

# M

## COMPANIES FORM No. 395

### Particulars of a mortgage or charge

A fee of £13 is payable to Companies House in respect of each register entry for a mortgage or charge.

Pursuant to section 395 of the Companies Act 1985

622849/13  
**395**

CHFP025

Please do not  
write in  
this margin

*Please complete  
legibly, preferably  
in black type, or  
bold block lettering*

\* insert full name  
of Company

To the Registrar of Companies  
(Address overleaf - Note 6)

For official use

Company number



04382295

Name of company

L.D. Metals Limited (the **Pledgor**)

Date of creation of the charge

16 January 2007

Description of the instrument (if any) creating or evidencing the charge (note 2)

A General Deed of Pledge of Goods and Assignment of Claims (the **Pledge**) between (1) the Pledgor and (2) Credit Agricole (Suisse) S.A. (the **Bank**)

Amount secured by the mortgage or charge

All indebtedness and/or liabilities of the Pledgor to the Bank present, future, actual and/or contingent, solely or jointly and all costs, charges and expenses howsoever incurred by the Bank in relation thereto on a full indemnity basis together with interest on the foregoing.

Please return  
via  
CH London Counter

Names and addresses of the mortgagees or persons entitled to the charge

Credit Agricole (Suisse) S.A. of 46 Rue du Rhone, CH-1204, Geneva

Postcode

Presentor's name address and  
reference (if any):

Denton Wilde Sapte LLP  
One Fleet Place  
London EC4M 7WS  
KET/GP/53985.00025

Time critical reference

For official Use (02/00)

Mortgage Section

WEDNESDAY



LD3 \*LDTLDMHS\* 356  
24/01/2007  
COMPANIES HOUSE

Short particulars of all the property mortgaged or charged

See the M395 Continuation Sheet attached.

Please do not  
write in  
this margin

*Please complete  
legibly, preferably  
in black type, or  
bold block  
lettering*

Particulars as to commission allowance or discount (note 3)

Nil

Signed

*Data White Sage*

Date

*24/1/07*

On behalf of [company] [mortgagee/chargee]<sup>†</sup>

*A fee is payable  
to Companies  
House in  
respect of each  
register entry  
for a mortgage  
or charge.  
(See Note 5)*

Notes

† delete as  
appropriate

- 1 The original instrument (if any) creating or evidencing the charge, together with these prescribed particulars correctly completed must be delivered to the Registrar of Companies within 21 days after the date of creation of the charge (section 395). If the property is situated and the charge was created outside the United Kingdom delivery to the Registrar must be effected within 21 days after the date on which the instrument could in due course of post, and if dispatched with due diligence, have been received in the United Kingdom (section 398). A copy of the instrument creating the charge will be accepted where the property charged is situated and the charge was created outside the United Kingdom (section 398) and in such cases the copy must be verified to be a correct copy either by the company or by the person who has delivered or sent the copy to the Registrar. The verification must be signed by or on behalf of the person giving the verification and where this is given by a body corporate it must be signed by an officer of that body. A verified copy will also be accepted where section 398(4) applies (property situate in Scotland or Northern Ireland) and Form No. 398 is submitted.
- 2 A description of the instrument, eg "Trust Deed", "Debenture", "Mortgage", or "Legal charge", etc, as the case may be, should be given.
- 3 In this section there should be inserted the amount or rate per cent. of the commission, allowance or discount (if any) paid or made either directly or indirectly by the company to any person in consideration of his;
  - (a) subscribing or agreeing to subscribe, whether absolutely or conditionally, or
  - (b) procuring or agreeing to procure subscriptions, whether absolute or conditional,for any of the debentures included in this return. The rate of interest payable under the terms of the debentures should not be entered.
- 4 If any of the spaces in this form provide insufficient space the particulars must be entered on the prescribed continuation sheet.
- 5 A fee of £13 is payable to Companies House in respect of each register entry for a mortgage or charge. Cheques and Postal Orders must be made payable to **Companies House**.
- 6 The address of the Registrar of Companies is: Companies House, Crown Way, Cardiff CF14 3UZ

Name of company

\* insert full name  
of company

L.D. Metals Limited

Short particulars of all the property mortgaged or charged (continued)

- 1 The Pledgor charged ~~all its right, title and interest in and to all commodities, monies and other receivables~~ due to the Pledgor arising out of or in connection with the financing, sale or other realisation of commodities financed by the Bank.
- 2 The Pledgor further charged:
  - (a) ~~any goods~~ which, for whatever reason, are currently, or will in future be, in the Bank's direct or indirect possession, or of which the Bank may dispose, whether these goods are in warehouses, in the hands of forwarding agents or are being transported, stored or processed at other locations; and all goods which the Bank owns by means of representative documents in the broadest sense of the term (for example: bills of lading, storage certificates etc.);
  - (b) ~~any claims arising from the sale of the pledged goods;~~
  - (c) all claims arising or to arise from the sale of goods financed by the Bank, at present or in the future, in any manner whatsoever;
  - (d) all claims arising or to arise from instruments lodged, at present or in the future, with the Bank, including without limitation promissory notes issued by or drafts drawn on third parties or any other negotiable instruments, deposited at the Bank, invoices domiciled at its counters, proceeds of letters of credit and guarantees opened at its counters etc.;
  - (e) as well as all claims directly or indirectly connected with the said goods and claims, including any claims for damages against the forwarding agents, carriers, warehouse companies, insurance companies etc.

**3 Negative pledge**

The Pledgor warranted that it has not made a general nor a particular pledge/assignment of all its assets covered by the Pledge to any third party and undertakes that it shall not encumber them to any third party.

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## CERTIFICATE OF THE REGISTRATION OF A MORTGAGE OR CHARGE

Pursuant to section 401(2) of the Companies Act 1985

COMPANY No. 04382295

THE REGISTRAR OF COMPANIES FOR ENGLAND AND WALES HEREBY CERTIFIES THAT A GENERAL DEED OF PLEDGE OF GOODS AND ASSIGNMENT OF CLAIMS DATED THE 16th JANUARY 2007 AND CREATED BY L.D. METALS LIMITED FOR SECURING ALL MONIES DUE OR TO BECOME DUE FROM THE COMPANY TO CREDIT AGRICOLE (SUISSE) S.A. ON ANY ACCOUNT WHATSOEVER WAS REGISTERED PURSUANT TO CHAPTER 1 PART XII OF THE COMPANIES ACT 1985 ON THE 24th JANUARY 2007.

GIVEN AT COMPANIES HOUSE, CARDIFF THE 29th JANUARY 2007.



*Companies House*

— for the record —



THE OFFICIAL SEAL OF THE  
REGISTRAR OF COMPANIES