

No 4351 of 2013

IN THE HIGH COURT OF JUSTICE

CHANCERY DIVISION

COMPANIES COURT

BEFORE REGISTRAR JONES

ON THE 30<sup>TH</sup> DAY OF AUGUST 2013

IN THE MATTER OF CARLSON PROPERTIES LIMITED AND ELEVEN  
OTHER COMPANIES IN ADMINISTRATION

IN THE MATTER OF CHESTERFIELD SPECIAL STEELS LIMITED AND TWO  
OTHER COMPANIES IN CREDITORS' VOLUNTARY LIQUIDATION

IN THE MATTER OF STONE & WEBSTER ENGINEERING LIMITED AND  
ONE OTHER COMPANY IN MEMBERS' VOLUNTARY LIQUIDATION

IN THE MATTER OF THE INSOLVENCY ACT 1986

AND

IN THE MATTER OF AN INSOLVENCY OFFICE HOLDER

BETWEEN



(1) IAN BEST

(2) MARK BOUGHEY

(3) ERNST AND YOUNG LLP

Applicants

- and -

(1) TOMISLAV LUKIC

(2) MAURICE MOSES

(3) CHRIS MARSDEN

Respondents

---

ORDER

---

SATURDAY



QIQ

14/09/2013

#69

COMPANIES HOUSE

UPON the Application of Ian Best, Mark Boughey and Ernst & Young LLP dated 17 June 2013.

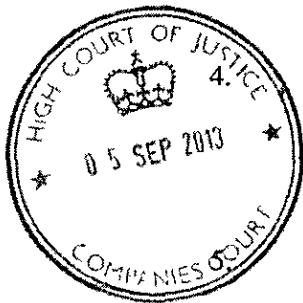
AND UPON reading the witness statement of Ian Best dated 14 June 2013, exhibit "IB1" and the witness statement of Mark Boughey dated 14 June 2013

**IT IS ORDERED THAT:**

1 In respect of those administrations listed in Schedule A and the liquidations listed in Schedules B and C to this Order which are the subject of proceedings in the Birmingham District Registry or the Leeds District Registry that these proceedings be transferred to the Companies Court, Chancery Division, High Court of Justice, solely for the purpose of making the Order contained in paragraphs 2 to 13 below

2 In respect of those companies listed in Schedules A, B and C attached hereto, Ian Best be removed from office with effect from the date of the order of the Court

3. In respect of those companies in administration listed in Schedule A hereto, Mark Boughey be appointed as joint administrator in place of Ian Best with effect from the date of the order of the Court



4. In respect of those companies in creditors' voluntary liquidation listed in Schedule B hereto, Mark Boughey be appointed as joint liquidator in place of Ian Best with effect from the date of the order of the Court.

In respect of those companies in members' voluntary liquidation listed in Schedule C hereto, Mark Boughey be appointed as joint liquidator in place of Ian Best with effect from the date of the order of the Court.

6 In respect of any companies in administration in Schedule A hereto that have transitioned to a creditors' voluntary liquidation pursuant to paragraph 83 of schedule B1 to the Insolvency Act 1986 as at the date of this Order (but which were in administration as at the date of issue of the application notice), Mark Boughey be appointed as joint liquidator together with Tomislav Lukic or Maurice Moses in such liquidations, in place of Ian Best

7. Ian Best shall be released from all liability in respect of his acts and omissions and otherwise in respect of his conduct as administrator and liquidator (as the case may be) of the companies detailed in Schedules A, B and C, such release to

take effect in relation to each relevant estate 28 days after the filing of the next report.

8. The Applicants shall be entitled to:

8.1 Publish in the London Gazette composite notices relating to all of the resignations and appointments as detailed in Schedules A, B and C and must do so within 14 days of the date of this Order; and

8.2 Apportion the costs of the said composite London Gazette notice between the said estates equally

9. Without incurring any additional expense to any of the said estates, the Applicants shall

9.1 Notify the Secretary of State as soon as reasonably practicable of the making of this Order; and

9.2 When the next report is due to creditors of each estate, notify the creditors of the making of this Order, and provide an explanation of the effect of the Order.

10. In respect of the estates in Schedules A, B and C, the costs of this Application (including disbursements and VAT) summarily assessed at £5000 plus counsel's fees at £460.00 each figure to include VAT in addition be aggregated and apportioned equally between each of those estates, provided that if the costs which fall to be borne by any one of the estates exceeds 10% of the realisable assets within that estate, that estate shall only bear such part of those apportioned costs as equals 10% of that estate's assets, and the excess shall be borne by Ernst & Young LLP.

11. Pursuant to Rules 2.47(4) and 2.47(5) of the Insolvency Rules 1986, the period for filing the next report or routine report in respect of each administration, be extended to two months after the date of the Order

12. Pursuant to Rule 4.49C(7) of the Insolvency Rules 1986, the period for filing the next report or routine report in respect of each creditors' voluntary liquidation, be extended to two months after the date of the Order



- 13      Permission to each creditor and member of each estate to apply to vary or discharge this Order by an application issued within 28 days of receipt of the notice directed to be sent under paragraph 9 2 above



## **SCHEDULE A**

### **IAN BEST TO BE REMOVED AS ADMINISTRATOR AND REPLACED BY MARK BOUGHEY AS ADMINISTRATOR**

<b>Name of case</b>	<b>Capacity in which outgoing office-holder was appointed</b>
Carlson Properties Limited High Court of Justice, Companies Court Case Number 4474 of 2011	Joint administrator with T. Lukic
Chantstream Limited High Court of Justice, Companies Court Case Number 4471 of 2011	Joint administrator with T. Lukic
Rossmark Properties Limited High Court of Justice, Companies Court Case Number 4475 of 2011	Joint administrator with T. Lukic
Greenwoods Communications Limited High Court of Justice, Chancery Division Birmingham District Registry Case Number 8072 of 2013	Joint administrator with T. Lukic
Hyatt Regency Birmingham Ltd High Court of Justice, Chancery Division Birmingham District Registry Case Number 8302 of 2011	Joint administrator with T. Lukic
HBCL Realisations Ltd (formerly H Bronnley & Co Ltd) High Court of Justice, Companies Court Case Number 10382 of 2011	Joint administrator with T. Lukic
Greenwoods Coleshill Limited High Court of Justice, Chancery Division Birmingham District Registry Case Number 8059 of 2013	Joint administrator with T. Lukic
Gold Care Group Limited High Court of Justice, Chancery Division Birmingham District Registry Case Number 8520/2011	Joint administrator with M. Moses

Gold Care Homes Limited High Court of Justice, Chancery Division Birmingham District Registry Case Number 8519/2011	Joint administrator with M. Moses
--	-----------------------------------

Goldcare (Nightingale) Limited High Court of Justice, Chancery Division, Birmingham District Registry Case Number 8518/2011	Joint administrator with M. Moses
--	-----------------------------------

Goldcare (Westwood) Limited High Court of Justice, Chancery Division Birmingham District Registry Case Number 8517/2011	Joint administrator with M. Moses
--	-----------------------------------

Goldcare (Willowbanks) Limited High Court of Justice, Chancery Division Birmingham District Registry Case Number 8516/2011	Joint administrator with M. Moses
---	-----------------------------------

## SCHEDULE B

### IAN BEST TO BE REMOVED AS LIQUIDATOR AND REPLACED BY MARK BOUGHEY AS LIQUIDATOR

Name of case	Capacity in which outgoing office-holder was appointed
Chesterfield Special Steels Limited High Court of Justice, Chancery Division Leeds District Registry Case Number 1956 of 2009	Joint liquidator with C. Marsden
Chesterfield Steel Services Limited High Court of Justice, Chancery Division Leeds District Registry Case Number 1955 of 2009	Joint liquidator with C. Marsden
Wrekin Construction Company Limited High Court of Justice, Chancery Division Birmingham District Registry Case Number 8184 of 2009	Joint liquidator with T. Lukic

## **SCHEDULE C**

### **IAN BEST TO BE REMOVED AS LIQUIDATOR AND REPLACED BY MARK BOUGHEY AS LIQUIDATOR**

<b>Name of case</b>	<b>Capacity in which outgoing office-holder was appointed</b>
Stone & Webster Engineering Limited High Court of Justice, Chancery Division Leeds District Registry	Joint liquidator with T. Lukic
Stone & Webster Group Limited High Court of Justice, Chancery Division Leeds District Registry	Joint liquidator with T. Lukic

**IN THE HIGH COURT OF JUSTICE**

**CHANCERY DIVISION**

**COMPANIES COURT**

**BEFORE REGISTRAR JONES**

**ON THE 30<sup>TH</sup> DAY OF AUGUST 2013**

**IN THE MATTER OF CARLSON PROPERTIES  
LIMITED AND ELEVEN OTHER COMPANIES IN  
ADMINISTRATION**

**IN THE MATTER OF CHESTERFIELD SPECIAL  
STEELS LIMITED AND TWO OTHER COMPANIES  
IN CREDITORS' VOLUNTARY LIQUIDATION**

**IN THE MATTER OF STONE & WEBSTER  
ENGINEERING LIMITED AND ONE OTHER  
COMPANY IN MEMBERS' VOLUNTARY  
LIQUIDATION**

**IN THE MATTER OF THE INSOLVENCY ACT 1986**

**AND**

**IN THE MATTER OF AN INSOLVENCY OFFICE  
HOLDER**

**BETWEEN**

**(1) IAN BEST**

**(2) MARK BOUGHEY**

**(3) ERNST AND YOUNG LLP**

**Applicants**

**DLA Piper UK LLP  
Victoria Square House  
Victoria Square  
Birmingham  
B2 4DL  
United Kingdom  
Tel +44 121 262 5648  
Fax +44 121 262 5791**

**Ref CD/CD/24841/120021/UKM/52570577 1  
Solicitors for the Applicant**



- and -

**(1) TOMISLAV LUKIC**

**(2) MAURICE MOSES**

**(3) CHRIS MARSDEN**

Respondents

---

**ORDER**

---

DLA Piper UK LLP  
Victoria Square House  
Victoria Square  
Birmingham  
B2 4DL  
United Kingdom  
Tel. +44 121 262 5648  
Fax +44 121 262 5791

Ref CD/CD/24841/120021/UKM/52570577 1  
Solicitors for the Applicant