

# 403a

**THIS DOCUMENT HAS BEEN  
CANCELLED PURSUANT TO  
AN ORDER OF COURT DATED  
7TH AUGUST 2002**

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## Notes

The address for companies registered in England and Wales or Wales is:-

The Registrar of Companies  
Companies House  
Crown Way  
Cardiff  
CF14 3UZ

**IN THE HIGH COURT OF JUSTICE**

**CHANCERY DIVISION**

**COMPANIES COURT**

MR JUSTICE NEUBERGER  
2nd June 2002



**IN THE MATTER OF MALMAISON LIMITED**

**AND IN THE MATTER OF MALMAISON (CHART SQUARE) LIMITED**

**AND IN THE MATTER OF THE MALMAISON HOTEL (GLASGOW) LIMITED**

**AND IN THE MATTER OF THE MALMAISON HOTEL (NEWCASTLE) LIMITED**

**AND IN THE MATTER OF THE MALMAISON HOTEL (LEEDS) LIMITED**

**AND IN THE MATTER OF THE MALMAISON HOTEL (MANCHESTER) LIMITED**

**AND IN THE MATTER OF THE MALMAISON HOTEL (BIRMINGHAM) LIMITED**

**AND IN THE MATTER OF THE MALMAISON BRAND LIMITED**

**AND IN THE MATTER OF THE MALMAISON COMPANY (EDINBURGH) LIMITED**

**AND IN THE MATTER OF MWB MALMAISON HOLDINGS LIMITED  
(formerly known as MWB Hotel Properties Limited)**

**AND IN THE MATTER OF MALMAISON RESOURCES LIMITED**

**AND IN THE MATTER OF MWB SAS HOTELS LIMITED**

**AND IN THE MATTER OF MALMAISON HOTELS LIMITED**

**AND IN THE MATTER OF THE COMPANIES ACT 1985**

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**ORDER**

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UPON the application of the above-named companies ("the Claimants") by proforma Part 8 Claim Form

AND UPON hearing Counsel for the Claimants

AND UPON reading the proforma Part 8 Claim Form, the witness statement of Jagtar Singh and the witness statement of David Ryland

AND UPON the Claimants, by their Counsel, undertaking to issue the Part 8 Claim Form in the form produced and to file the witness statements in Court on or before the close of business on Friday 7th June 2002

AND the Court being satisfied that the entry in the respective register of charges of the Claimants of the Memoranda of Satisfaction in respect of which this claim is made was due to inadvertence and that it is just and equitable to grant relief pursuant to section 404 of the Companies Act 1985

IT IS ORDERED that

1. the respective registers of charges of the Claimants be amended by the cancellation and deletion of the Memorande of Satisfaction registered therein in respect of the charges set out in the Schedule attached to this Order.
2. the Claimants do deliver an office copy of this Order to the Registrar of Companies

## **SCHEDULE 1**

This schedule is to be substituted for the schedule previously attached to the order of 1st June 2002 in the light of the witness statement of David Ryland by order.

The Companies seek the rectification of their respective registers of charges by the cancellation and deletion of the Memoranda of Satisfaction entered on 29<sup>th</sup> May 2002 in respect of the following charges:

### **Malmaison Limited**

Third party debenture dated 3<sup>rd</sup> November 2000 comprising fixed and floating charges over the undertaking and all property and assets granted in favour of Societe Generale, 41 Tower Hill, London, EC3N 4SG

### **Malmaison (Chart Square) Limited**

Third party debenture dated 3<sup>rd</sup> November 2000 comprising fixed and floating charges over all property and assets granted in favour of Societe Generale, 41 Tower Hill, London, EC3N 4SG

Supplemental Debenture dated 16<sup>th</sup> October 2001 over leasehold property granted in favour of Societe Generale, 41 Tower Hill, London, EC3N 4SG

### **The Malmaison Hotel (Glasgow) Limited**

Bond and Floating Charge dated 3<sup>rd</sup> November 2000 over undertaking and all property and assets granted in favour of Societe Generale, 41 Tower Hill, London, EC3N 4SG

Standard security dated 3<sup>rd</sup> November 2000 over property at 160 Pitt Street Glasgow and 278 West George Street Glasgow granted in favour of Societe Generale of 41 Tower Hill London EC3N 4SG insofar as the same was submitted to the Companies Registry.

Floating Charge dated 3<sup>rd</sup> November 2000 comprising a legal mortgage over property, fixed and floating charge over assets granted in favour of Societe Generale, 41 Tower Hill, London, EC3N 4SG

**The Malmaison Hotel (Newcastle) Limited**

Third party debenture dated 3<sup>rd</sup> November 2000 comprising fixed and floating charges over the undertaking and all property and assets granted in favour of Societe Generale, 41 Tower Hill, London, EC3N 4SG

**The Malmaison Hotel (Leeds) Limited**

Third party debenture dated 3<sup>rd</sup> November 2000 comprising fixed and floating charges over the undertaking and all property and assets granted in favour of Societe Generale, 41 Tower Hill, London, EC3N 4SG

**The Malmaison Hotel (Manchester) Limited**

Third party debenture dated 3<sup>rd</sup> November 2000 comprising fixed and floating charges over the undertaking and all property and assets granted in favour of Societe Generale, 41 Tower Hill, London, EC3N 4SG

**The Malmaison Hotel (Birmingham) Limited**

Third party debenture dated 3<sup>rd</sup> November 2000 comprising fixed and floating charges over the undertaking and all property and assets granted in favour of Societe Generale, 41 Tower Hill, London, EC3N 4SG

**Malmaison Brand Limited**

Bond and floating charge dated 3<sup>rd</sup> November 2000 over the undertaking and all property and assets granted in favour of Societe Generale, 41 Tower Hill, London, EC3N 4SG

Floating charge dated 3<sup>rd</sup> November 2000 comprising a legal mortgage over property, fixed and floating charge over assets granted in favour of Societe Generale, 41 Tower Hill, London, EC3N 4SG

**The Malmaison Company (Edinburgh) Limited**

Third party debenture dated 3<sup>rd</sup> November 2000 comprising fixed and floating charges over the undertaking and all property and assets granted in favour of Societe Generale, 41 Tower Hill, London, EC3N 4SG

Standard security dated 3<sup>rd</sup> November 2000 comprising a charge over property at Tower Place and Tower Street and with Docks and gallery premises as referred to in such

standard security granted in favour of Societe Generale 41 Tower Hill London EC3N 4SG insofar as the same was submitted to the Companies Registry.

MWB Malmaison Holdings Limited

Debenture dated 3<sup>rd</sup> November 2000 comprising fixed and floating charges over the undertaking and all property and assets granted in favour of Societe Generale, 41 Tower Hill, London, EC3N 4SG

Malmaison Resources Limited

Third party debenture dated 3<sup>rd</sup> November 2000 comprising fixed and floating charges over the undertaking and all property and assets granted in favour of Societe Generale, 41 Tower Hill, London, EC3N 4SG

MWB SAS Hotels Limited

Third Party Intellectual Property Rights Charge dated 3<sup>rd</sup> November 2000, charging all right, title and interest in all courses of action in respect of infringement anywhere in the world of any rights relating to all intellectual property rights, granted in favour of Societe Generale, 41 Tower Hill, London, EC3N 4SG

Third party debenture dated 3<sup>rd</sup> November 2000 comprising fixed and floating charges over the undertaking and all property and assets granted in favour of Societe Generale, 41 Tower Hill, London, EC3N 4SG

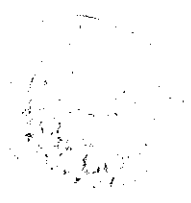
Malmaison Hotels Limited

Third party debenture dated 3<sup>rd</sup> November 2000 comprising fixed and floating charges over the undertaking and all property and assets granted in favour of Societe Generale, 41 Tower Hill, London, EC3N 4SG

IN THE HIGH COURT OF JUSTICE  
CHANCERY Division,  
COMPANIES COURT.

Mr Justice Newbiger  
2 June 2002

In the Matter of Halmason Ltd



Sent out by  
D. P. W. J.  
0202 947 6179

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222 600th In Road  
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W6 1X 8XF



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London.  
Ref 698/M908.173