

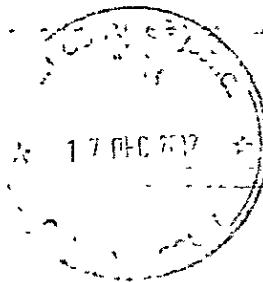
Knowle House Development Ltd
4457481

IN THE HIGH COURT OF JUSTICE

CHANCERY DIVISION

COMPANIES COURT

ROYAL COURTS OF JUSTICE



Case No. 9134 of 2012

MR REGISTRAR JONES

11 December 2012

IN THE MATTER OF THE PRACTICE DIRECTION: INSOLVENCY PROCEEDINGS 2012 AND RULE 7.10
OF THE INSOLVENCY (AMENDMENT) RULES 2010 AND THE INSOLVENCY ACT 1986

BETWEEN:

(1) RICHARD TOONE
(2) LEE DE'ATH
(3) DAVID OPREY

Applicants

-and-

(4) JOHN HEATH
(5) DAVID CLEMENTS

Respondent

ORDER

UPON reading the Application dated 28 November 2012

AND UPON hearing the solicitor for the Applicants and reading the evidence

IT IS ORDERED THAT

- 1 In respect of those Creditors' Voluntary Liquidations, Compulsory Liquidations, Bankruptcies and Individual Voluntary Arrangement ("the estates") in the Schedule to this Order which are the subject of proceedings in County Courts, those proceedings shall be transferred to

SATURDAY



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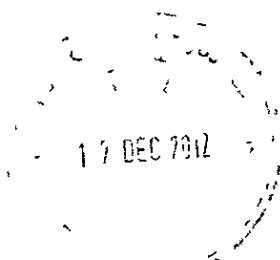
COMPANIES HOUSE

the High Court solely for the purposes of paragraphs 2 and 3 of this order and shall thereafter transferred back to the relevant County Court.

- 2 John Heath be removed from office as Liquidator, Trustee and Supervisor (as the case may be) of the estates listed in the Schedule with immediate effect
- 3 John Heath be replaced by such Office Holder of each such estate by the Applicant named in the Schedule as his proposed replacement with immediate effect.
- 4 John Heath shall be granted his release 56 days after the publication in the London Gazette referred to below
- 5 The Applicants be entitled to publish in the London Gazette one composite notice relating to all new appointments created by this order which are required by law to be published in the London Gazette, such notice to published within 28 days of receipt of the sealed Order, and the Applicants shall file any appropriate notices in respect of the removal of John Heath and the appointment of replacement Office Holders (and those appointments) with the Registrar of Companies and the Secretary of State for Business Innovation and Skills (Insolvency Services) within 14 days of the receipt of the sealed Order
- 6 Notice in writing (which may be by electronic means, if that is possible) of this Order shall also be given to the creditors in each case at the first convenient opportunity to do so without incurring additional expense, such as at the next regular report or notice of meeting (save that the Applicant may incur the expense of notifying creditors if it appears to be necessary to do so in any particular case) For the avoidance of doubt, the replacement office holders shall give notice to creditors of the replacement of Mr Heath at the next creditors' meeting or progress report (as the case may be) as was scheduled prior to the replacement of Mr Heath pursuant to this order, and this provision shall override any reporting requirement in the Insolvency Rules 1986 that would otherwise require a report to be made to creditors on the termination, commencement or replacement of an insolvency office holder's appointment, including those set out at rules 2 47(3A), 4 49B(5), 4 49C-CVL(3) and 6 78A(4).
- 7 The costs of placing notice of this Order in the London Gazette and the costs of this Application be aggregated and be drawn as a proper expense of each of the cases listed in the Schedules which shall each bear an equal proportion of such costs and disbursements where sufficient funds are available (such costs not to exceed £182 60 per estate) and save that an expense borne by a CVA or IVA that would cause it to fail as a result of a breach of its terms shall not be subject to such apportionment
- 8 If in any of the cases listed in the Schedules there are insufficient funds to bear that case's ostensible share of the costs the Applicants may apportion that case's share of the costs

among the other cases listed in the Schedules at his discretion (save that again, the total costs per estate allocated pursuant to this order shall not exceed £182 60 per case)

- 9 Liberty to each creditor of each estate to apply to vary or discharge this order within 28 days of the date of publication of the London Gazette notice directed to be published under paragraph 5 above.
- 10 Liberty to restore



Schedule

Appointed as a liquidator in the following winding ups (8):

	Company Name	Court Jurisdiction	Case Number	Expected date when outgoing director appointed	Joint office holder details	Date of original appointment	Funds held (£)	Replacement
Creditors Voluntary Liquidations								
1.	Abacus Windows Limited			Joint Liquidator	David Oprey	10/09/2008	96 00	Richard Toone
2	AND Construction Limited			Joint Liquidator	David Oprey	10/04/2008	27473 12	Richard Toone
3.	BPC Ceilings Limited			Joint Liquidator	David Oprey	17/04/2008	8172 37	Richard Toone
4.	H&V Thermal Ductwork Limited			Joint Liquidator	David Clements	28/04/2010	1051 18	Lee De'ath
5.	Knowle House Development Limited			Liquidator	N/A	14/05/2008	1198 28	Richard Toone
6.	Mulroy Construction Limited			Joint Liquidator	David Oprey	19/06/2009	32819.35	Richard Toone
7.	Swift Welding & Fabrication Limited			Joint Liquidator	David Clements	16/07/2010	208.73	Lee De'ath
Compulsory Liquidations								
8	R W Knight & R J Seddon	Canterbury	1768 of 2007	Liquidator	N/A	16/11/2007	894 89	David Oprey

Appointed as trustee in bankruptcy in the following cases (15).

	Names of the trustee	Court having jurisdiction	Case number	Capacity in which appointed	Joint trustee (under details)	Date of original appointment	Fund in £	Replacement
1.	Thomas Patrick Burke	Norwich	429 of 2007	Trustee	N/A	27/09/2007	2943.17	David Oprey
2	Robert Henry Ellis	Medway	341 of 1994	Trustee	N/A	31/12/2003	1080 10	David Oprey
3	John Brian Game	High Court	6388 of 2009	Joint Trustee	David Clements	15/06/2010	3189.26	David Oprey
4	William Hull	Colchester	849 of 2007	Trustee	N/A	30/11/2007	538 76	David Oprey
5.	Victoria Ruth Jackson	Stockport	100 of 2000	Trustee	N/A	11/10/2004	450 12	David Oprey
6.	John Christopher Keating	Croydon	918 of 1994	Trustee	N/A	28/05/2002	320 58	David Oprey
7.	Robert William Knight	High Court	4895 of 2007	Trustee	N/A	26/11/2007	353.29	David Oprey
8.	Robert Muller	High Court	5459 of 1997	Trustee	N/A	31/07/1998	5288 50	David Oprey
9	Olaoluwa Solomon Oladapo	Chelmsford	191 of 2009	Joint Trustee	David Clements	23/03/2010	NIL	David Oprey
10	Nicholas John Pamment	Bury St Edmunds	245 of 2009	Joint Trustee	David Oprey	15/10/2009	558 40	Richard Toone
11	Godfrey Ingram Robinson	Bangor	28 of 1994	Trustee	N/A	21/01/1994	6343 27	David Oprey
12	Roger David Russell	Colchester	274 of 1999	Trustee	N/A	31/03/2000	3152 49	David Oprey
13.	Richard Jeffrey Seddon	Canterbury	1771 of 2007	Trustee	N/A	26/11/2007	NIL	David Oprey

14	Reginald James Spearing	Slough	137 of 1997	Trustee	N/A	18/12/1998	13945 27	David Oprey
15.	Paul David Wilks	Colchester	2005 of 2008	Joint Trustee	David Oprey	17/03/2009	715.28	Richard Toone

Appointed as supervisor in the following voluntary arrangements (6):

	Name of case	Court having jurisdiction	Case number	Capacity in which original office-holder appointed	John Oprey - further details	Date of original appointment	Funds held	Representing
Individual Voluntary Arrangements								
1.	Daron James Hooper	Colchester	248 of 2008	Joint Supervisor	David Oprey	10/06/2008	4608.20	Richard Toone
2.	Lorraine Joslin	Colchester	2093 of 2008	Joint Supervisor	David Oprey	08/01/2009	15029 47	Richard Toone
3.	Peter John Joslin	Colchester	2092 of 2008	Joint Supervisor	David Oprey	08/01/2009	15029.48	Richard Toone
4	Richard Knight t/as Chapel Kitchens	Chelmsford	161 of 2009	Joint Supervisor	David Oprey	11/08/2009	49606 00	Richard Toone
5	Francesco Murgia	Colchester	92 of 2008	Joint Supervisor	David Oprey	21/02/2008	NIL	Richard Toone
6.	Lee Andrew Williams	Colchester	127 of 2007	Joint Supervisor	David Oprey	26/02/2007	6849 16	Richard Toone