

# AM10

## Notice of administrator's progress report

For further information, please  
refer to our guidance at  
[www.gov.uk/companieshouse](http://www.gov.uk/companieshouse)

### 1 Company details

Company number 0 4 1 0 8 1 6 5

Company name in full Eldon Street Holdings Limited

#### → Filling in this form

Please complete in typescript or in  
bold black capitals.

### 2 Administrator's name

Full forename(s) Gillian Eleanor

Surname Bruce

### 3 Administrator's address

Building name/number PricewaterhouseCoopers LLP

Street 7 More London Riverside

Post town London

County/Region

Postcode S E 1 2 R T

Country United Kingdom

### 4 Administrator's name ①

Full forename(s) Derek Anthony

Surname Howell

#### ① Other administrator

Use this section to tell us about  
another administrator.

### 5 Administrator's address ②

Building name/number PricewaterhouseCoopers LLP

Street 7 More London Riverside

Post town London

County/Region

Postcode S E 1 2 R T

Country United Kingdom

#### ② Other administrator

Use this section to tell us about  
another administrator.

# AM10

## Notice of administrator's progress report

### 6 Period of progress report

From date	d	0	d	9	m	0	m	6	y	2	y	0	y	2	y	0
To date	d	0	d	8	m	1	m	2	y	2	y	0	y	2	y	0

### 7 Progress report

☒ I attach a copy of the progress report

### 8 Sign and date

Administrator's  
signature

Signature

X



X

Signature date

d	3	d	1	m	1	m	2	y	2	y	0	y	2	y	0
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**Presenter information**

You do not have to give any contact information, but if you do it will help Companies House if there is a query on the form. The contact information you give will be visible to searchers of the public record.

Contact name	Diane Adebowale									
Company name	PricewaterhouseCoopers LLP									
Address	7 More London Riverside									
Post town	London									
County/Region										
Postcode	S	E	1		2	R	T			
Country	United Kingdom									
DX										
Telephone	+ 44 (0) 20 7583 5000									

**Checklist**

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**Please make sure you have remembered the following:**

- ☒ The company name and number match the information held on the public Register.
- ☒ You have attached the required documents.
- ☒ You have signed the form.

**Important information**

**All information on this form will appear on the public record.**

**Where to send**

**You may return this form to any Companies House address, however for expediency we advise you to return it to the address below:**

The Registrar of Companies, Companies House,  
Crown Way, Cardiff, Wales, CF14 3UZ.  
DX 33050 Cardiff.

**Further information**

For further information please see the guidance notes on the website at [www.gov.uk/companieshouse](http://www.gov.uk/companieshouse) or email [enquiries@companieshouse.gov.uk](mailto:enquiries@companieshouse.gov.uk)

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# Continuation page

Name and address of insolvency practitioner

✓ **What this form is for**  
Use this continuation page to tell us about another insolvency practitioner where more than 2 are already jointly appointed. ❶  
Attach this to the relevant form. ❶  
Use extra copies to tell us of additional insolvency practitioners.

✗ **What this form is NOT for**  
You can't use this continuation page to tell us about an appointment, resignation, removal or vacation of office.

→ **Filling in this form**  
Please complete in typescript or in bold black capitals.  
  
All fields are mandatory unless specified or indicated by \*

## 1 Appointment type

Tick to show the nature of the appointment:

- ✓ Administrator  
Administrative receiver  
Receiver  
Manager  
Nominee  
Supervisor  
Liquidator  
Provisional liquidator

❶ You can use this continuation page with the following forms:  
- VAM1, VAM2, VAM3, VAM4, VAM6, VAM7  
- CVA1, CVA3, CVA4  
- AM02, AM03, AM04, AM05, AM06, AM07, AM08, AM09, AM10, AM12, AM13, AM14, AM19, AM20, AM21, AM22, AM23, AM24, AM25  
- REC1, REC2, REC3  
- LIQ2, LIQ3, LIQ05, LIQ13, LIQ14, WU07, WU15  
- COM1, COM2, COM3, COM4  
- NDISC

## 2 Insolvency practitioner's name

Full forename(s) Russell  
Surname Downs

## 3 Insolvency practitioner's address

Building name/number PricewaterhouseCoopers LLP  
Street 7 More London Riverside  
Post town London  
County/Region  
Postcode S E 1 2 R T  
Country United Kingdom

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- REC1, REC2, REC3  
- LIQ2, LIQ3, LIQ05, LIQ13, LIQ14, WU07, WU15  
- COM1, COM2, COM3, COM4  
- NDISC

## 2 Insolvency practitioner's name

Full forename(s) Edward John  
Surname Macnamara

## 3 Insolvency practitioner's address

Building name/number PricewaterhouseCoopers LLP  
Street 7 More London Riverside  
Post town London  
County/Region  
Postcode S E 1 2 R T  
Country United Kingdom

# Joint administrators' progress report from 9 June 2020 to 8 December 2020

**Eldon Street Holdings Limited**  
(in administration)

**High Court of Justice, Chancery Division,  
Companies Court**  
Case no. 11056 of 2008

6 January 2021

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The following table shows the abbreviations and insolvency terms that may be used in this report:

<b>Company / ESH</b>	Eldon Street Holdings Limited
<b>Administrators</b>	DA Howell, GE Bruce, R Downs and EJ Macnamara, of PricewaterhouseCoopers LLP, 7 More London Riverside, London SE1 2RT
<b>Firm</b>	PricewaterhouseCoopers LLP
<b>IR16</b>	Insolvency (England and Wales) Rules 2016
<b>IA86</b>	Insolvency Act 1986
<b>HMRC</b>	HM Revenue & Customs
<b>Reporting Period</b>	The period from 9 June 2020 to 8 December 2020

This report has been prepared by DA Howell, GE Bruce, R Downs and EJ Macnamara as Administrators of the Company, solely to comply with the Joint Administrators' statutory duty to report to creditors under IR16 on the progress of the administration, and for no other purpose. It is not suitable to be relied upon by any other person, or for any other purpose, or in any other context. We caution creditors against using data in this report as a basis for estimating the value of their claims or their likely eventual entitlement to payment. Eldon Street Holdings Limited, the Administrators, their firm, its members, partners, staff and advisers accept no liability to any party for any reliance placed upon this report.

This report has not been prepared in contemplation of it being used, and it is not suitable to be used, to inform any investment decision in relation to the debt of or any financial investment in the Company. Any estimated outcomes for creditors included in this report are illustrative only and cannot be relied upon as guidance as to the actual outcome for creditors.

Any persons choosing to rely on this report for any purpose or in any context other than under IR16 do so at their own risk. To the fullest extent permitted by law, the Joint Administrators do not assume any liability in respect of this report to any such person.

Nothing in this report is to be taken as an admission of any US Clawback litigation liability nor liability as to the applicability or quantum of any prejudgment interest and any assumptions made in this regard are for illustrative purposes only. Further the success of any counterclaims made by US Clawback litigation defendants have not been factored in as further distributions by LBHI are outside the Administrators' visibility, however it is understood these are not expected to be material.

Please note you should read this report in conjunction with the Administrators' previous reports issued to the Company's creditors, which can be found at <https://www.pwc.co.uk/services/businessrecovery/administrations/non-lbiecompanies/esh-ltd-in-administration.html>. Unless stated otherwise, all amounts in this report and appendices are stated net of VAT.

DA Howell, GE Bruce, R Downs and EJ Macnamara have been appointed as Administrators of the Company to manage its affairs, business and property as its agents and act without personal liability. All are licensed in the United Kingdom to act as insolvency practitioners by the Institute of Chartered Accountants in England and Wales. The Administrators are bound by the Insolvency Code of Ethics which can be found at: <https://www.gov.uk/government/publications/insolvency-practitioner-code-of-ethics>

The Administrators may act as controllers of personal data as defined by UK data protection law depending upon the specific processing activities undertaken. PricewaterhouseCoopers LLP may act as a processor on the instructions of the Administrators. Personal data will be kept secure and processed only for matters relating to the Administrators' appointment. Further details are available in the privacy statement on the PwC.co.uk website or by contacting the Administrators.

PricewaterhouseCoopers LLP is a limited liability partnership registered in England with registered number OC303525. The registered office of PricewaterhouseCoopers LLP is 1 Embankment Place, London WC2N 6RH. PricewaterhouseCoopers LLP is authorised and regulated by the Financial Conduct Authority for designated investment business.



This report has been prepared by the Administrators of Eldon Street Holdings Limited, in accordance with Rule 18.3 of the Insolvency (England and Wales) Rules 2016.

This is the twenty-fourth progress report to the unsecured creditors of the Company and it provides an update on the work that the Administrators have undertaken, and the progress made since their appointment, with particular focus on the progress made in the six months to 8 December 2020 (the "Reporting Period"). The statutory receipts and payments account for the Reporting Period is attached at Appendix A.

We have sought not to duplicate information disclosed to creditors in prior reports and updates, copies of which can be found at:

<https://www.pwc.co.uk/services/business-restructuring/administrations/non-lbie-companies/esh-ltd-in-administration.html>

### **Objective of the Administration**

The Administrators continue to pursue the statutory objective of achieving a better result for the Company's creditors as a whole than would be likely in a winding up (without first being in Administration). The specific aims of this Administration are to:

- protect and control the Company's assets; and
- maximise value for the Company from its real estate interests, intercompany debtors and shareholdings in its subsidiaries.

### **Outcome for creditors**

Creditors may recall that on 24 June 2013, the High Court granted the Administrators permission to make distributions to the Company's unsecured creditors. Total cash distributions of c.£208.4m have been paid to date, equating to a cumulative dividend of 46.722 pence in the pound.

No distributions were paid in the reporting Period. The Administrators expect to make further interim cash distributions during the administration, although the exact quantum and timings remain contingent upon the outcome of the issues detailed in Section 2.

### **Extension to the Term of Office**

The Administration was due to expire on 30 November 2020. Following an application to Court, an Order was granted by the Court extending the Administrators' term of office to 30 November 2022. This will enable the Administrators to continue to realise Eldon Street's assets and make further distributions to its creditors.

### **Next steps and future reports**

The Administrators' next formal progress report to creditors will be in six months' time.

GE Bruce  
Joint Administrator, Eldon Street Holdings Limited

## Debtor Realisations

### Lehman Brothers Holdings Inc. ("LBHI")

The Company has an outstanding guarantee claim of \$28.6m against LBHI. To date, dividends received with respect to this claim total \$10.2m. No distributions were received in the Reporting Period.

As explained previously, in April 2019 LBHI initiated proceedings in the United States Bankruptcy Court Southern District of New York ("**NY Bankruptcy Court**") ("**the Clawback Proceedings**") against the Company and certain other Lehman UK affiliate entities. LBHI is seeking to reclaim the \$10.2m it has paid to the Company in relation to the guarantee claim, along with pre-judgment interest.

A pre-trial conference took place in July 2019 at which the parties agreed to confer on a proposed stipulation of facts and a discovery process for the case and return to the Court when necessary to do so. That process has been completed, and a motion for summary judgment has been filed with the NY Bankruptcy Court. A hearing on this motion (and the anticipated cross-motion) is scheduled to take place on 13 January 2021.

In its counterclaim, the Company is seeking payment by LBHI of further distributions in respect of the guarantee claim. To date, LBHI has withheld payments to Eldon Street totalling c.£187k in respect of declared distributions.

The UK affiliates impacted by this issue have agreed to share the costs of defending this litigation, but the quantum of these costs, and the extent of Eldon Street's contribution towards them, remains unknown.

## Realisations from UK subsidiaries

### Lehman Brothers Holdings Plc ("LBH")

The Company has an admitted claim against LBH of £31.3m, which has been paid in full. In addition, to date £0.8m has been received towards the Company's entitlement to post-administration, statutory interest on that claim. The Company received no distributions from LBH in the Reporting Period.

Further distributions from LBH remain contingent upon a chain of recoveries which has been described in our previous progress reports. In summary, they depend upon further recoveries that LBH is able to make from LB Holdings Intermediate 2 Limited ("LBHI2"). The extent of future recoveries by LBH from LBHI2 is impacted both by the subordinated debt litigation ("**Priority Application**") being pursued by LBH in the LBHI2 estate, and by the outcome of the Clawback Litigation being pursued by LBHI against a number of Lehman estates.

The Priority Application was heard in November 2019 and the Court's Judgement was handed down on 3 July 2020. Amongst other matters, it was found that LBH's subordinated debt claim

against LBHI2 ranks senior to that of Lehman Brothers Holdings Scottish LP3 ("**SLP3**") (a controlled subsidiary of LBHI). At a subsequent hearing, SLP3 was granted permission to appeal the ranking of the subordinated debts.

High-level summaries of the outcome of those hearings and copies of the orders, as well as other information concerning the Priority Application, are available on LBH's website at:

<https://www.pwc.co.uk/services/business-restructuring/administrations/non-lbie-companies/lbh-plc-in-administration.html>

In the absence of a consensual settlement of the issues raised by the Priority Application, we understand that it is currently anticipated that the Court of Appeal will hear any appeal in late 2021/early 2022 with judgment due some time thereafter.

Future recoveries by LBH from LBHI2 are additionally dependent upon the eventual outcome in the administration of Lehman Brothers International (Europe) and upon the terms of the Wentworth joint venture. These matters have also been described in our previous progress reports.

Further details regarding the Priority Application and the Wentworth joint venture can be found at the following link:

[LB Holdings Intermediate 2 Limited \(in administration\)](#)

### **Other debtor recoveries**

During the reporting period, a very small recovery was made from the Company's claim against Storm Funding Ltd (in Administration).

### **Subsidiary investments**

The Administrators' continue to seek to identify opportunities and options to simplify the underlying assets of Eldon Street's remaining solvent subsidiaries, including Eldon Street (Fidenza) Limited and Eldon Street (Jefferson) Limited. These subsidiaries' assets include minority stakes in companies that hold property investments. Those property investments continue to have both actual and potential value and the Administrators continue to manage the position in order to maximize returns to creditors, with Eldon Street (Jefferson) Limited expected to shortly enter into Members Voluntary Liquidation.

Eldon Street continues to hold funds on behalf of certain of its subsidiaries which do not hold independent bank accounts. These funds have been disclosed in the receipts and payments account as 'Funds held on trust'.

Funds received from subsidiaries (including the seven subsidiaries which are now dissolved) total c.£20.0m.

### **Creditors**

In October 2020, the LBH Administrators published on its website an assessment of the potential economic outcomes for LBH's creditors, on the basis of the current Court judgment in the Priority Application, and based on certain other important projections and assumptions. The assessment indicated that in those potential outcomes, the administrators of LBH anticipate being able to pay all of its unsecured creditors' statutory interest entitlements in full.

The Company is entitled to further payments of statutory interest from LBH totalling c.£22m. Were the Company to make a recovery of its remaining c.£22m statutory interest entitlements, either in full or in part, this might lead to a further recovery for the Company's creditors, although the extent of any such recovery would be dependent upon the various matters which affect the Company's estate, as described above. Consequently, whilst it is anticipated that further interim distributions will be declared, the timing and quantum remain uncertain.

## **Corporation Tax**

All corporation tax returns up to and including the year ended 8 December 2018 have been agreed by HM Revenue & Customs ("HMRC"). £60k was received in the Reporting Period in respect of 2018 losses surrendered as group relief to another Lehman entity. The corporation tax return for the 2019 period has been submitted to HMRC and the enquiry period will close on 8 December 2021.

The changes to corporation tax loss relief and interest deductibility introduced under Finance (No. 2) Act 2017 are likely to affect the availability of losses for group relief purposes and means that there is a greater possibility of taxable profits arising in the Company. The Administrators have met their obligations regarding the publication of the Lehman group Tax Strategy and under the Corporate Criminal Offence and Senior Accounting Officer legislation. The Administrators have also adhered to the UK and US Foreign Account Tax Compliance Act and Common Reporting Standards.

## **Our receipts and payments account**

An account of the receipts and payments for the six months to 8 December 2020, together with a cumulative total since the beginning of the Administration, is in Appendix A.

## **Our remuneration and expenses**

Statement of Insolvency Practice number 9 ('SIP9'), issued by the Institute of Chartered Accountants in England and Wales, was revised with effect from 1 December 2015 and applies to all open insolvency cases. SIP9 details the disclosure standards required by insolvency office holders in respect of fees, expenses and payments to associates.

In accordance with SIP9, we set out:

1). In Appendix B, a statement of the expenses that the Administrators incurred in the Reporting Period, together with an estimate of future expenses. The information in the expenses statement should be read together with the receipts and payments account in Appendix A, which shows expenses actually paid during the Reporting Period but excludes those incurred which have not yet been paid.

2). In Appendix C:

- an analysis of the Administrators' time costs for the period 1 June 2020 to 30 November 2020, including the cumulative total time costs from the date of the Administrators' appointment to 30 November 2020, and
- a summary of the Administrators' time costs for the period, including the key categories of work, further information on the work undertaken, a description of why the work was necessary, how the work benefits creditors and whether it was required by statute.

Time costs for period 1 June 2020 to 30 November 2020 total £154,407 plus VAT, which represents 264 hours at an average hourly rate of £585.

## **Disbursements**

Category 1 disbursements comprise payments to third parties, for example in relation to travel costs, statutory advertising and insolvency office holders' insurance. The Administrators are not required to seek approval to draw Category 1 disbursements.

Category 2 disbursements for shared or allocated services provided by our own firm, including room hire, document storage, photocopying, and communication facilities must be directly incurred on the case, subject to a reasonable method of calculation and allocation and approved by the same party who approves the Administrators' fees.

The Administrators' disbursements policy allows for all properly incurred disbursements to be recharged to the Administration.

In the Reporting Period, the Liquidators incurred Category 1 disbursements of £108. These have not yet been paid. No Category 2 disbursements were incurred or paid.

### **Creditors' rights**

Creditors have the right to ask for more information within 21 days of receiving this report as set out in Rule 18.9 IR16. Any request must be in writing. Creditors can also challenge fees and expenses within eight weeks of receiving this report as set out in Rule 18.34. This information can also be found in the guide to fees at:

### **A CREDITORS' GUIDE TO ADMINISTRATORS' FEES**

Creditors can request a paper copy of the above guide by contacting [uk\\_lehmanaffiliates@pwc.com](mailto:uk_lehmanaffiliates@pwc.com).

	GBP			USD		
	8 Dec 2020	Movements in the period	8 Jan 2020	8 Dec 2020	Movements in the period	8 Jan 2020
<b>Receipts</b>						
Corporation Tax refund (Note 1)	2,210,311	-	2,210,311	-	-	-
Contribution to the Pension Club Deal	11,800,000	-	11,800,000	-	-	-
Distributions from subsidiaries (Note 1, 2)	14,585,273	13,060	14,572,213	-	-	-
Intercompany debtors	35,443,460	42	35,443,418	226,743,103	-	226,743,103
Bank interest	860,283	5,358	854,331	3,534	23	3,505
Recovery of intercompany loan	280,000	-	280,000	-	-	-
Sale of tax losses	2,393,822	-	2,393,822	-	-	-
Net tax function costs recharged	414,124	-	414,124	-	-	-
Sale of creditor claims	1,100,000	-	1,100,000	22,613,360	-	22,613,360
Funds held on trust (Note 1)	8,878,581	-	8,878,581	-	-	-
<b>Total receipts</b>	<b>78,565,860</b>	<b>13,060</b>	<b>78,546,800</b>	<b>243,378,603</b>	<b>23</b>	<b>243,378,574</b>
<b>Payments</b>						
Joint Administrators' remuneration and disbursements	4,045,353	-	4,045,353	-	-	-
Legal, professional and consultancy fees	1,206,386	-	1,206,386	-	-	-
Employee wages and associated costs	1,222,168	27,784	1,194,384	-	-	-
Insurance	381,127	-	381,127	-	-	-
Statutory costs	35,534	-	35,534	-	-	-
Funds held on trust	8,834,331	-	8,834,331	-	-	-
Contribution to Pension Club Deal	11,800,000	-	11,800,000	-	-	-
Payments on behalf of subsidiaries (Note 1, 3)	311,403	17,307	334,102	-	-	-
Other	55,607	-	55,607	-	-	-
Irrecoverable VAT (Note 4)	1,033,063	3,461	1,083,602	-	-	-
<b>Total payments</b>	<b>23,646,844</b>	<b>48,552</b>	<b>23,598,292</b>	<b>-</b>	<b>-</b>	<b>-</b>
<b>Intracompany transfers</b>						
Receipts	167,726,175	-	167,726,175	-	-	-
Payments	-	-	-	(245,033,660)	-	(245,033,660)
<b>Total receipts less total payments</b>	<b>216,645,191</b>	<b>(29,492)</b>	<b>216,674,683</b>	<b>4,344,943</b>	<b>23</b>	<b>4,344,914</b>
<b>Less: Distributions to unsecured creditors:</b>						
1st dividend of 12p in the £, declared on 23 Oct 2013	55,372,350	-	55,372,350	-	-	-
2nd dividend of 5.38p in the £, declared on 4 Sep 2014	27,533,888	-	27,533,888	-	-	-
3rd dividend of 6.34p in the £, declared on 11 Mar 2015	30,880,233	-	30,880,233	-	-	-
4th dividend of 5.6p in the £, declared on 3 Mar 2016	24,256,382	-	24,256,382	-	-	-
5th dividend of 1.65p in the £, declared on 3 Sept 2016	4,006,355	-	4,006,355	4,163,345	-	4,163,345
6th dividend of 1.25p in the £, declared on 6 Feb 2017	5,414,371	-	5,414,371	-	-	-
7th dividend of 6.062p in the £, declared on 11 Sep 2017	26,256,130	-	26,256,130	-	-	-
8th dividend of 5.710p in the £, declared on 20 Mar 2018	24,732,273	-	24,732,273	-	-	-
9th dividend of 1.530p in the £, declared on 14 Sep 2018	6,626,482	-	6,626,482	-	-	-
<b>Total distributions</b>	<b>205,139,130</b>	<b>-</b>	<b>205,139,130</b>	<b>4,163,345</b>	<b>-</b>	<b>4,163,345</b>
<b>Total receipts less total payments less distributions</b>	<b>11,506,060</b>	<b>(29,492)</b>	<b>11,535,552</b>	<b>181,597</b>	<b>23</b>	<b>181,568</b>
<b>Cash balances</b>						
HSBC (Note 5)	1,034,405	(35,334)	1,069,739	180,730	23	180,701
Money Markets	10,471,655	5,842	10,465,813	-	-	-
<b>Total Cash (Note 6)</b>	<b>11,506,060</b>	<b>(29,492)</b>	<b>11,535,552</b>	<b>180,730</b>	<b>23</b>	<b>180,701</b>

#### Notes

(1) Funds held and payments made in relation to the Company's subsidiaries.

(2) Includes distributions received by Eldon Street from its subsidiaries either in settlement of creditor balances or by way of a surplus due to the Company in its capacity as shareholder.

(3) Payments on behalf of subsidiaries include audit fees and professional costs.

(4) Due to the nature of the Company's former business, it is not entitled to recover input VAT on its costs.

(5) The Company's GBP and USD accounts are interest bearing.

(6) Total cash at 8 December 2020 based on exchange rates at 8 December 2020 was £11,641,327

(7) The estimated to realise values of assets shown in the directors' statement of affairs do not represent a meaningful comparison with the current position and are therefore excluded.

(8) All of the Company's assets are uncharged, there being no secured creditors.

The following table provides details of the expenses we incurred in the Reporting Period, together with an estimate of our future and total expenses. Expenses are amounts properly payable by us as administrators from the estate and includes our fees, but excludes distributions to creditors. The table also excludes any potential tax liabilities that we may need to pay as an administration expense, other than VAT, because amounts becoming due will depend on the position at the end of the tax accounting period.

The information in the below table should be read together with the receipts and payments account in Appendix A, which shows expenses actually paid during the Reporting Period but which excludes those incurred which have not yet been paid.

In estimating future expenses, assumptions have been made relevant to the annual run rate and the possible duration of the Administration, where appropriate.

Sums have been rounded to the nearest £1,000.

Joint Administrators' remuneration & disbursements	157	1,400	5,604
Legal fees and disbursements	21	977	2,097
Employee wages and associated costs	27	278	1,500
Insurance	0	55	436
Statutory costs	0	32	127
Other	16	20	210
VAT Irrecoverable	39	486	1,644
<b>Total</b>	<b>260</b>	<b>3,248</b>	<b>11,618</b>

In January 2009, the Administrators requested and received consent from ESH's creditors for the Administrators' remuneration to be fixed by reference to the time properly given by them and the various grades of their staff. The Administrators were also authorised to draw their remuneration from time to time.

As at 8 December 2020, the Administrators have drawn remuneration of c.£4.0m plus VAT in respect of time costs incurred to 30 November 2020.

The time cost charges incurred in the Reporting Period, regardless of whether paid and/or invoiced, are £154,407. This amount does not necessarily reflect how much we will eventually draw as fees for this period.

We set out later in this Appendix details of our work to date, anticipated future work, disbursements, subcontracted work and payments to associates.

**Our hours and average rates:**

Classification of work	Partner/Director		Senior Manager/Manager		Senior Associate		Associate/Support Staff		Total	
	Hours	£	Hours	£	Hours	£	Hours	£	Hours	£
Accounting and Treasury	5.05	4,254	18.30	10,634	34.90	15,363	9.90	2,402	68.15	32,653
Strategy, Planning and Asset Realisations	18.35	15,767	14.50	8,925	5.40	2,415	-	-	38.25	27,106
Creditors and Distributions	-	-	1.50	938	0.50	225	-	-	2.00	1,163
Statutory and Other Compliance	10.50	9,102	50.20	30,404	51.90	21,452	6.65	1,267	119.25	62,224
Tax and VAT	2.30	3,031	26.95	25,111	7.15	3,120	-	-	36.40	31,262
<b>Total for the six month period to 30 November 2020</b>	<b>36.20</b>	<b>32,153</b>	<b>111.45</b>	<b>76,010</b>	<b>99.85</b>	<b>42,575</b>	<b>16.55</b>	<b>3,669</b>	<b>264.05</b>	<b>154,407</b>
<b>Average hourly rate for the six month period to 30 November 2020</b>										<b>585</b>
<b>Cumulative total to 30 November 2020</b>										<b>4,432,395</b>

**Note:** There may be rounding in this table which makes it appear to not perfectly cast.



## Our time charging policy and hourly rates

We and our team charge our time for the work we need to do in the administration. We delegate tasks to suitable grades of staff, taking into account their experience and any specialist knowledge that is needed and we supervise them properly to maximise the cost effectiveness of the work done. Anything complex or important matters of exceptional responsibility are handled by our senior staff or us.

All of our staff who work on the administration (including our cashiers, support and secretarial staff) charge time directly to the case and are included in any analysis of time charged. Each grade of staff has an hourly charge out rate which is reviewed from time to time. Work carried out by our cashiers, support and secretarial staff is charged for separately and isn't included in the hourly rates charged by partners or other staff members. Time is charged in six minute units. The minimum time chargeable is three minutes (i.e. 0.05 units). We don't charge general or overhead costs.

We set out below the maximum charge-out rates per hour for the grades of our staff who already or who are likely to work on the administration.

<b>Partner</b>	956	985
<b>Director</b>	840	870
<b>Senior Manager</b>	605	625
<b>Manager</b>	525	545
<b>Senior Associate</b>	435	450
<b>Associate/support staff</b>	270	280

We call on colleagues in our Tax department where we need their expert advice. Their specialist charge-out rates vary but the following are the maximum rates by grade per hour.

<b>Partner</b>	1385	1385
<b>Director</b>	1275	1275
<b>Senior Manager</b>	975	975
<b>Manager</b>	710	710
<b>Senior Associate</b>	520	520
<b>Associate</b>	285	285

In common with many professional firms, our scale rates may rise to cover annual inflationary cost increases.

## **Our work in the period**

Although not an exhaustive list, below we provide more detail on the key areas of work.

### **Accounting and treasury — £32,653**

This is an essential function for the management of funds held by the Administrators on behalf of the Company. The Administrators' treasury and cash management teams monitor and control the movement of funds, mitigate risk and seek to maximise the interest made on investments for the benefit of the Company's creditors.

- Provision of information for the purposes of statutory reporting;
- Arrangement of receipts and payments of funds and coding of movements;
- Monitoring flow of funds into the bank accounts; and
- Reconciling bank accounts.

### **Strategy and planning — £27,106**

The Administrators and their staff have invested a proportion of their time in the planning and delivery of their strategy to progress the administration. The Administrators continue to explore strategies that will enable the Administration to be brought to a conclusion and anticipate the Company will be dissolved after the conclusion of the Administration.

Activities include:

- Consideration of strategy including planning of future distributions to maximise the outcome for LB PTG's creditors and updating strategy documents;
- Discussion with stakeholders in regard to this strategy;
- Ongoing review and maintenance of financial information, including updating the estimated outcome statement;
- Ongoing review of the remaining assets in subsidiary companies and managing these in order to achieve closure of the subsidiary estates;
- Liaising with administrators and liquidators in order to collect balances payable;
- Regular case team meetings to manage case progression; and
- Liaising with specialist internal teams.

### **Statutory and compliance — £62,224**

The following tasks were undertaken in accordance with the Joint Administrators' statutory obligations and/ or internal compliance:

- Preparing and circulating the Administrators' 23rd progress report to creditors;
- Generating monthly time cost information in support of the Administrators' remuneration;
- Dealing with statutory filings at Companies House and the Court;
- Preparing the Administrators' internal six-monthly case reviews in accordance with professional requirements;
- Managing and updating communications on LB PTG's dedicated website, maintaining and managing case files, records and the Company's database; and
- Dealing with other ad-hoc compliance and statutory issues.

## **Tax and VAT — £31,262**

The following tasks were undertaken for VAT and tax compliance purposes:

- Reconciliation, preparation and submission of the quarterly VAT returns
- Drafting, reviewing and submission of the tax computation and return for 2019;
- Compliance with the Administrators' responsibilities under the Senior Accounting Officer legislation; and
- Preparation for, attendance and follow up to quarterly internal meetings.

## **Creditors and distributions — £1,163**

The following tasks were undertaken for the benefit of the creditors:

- Responding to creditor enquiries received via the Lehman Affiliate mailbox and updating creditor information.

## **Our relationships**

We have no business or personal relationships with the parties who approve our fees or who provide services to the administration where the relationship could give rise to a conflict of interest.

## **Details of subcontracted work**

Certain centralised services are undertaken on behalf of the Company by employees retained by LBIE and LB SF Warehouse Limited for their prior and ongoing knowledge of the Company's affairs. Included in these services are the provision of certain tax and VAT services, claims review services and key staff resources. The benefit to the Company's creditors is through cost savings. This is because the Administrators consider it more efficient that this work is carried out by subcontractors and by the centralisation of services. The costs of such services are recharged to the Company on a time costs basis and are invoiced directly to the estate.

## **Legal and other professional firms**

The Administrators have instructed the following legal professionals on this case to assist with various legal matters arising in the Administration. The selection of individual legal firms is determined by the jurisdiction and nature of the advice being sought, and whether a conflict exists.

All professional firms instructed by the Administrators are required to provide a narrative explanation in support of invoices. All invoices are reviewed before being approved for payment. The Administrators are satisfied that the level of legal and professional costs are appropriate.

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### **Legal services:**

- Linklaters LLP
- Industry knowledge
- Time costs

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### **Legal services**

- Brown Rudnick LLP
  - Industry knowledge
  - Time costs
-

The Administrators have set aside a reserve of £1,400k for their future time costs, broadly analysed as follows:

The below figures assume that:

- The Administration will not be concluded prior to 30 November 2022, which is when the Administration is currently due to end,
- Time costs relating to compliance and maintenance of the case will be incurred at a similar rate to that incurred in the Reporting Period, and
- There will be further distributions to the Company's creditors.

Accounting and Treasury	160
Strategy and Planning	450
Statutory and Compliance	300
Tax and VAT	100
Creditors and Distributions	390
<b>Total</b>	<b>1,400</b>

<b>Court details for the administration:</b>	High Court of Justice, Chancery Division, Companies Court — case 11056 of 2008
<b>Company's registered name:</b>	Eldon Street Holdings Limited
<b>Trading name:</b>	Eldon Street Holdings Limited
<b>Registered number:</b>	04108165
<b>Registered address:</b>	7 More London Riverside, London SE1 2RT
<b>Date of the joint administrators' appointment:</b>	9 December 2008
<b>Joint administrators' names, addresses and contact details:</b>	<p>DA Howell, GE Bruce, R Downs and EJ Macnamara, of PricewaterhouseCoopers LLP, 7 More London Riverside, London SE1 2RT</p> <p>If you've got any questions, please get in touch with Diane Adebawale, on +44 (0) 7583 5000, or at: <a href="mailto:uk_lehmanaffiliates@pwc.com">uk_lehmanaffiliates@pwc.com</a>.</p>
<b>Investigations and actions</b>	Nothing has come to our attention during the period under review to suggest that we need to do any more work in line with our duties under the Company Directors' Disqualification Act 1986 and Statement of Insolvency Practice No.2.
<b>Extension(s) to the initial period of appointment:</b>	The High Court of Justice has granted seven, successive extensions to the Administration period to: 30 November 2010; 30 November 2011; 30 November 2013; 30 November 2015; 30 November 2018; to 30 November 2020; and to 30 November 2022.



This document has been prepared solely for the purpose explained on page 3. We accept no liability (including for negligence) to anyone else in connection with this document, and it may not be provided to anyone else.

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