereto;

(15) The Applicant be entitled to publish in the Gazette one composite notice relating to all new appointments which are required by law to be published in the Gazette.

(16) Without incurring any additional expense to any of the said estates, the Respondents shall when the next report is due to creditors of each estate, notify each creditor of the making of this order, such notice to contain the following matters:

- 15.1 An explanation of the effect of the Order
- 15.2 Express reference to the permission to apply below
- 15.3 The provision of all such information as might reasonably be required as part of that report with regard to the conduct of the bankruptcy, voluntary arrangement, administration, liquidation, provisional liquidation (as the case may be)
- 15.4 In the case of compulsory liquidations and bankruptcies under the Insolvency Act 1986 where liquidation or creditors' committees have been appointed, an explanation that, to the extent that any such information which would otherwise be required to be provided under insolvency rule 4.108(3) or rule 6.126(2) has not

already been provided as part of the routine report, it is open to that committee to require the Applicant appointed do provide an account of the administration of the estate including :-

15.4.1 Summary of receipts and payments

15.4.2 A statement that he has reconciled his accounts

15.5 In the case of compulsory liquidations and bankruptcies under the Insolvency Act 1986 where no liquidation or creditors' committee have been appointed, an explanation that, to the extent that such information has not already been provided as part of the routine report, it is open to any creditor to apply to court for an order that the Applicant appointed do provide such information as might otherwise be required by Rule 4.108(3) or Rule 6.126(2) (as the case may be) that is to say, an account of the administration of the estate including:-

15.5.1 Summary of the receipts and payments

15.5.2 A statement that he has reconciled his accounts

15.6 Notification that if any Applicant appointed has been required to provide the information referred to above, whether by the liquidation/creditors' committee or by Court Order on the application of any individual creditors, the appointed Applicant's costs of so complying will, unless there are good reasons to the contrary, be paid as an expense of the bankruptcy, administration, arrangement or winding up as the case may be.

- 15.7 In the case of liquidation under the Insolvency Act 1986,
notification be given to each creditor of his right under rule 11(1)
(compulsory winding up) and rule 11(2) (voluntary winding up)
of the insolvency regulations 1994 to require the appointed
Applicant to supply a Statement of Receipts and Payments free of
charge.
- 15.8 In the case of bankruptcies under the Insolvency Act 1986,
notification be given to each creditor of his right under rule 25 of
the Insolvency Regulations 1994 to require the appointed
Applicant to supply a Statement of Receipts and Payments free of
charge.
- 15.9 Permission be granted to each creditor of each estate to apply to
vary or discharge this Order within 21 days of posting of the
notices or letters directed to be sent under Paragraph 15 above.
- 15.10 The costs of the application herein (including the VAT) be paid as
an expense of each of the insolvency proceedings identified in
Schedule 1, the cost to be aggregated and apportioned equally
amongst each of the said proceedings provided that:

- (i) if the costs which fall to be borne by any of the proceedings exceed 10% of the readily realisable assets within that proceeding, then the proceeding shall only bear part of those apportioned costs, that part being equal to 10% of that proceedings' readily realisable assets; and
- (ii) the excess shall then be apportioned and borne equally by the remaining proceedings

15.11 Service of the said Notice of Application be dispensed with.

Schedule 1

Part A

Single Appointments in Bankruptcy

Case	Type	Date of Appointment	Case No.	County Court
JA Greville	Bankruptcy	2 April 1996	259/1996	High Court
Peter John Phillip Edwards	Bankruptcy	3 April 1999	71/1992	High Court
Steven John Wright	Bankruptcy	6 August 1999	10/1997	Grimby
Roy William Harman	Bankruptcy	11 October 1999	102/1996	Kingsston upon Hull
John Thomas Baumber	Bankruptcy	11 October 1999	15/1997	Great Grimby
John David Shaw	Bankruptcy	11 October 1999	118/1997	Kingsston upon Hull
Valerie Edna Shaw	Bankruptcy	11 October 1999	118/1997	Kingsston upon Hull
Peter Trott	Bankruptcy	11 October 1999	44/1995	Scarborough
Janice Ann Trott	Bankruptcy	11 October 1999	45/1995	Scarborough
William Ernest Jones	Bankruptcy	29 October 1999	35/1976	Grimby
Dorothy May Jones	Bankruptcy	29 October 1999	35/1976	Grimby
Donald Christopher Harrison	Bankruptcy	11 October 1999	96/1996	York
David Carmichael	Bankruptcy	20 October 1999	236/1996	Kingsston upon Hull
Susan Carmichael	Bankruptcy	20 October 1999	236/1996	Kingsston upon Hull
Peter West Carver	Bankruptcy	20 October 1999	2/1997	Scarborough
Susan Carver	Bankruptcy	20 October 1999	2/1997	Scarborough
Roger Kent Stanaway	Bankruptcy	11 October 1999	2/1997	Scunthorpe
Gordon Smith	Bankruptcy	11 October 1999	44/1995	Kingsston upon Hull
Keith Lawrence Ellis-Brown	Bankruptcy	11 October 1999	97/1998	Scarborough
Maurice Cragg	Bankruptcy	8 February 2000	132/1997	Hertford
Graham Clayton Sharpless	Bankruptcy	31 March 2000	22/1999	Scunthorpe
Esat Alp Yenidogan	Bankruptcy	30 May 2001	9585/1999	High Court
Malcolm John Siddall	Bankruptcy	15 February 2001	86/1995	Macclesfield
Ian Hey	Bankruptcy	23 July 2002	125/1999	Huddersfield
Guerrero Mariani Marini	Bankruptcy	25 October 2002	152/1996	Doncaster
Richard Ashley Phillips	Bankruptcy	24 April 2003	28/2003	Chesterfield
Karen Coneron	Bankruptcy	27 June 2003	40/2003	Brighton
B V Crowther	Bankruptcy	8 July 2003	146/2003	Bradford

Schedule 1
Part A (cont'd)

Alan Charles Beauchamp	Bankruptcy	16 November 2005	280/1994	Coventry
Michael Hughes	Bankruptcy	16 November 2005	49/1999	Worcester
Philip Victor Laughton	Bankruptcy	16 November 2005	230/1997	Nottingham
Richard Peter Nemeiksas	Bankruptcy	16 November 2005	240/1997	Lincoln
Michael Joseph Furey	Bankruptcy	16 December 2005	803/1992	Birmingham

Schedule 1
Part B

Single Appointment Bankruptcy

Case	Type	Date of Appointment	Case No.	County Court
C B Oseland	Bankruptcy	10 July 2003	64/2003	Wolverhampton
John Cecil Barrymore	Bankruptcy	1 August 2003	355/2003	Brighton
Barry Stokes	Bankruptcy	7 November 2003	6222/2003	High Court
David Alan Davies	Bankruptcy	30 December 2003	36/1996	Neath and Port Talbot
Gordon Bray	Bankruptcy	30 December 2003	24/1993	Aberdare
Ali Brian Ferguson	Bankruptcy	20 January 2004	795/2003	Brighton
Harold David Banks	Bankruptcy	13 February 2004	126/2003	Great Grimsby
Marion Sally Dixie	Bankruptcy	13 February 2004	794/2003	Brighton
Anthony Peter Vaughan	Bankruptcy	3 March 2004	372/2003	Guildford
Susan Robertson	Bankruptcy	30 June 2004	379/2003	Brighton
David William Henry Poole	Bankruptcy	16 July 2004	288/2004	Brighton
Alexandra Mary Spence Clay	Bankruptcy	16 July 2004	75/2004	Brighton
Timothy Cork	Bankruptcy	19 July 2004	955/2003	Brighton
Reginald Dennis Chapman	Bankruptcy	3 September 2004	394/1994	Southend
Theodore Ted Adams	Bankruptcy	20 August 2004	178/2004	Luton
Edward H G Cosgrove	Bankruptcy	2 September 2004	3988/2004	High Court
Anthony George Peart	Bankruptcy	9 September 2004	630/2004	Brighton
John Andrew Williamson	Bankruptcy	18 October 2004	5443/2004	High Court
Francis Ward	Bankruptcy	7 October 2004	369/1998	Liverpool

Schedule 1
Part B (cont'd)

Case	Type	Date of Appointment	Case No.	County Court
Stephen John Siets	Bankruptcy	20 October 2004	146/1992	Hereford
Kevin Walter Scott	Bankruptcy	21 October 2004	209/2001	Kingsdon upon Hull
Kenneth Fisher	Bankruptcy	20 October 2004	136/1999	Salford
Martin Ashley Critchlow	Bankruptcy	3 November 2004	90/2004	Stafford
Anthony Michael Ramsey	Bankruptcy	5 November 2004	10472/1997	High Court
George Thomas Stuart	Bankruptcy	10 December 2004	9/1999	Middlesbrough
Susan Elisabeth Dale	Bankruptcy	22 December 2004	1461/1992	Brighton
Victor Tyrone Yarde	Bankruptcy	23 December 2004	639/1993	Slough
Anthony Ferdinand Scott	Bankruptcy	23 December 2004	721/1993	Brighton
Barry John Westlake	Bankruptcy	23 December 2004	526/1991	Bristol
Michael Nicols	Bankruptcy	20 December 2004	426/2000	Northampton
Raymond William McManus	Bankruptcy	13 January 2005	134/1997	Swansea
Graham Wallis D'arcy	Bankruptcy	27 January 2005	78/1995	Gloucester
Alan Tyler	Bankruptcy	11 February 2005	9/1995	Yeovil
Haldane Victor Peter Berry	Bankruptcy	17 February 2005	9091/1998	High Court
Eileen A Smith	Bankruptcy	17 February 2005	188/1993	Doncaster
Deryk K Evans	Bankruptcy	9 March 2005	717/2004	Croydon
Lawrence F Torode	Bankruptcy	10 March 2005	300/1996	Slough
Thomas John Clark	Bankruptcy	8 March 2005	218/1992	Shrewsbury
Donald A Kumble	Bankruptcy	27 April 2005	42/1995	Torquay and Newton Abbot
Lauren L Allen	Bankruptcy	27 April 2005	40/1995	Derby
Paul Edward Webber	Bankruptcy	20 May 2005	265/1992	Cardiff
Duncan Julian Innes	Bankruptcy	10 June 2005	66/2005	Bournemouth
Jonathon Stuart Toolal	Bankruptcy	10 June 2005	135/1992	Colchester
Nanette K Wiggins	Bankruptcy	25 July 2005	14/1993	Preston County Court
Henry Ernest Crampton	Bankruptcy	25 July 2005	13/1993	Preston County Court
Debra A Coultis	Bankruptcy	27 July 2005	138/2005	Scarborough County Court
Lorraine Jane Snowden	Bankruptcy	20 October 2005	241/1996	Coventry

Schedule 1

Part C

Supervisor IVA

Case	Type	Date of Appointment	Case No.	County Court
Jacek Bielecki	IVA	19 January 1998	373/1997	High Court
E Fisher	IVA	17 February 2004	42/2004	Bristol
Peter Munnis	IVA	20 February 2004	35/2004	Eastbourne

Schedule 1

Part D

Joint Administration

Case	Type	Date of Appointment	Case No.	County Court
Halls Garden Products Ltd	Joint Administration	3 October 2005	6592/2005	High Court

Schedule 1

Part E

Compulsory Liquidations

Case	Type	Date of Appointment	Case No.	County Court
Ultraleisure Ltd	Liquidation	28 October 1983	2495/1983	High Court
Realia Ltd	Liquidation	5 September 1985	6077/1984	High Court
Lumiere Ltd	Liquidation	4 October 1985	6990/1984	High Court
Astro Centre Ltd	Liquidation	21 August 1986	7942/1985	High Court
Astro Centre (Lincoln) Ltd	Liquidation	11 December 1986	3/1985	Lincoln
Astro Centre (Hull) Ltd	Liquidation	8 January 1987	4539/1986	High Court
Lumiere Leisure (Export) Ltd	Liquidation	18 February 1988	6613/1983	High Court
Kenburgh (Little Germany) Ltd	Liquidation	31 January 2000	8/2000	Leeds
Blurb Direct Plc	Joint Liquidation	1 June 2001	1637/2001	High Court
Car Disposals Ltd	Liquidation	2 December 2002	53/2000	Leeds
Jigsaw Recruitment (Skipton) Ltd	Liquidation	12 July 2004	11/2004	Bradford

Schedule 1

Part F

Compulsory Liquidations

Case	Type	Date of Appointment	Case No.	County Court
Leman Street Ltd	Liquidation	5 October 2004	4682/2004	High Court
Oulston Computers Ltd	Liquidation	17 August 2005	3453/2005	High Court
Queensgate	Liquidation	27 July 2005	2340/2005	High Court
Southern Maintenance Ltd	Liquidation	30 November 2005	71/2003	Reading

Schedule 1

Part G

Creditors Voluntary Joint Liquidations

Case	Type	Date of Appointment		
Enterprise Travel Ltd	Vol Liquidation	29 March 1994		
Bellbrass Properties Ltd	Vol Liquidation	27 September 1995		
Mentor Project Management Ltd	Vol Liquidation	6 September 1995		
Holmes Young & Associates Ltd	Vol Liquidation	6 September 1995		
United Managers Ltd	Vol Liquidation	1 May 2002		

Schedule 1

Part H

Creditors Voluntary Liquidations

Case	Type	Date of Appointment		
M & T Joinery Ltd	Vol Liquidation	16 November 1999		
Beaumont Knowles Advertising Ltd	Vol Liquidation	4 June 2003		
Castle City Estates Ltd	Vol Liquidation	25 November 2004		

Schedule 1
Part II (cont'd)

Plastic Tank and Fabrications Ltd	Vol Liquidation	14 December 2004		
Chicago Industrial Trading Co Ltd	Vol Liquidation	16 February 2005		
Keswick International Logistics Ltd	Vol Liquidation	17 February 2005		
Able Vehicles Ltd	Vol Liquidation	28 February 2005		
County Roofing Ltd	Vol Liquidation	16 March 2005		

Schedule 1

Part J

Members Voluntary Liquidations

Case	Type	Date of Appointment		
Fat Cockerel Ltd	NI Vol Liquidation	30 August 2004		
Sonceboz UK Ltd	NI Vol Liquidation	4 October 2004		

Schedule 1

Part K

Provisional Liquidations

Case	Type	Date of Appointment		
Kenburgh Ltd	Prov Liquidation	12 February 1999		
Kenburgh Land & Properties Ltd	Prov Liquidation	28 July 2004		

Schedule 1**Part L**

Company Voluntary Arrangement (joint appointment)

Case	Type	Date of Appointment	
Boumes of London Ltd	Co Vol Arrangements	31 March 2005	

Schedule 1**Part M**

Company Voluntary Arrangements

Case	Type	Date of Appointment	
Massey Marketing Services Ltd	Co Vol Arrangement	29 June 1999	
McCarthy Corporation PLC	Co Vol Arrangement	26 June 2003	

Schedule 1**Part N**

Joint Appointments in Bankruptcy

Case	Type	Date of Appointment	Case No	County Court
M Simpson	Bankruptcy	02 December 2005	1115/2005	Newcastle upon Tyne