The Insolvency Act 1986

Liquidator's Progress Report Pursuant to Section 192 of The Insolvency Act 1986 **S.192** 

To the Registrar of Companies

For Official Use

Company Number

04868351

Name of Company

Quid Novi Limited

I / We Jeffrey Mark Brenner Trafalgar House Grenville Place Mill Hill London NW7 3SA

the liquidator(s) of the company attach a copy of my/oxfr progress report under section 192 of the Insolvency Act 1986

Signed

34 (J

Date

29/7/11

B&C Associates Limited Trafalgar House Grenville Place Mill Hill London NW7 3SA

Ref 4944/JB/NM

For Official Lies

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COMPANIES HOUSE

Software Supplied by Turnkey Computer Technology Limited Glasgow

#### Quid Novi Limited (In Liquidation) Liquidator's Abstract of Receipts & Payments

From 29/06/2010 To 28/06/2011		Statement of Affairs
	ASSET REALISATIONS	
NIL	Investments	NIL
NIL	Debtor - Carbon Positive	NIL
NIL	Debtor - Carbon Capital Limited	NIL
7,637 50	Cash held on appointment	7,637 00
012	Bank Interest Gross	
7,637 62		
	COST OF REALISATIONS	
6,500 00	Statement of affairs fee	
(6,500 00)		
	UNSECURED CREDITORS	
NIL	Trade & Expense Creditors	(73,750 00)
NIL	Directors	(260,000 00)
NIL	The Royal Bank of Scotland	(629 00)
NIL	H M Revenue & Customs - PAYE/NIC	(131 00)
NIL		
	DISTRIBUTIONS	
NIL	Ordinary Shareholders	(262,000 00)
NIL		
4 107 00		(500,070,00)
1,137.62		(588,873.00)
	REPRESENTED BY	
1,137 62	Bank 1 Current Account	
1,137.62		

### B&C Associates Licensed Insolvency Practitioners

Our ref JB/NM/4944/[CVL510A]/6

Your ref

Date 28 July 2011

Trafalgar House Grenville Place Mill Hill London NW7 3SA

Tel 020 8906 7730 Fax 020 8906 7731 www bcassociates uk com

#### TO ALL CREDITORS & MEMBERS

Dear Sir

#### **QUID NOVI LIMITED - IN LIQUIDATION**

By way of reminder, I was appointed Liquidator of the Company at a meeting of members held on 29 June 2010 at Trafalgar House, Grenville Place, Mill Hill, London, NW7 3SA At a subsequent meeting of creditors held on the same day, my appointment was confirmed

Pursuant to Section 104A of The Insolvency Act 1986 I am required to provide a report on the progress of the liquidation for the year ending 28 June 2011

Accordingly please find attached a copy of my annual report on the progress of the liquidation together with a statement of claim form for creditors who have not yet registered their claim in the liquidation

Should you require any further information please contact Navjeet Mann of this office in the first instance

Yours faithfully

J M BRENNER LIQUIDATOR

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Directors JM Brenner MIPA FABRP N Joshi Principal Manager D Mapara FCA FIPA FABRP

Appointment takers are licensed by the Insolvency Practitioners Association

Directors and Principal Managers acting as administrators and administrative receivers do so as agents of the company without personal liability

B&C Associates is the trading style of B&C Associates Limited which is registered in England and Wales under number 7049129

Its registered office is 2nd Floor, 167-169 Great Portland Street, London W1W 5PF

# Liquidator's Annual Progress Report to Members & Creditors

QUID NOVI LIMITED IN LIQUIDATION YEAR ENDED 28 JUNE 2011

Liquidator's Annual Progress Report to Members & Creditors

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- 8 Next Report

#### **APPENDICES**

- A. Receipts and Payments Account for the period from 29 June 2010 to 28 June 2011
- B Time Analysis for the period from 29 June 2010 to 28 June 2011
- C Additional Information in relation to Liquidator's fees pursuant to Statement of Insolvency Practice No 9

#### 1 Introduction and Statutory Information

- I, Jeffrey Mark Brenner of B&C Associates Limited, Trafalgar House, Grenville Place, Mill Hill, London NW7 3SA was appointed as Liquidator of Quid Novi Limited (the Company) on 29 June 2010 This report provides an update on the progress in the liquidation for the year ended 28 June 2011
- The trading address of the Company was 22 Great James Street, London, WC1N 3ES
- The registered office of the Company has been changed to Trafalgar House, Grenville Place, Mill Hill, London NW7 3SA and its registered number is 04868351

#### 2 Realisation of Assets

Attached at Appendix A is my Receipts and Payments Account for the period from 29 June 2010 to 28 June 2011

**Investments** 

- According to the Director's Statement of Affairs ("SoA") the Company held investments with a Book value of £3 The estimated to realise value was Nil The investments relate to interests in three Companies One provides an option to purchase shares in another Company at £5 00 per share This is of no value The other £2 relates to shareholdings in insolvent Companies and therefore has no value
  - Debtor Carbon Trading Positive Limited
- The sum of £280,000 was outstanding to the Company in respect of Commission The estimated to realise sum is Nil, as realisations are dependant on the outcome of ongoing HM Revenue & Customs and Criminal investigations into Carbon Trading Positive Limited
  - Debtor Carbon Capital Limited
- According to the SoA, the sum of £631,391 was due to the Company in respect of a loan to Carbon Capital Limited ("CCL") CCL was placed into Creditors' Voluntary Liquidation on the same day, and no dividend is expected from the same
  - Cash held on Appointment
- Funds of £7,637 50 were held prior to my appointment to assist with the costs of preparing the Director's SoA and convening the meetings of members and creditors pursuant to section 98 of the Insolvency Act 1986.

#### 3 Investigations

- In accordance with Statement of Insolvency Practice (SIP 2) a review of the Company's books and records was conducted in order to identify any unusual transactions or exceptional transactions
- During the investigation, particular attention was paid to identifying any possible antecedent transactions such as preference payments, transactions at an undervalue and transactions defrauding creditors. Additionally, it was considered whether there was evidence of wrongful trading and/or misfeasance, for which an action could be brought against the directors.
- In accordance with the Company Directors Disqualification Act 1986 I have submitted a report on the conduct of the Directors of the Company to the Department for Business Innovation & Skills (BIS) As this is a confidential report, I am not able to disclose the contents

#### 4 Creditors

Preferential Creditors

4 l No preferential claims have been received in the Liquidation and none were expected.

Unsecured Creditors

- I have received claims totalling £65,372,010 52 from 72 creditors. Approximately £65 million of these claims are subject to litigation and relate to a number of Limited Liability Partnerships ("LLPs") set up by a wholly owned subsidiary. The claims are in respect of alleged assistance in the breach of the management agreements entered into between each LLP and the subsidiary, and breach of fiduciary duty owed to the LLPs in respect of a transfer of assets. I have yet to receive claims from 2 creditors whose debts total £38,629 as per the directors' statement of affairs.
- 4 3 At this stage it is unlikely that there will be a dividend to any class of creditors

#### 5 Liquidator's Remuneration

- The Creditors approved that the basis of the Liquidator's remuneration be fixed by reference to the time properly spent by him and his staff in managing the Liquidation.
- My time costs for the period from 29 June 2010 to 28 June 2011 are £3,320 This represents 19 hours at an average rate of £174 74 per hour. Attached as Appendix C is a Time Analysis which provides details of the activity costs incurred by staff grade during this period in respect of the costs fixed by reference to time properly spent by

me in managing the Liquidation No Liquidator's remuneration has been drawn to date

- 5 3 The time spent on this case relates to the following matters -
  - Attending to correspondence and telephone calls with creditors
  - Recording and acknowledging creditor claims
  - Investigation into the affairs of the Company
  - Preparation and submission of statutory reports to the Department of Business Innovation & Skills
  - Updating the insolvency computer system
  - Case reviews and statutory compliance which includes submissions to Companies House

#### 6 Liquidator's Expenses

#### 6 1 Statement of Affairs Fee

The sum of £6,500 00 plus VAT relates to assistance given to the Directors of the Company in notifying and convening the members and creditors meetings under Section 98 of the Insolvency Act 1986, and the preparation of the Statement of Affairs and Directors' Report to Creditors This fee was approved at the first meeting of creditors

#### 6 2 Office Holders Expenses

Disbursements have been incurred in accordance with SIP9, these disbursements are defined by two categories. Category 1 disbursements relate to direct expenses and Category 2 disbursements relate to indirect expenses, further details of these disbursements are attached at Appendix C.

The table below sets out the disbursements incurred and paid from the date of my appointment to the conclusion of the liquidation -

	Expenses Incurred	Expenses Paid £
Category 1 Disbursements	£	L
Statutory Advertising	864 93	864 93
Records Storage	Nıl	Nıl
Specific Bond	30 00	30 00
Companies House – Statutory Products	7 00	7 00
-	901 93	901 93

Category 2 Disbursements		
Meeting Rooms	52 50	Nıl
Registered Office fee	50 00	Nıl
Initial case set up cost	10 00	Nıl
IPS Accounting system charge	15 00	Nıl
Telephone	10 00	Nıl
Circularisation to creditors & others	83 51	46 09
Letter out other than circulars	3 00	Nıl
Faxes	Nıl	Nıl
	224 01	46.09

To date disbursements of £901 63 have been paid. These are not reflected on the Receipts and Payments account as they were paid subsequent to the date of this report.

#### 7 Creditors' rights

- Within 21 days of the receipt of this report, a secured creditor, or an unsecured creditor (with the concurrence of at least 5% in value of the unsecured creditors) may request in writing that the Liquidator provide further information about his remuneration or expenses which have been itemised in this progress report.
- Any secured creditor, or an unsecured creditor (with the concurrence of at least 10% in value of the unsecured creditors) may within 8 weeks of receipt of this progress report make an application to Court on the grounds that, in all circumstances, the basis fixed for the Liquidator's remuneration, the remuneration charged or the expenses incurred by the Liquidator as set out in this progress report are excessive

#### 8 Next Report

I am required to provide a further report on the progress of the liquidation within two months of the next anniversary of the liquidation, unless I have concluded matters prior to this, in which case I will write to all creditors with my final progress report ahead of convening the final meeting of members and creditors

Yours faithfully

J M BRENNER LIQUIDATOR

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#### APPENDIX A

#### QUID NOVI LIMITED - IN LIQUIDATION RECEIPTS AND PAYMENTS ACCOUNT FOR THE PERIOD FROM 29 JUNE 2010 TO 28 JUNE 2011

Liquidator's Annual Progress Report to Members & Creditors

#### Quid Novi Limited (In Liquidation) Liquidator's Abstract of Receipts & Payments

Statement of Affairs		From 29/06/2010 To 28/06/2011	From 29/06/2010 To 28/06/2011
AS	SSET REALISATIONS		
	nvestments	NIL	NIL
	Debtor - Carbon Positive	NIL	NIL
	Debtor - Carbon Capital Limited	NIL	NIL
	Cash held on appointment	7,637 50	7,637 50
E	Bank Interest Gross	0 12	0 12
		7,637 62	7,637 62
C	OST OF REALISATIONS		
5	Statement of affairs fee	6,500 00	6,500 00
		(6,500 00)	(6,500 00)
U	NSECURED CREDITORS		
(73,750 00)	Frade & Expense Creditors	NIL	NIL
	Directors .	NIL	NIL
(629 00)	The Royal Bank of Scotland	NIL	NIL
	HM Revenue & Customs - PAYE/NIC	NIL	NIL
		NIL	NIL
DI	STRIBUTIONS		
(262,000 00)	Ordinary Shareholders	NIL	NIL
,	•	NIL	NIL
(500 072 00)		4 427 00	4 427 62
(588,873.00)		1,137.62	1,137 62
R	EPRESENTED BY		
	Bank 1 Current Account		1,137 62
			1,137.62

Jeffrey Mark Brenner Liquidator

## QUID NOVI LIMITED - IN LIQUIDATION TIME ANALYSIS FOR THE PERIOD FOR THE PERIOD FROM 29 JUNE 2010 TO 28 JUNE 2011

### **SIP 9 - Time & Cost Summary** Period 29/06/10 28/06/11

#### Time Summary

Hours							
Classification of work function	Director	Manager	Other Senior Professionals	Assistants & Support Staff	Total Hours	Time Cost (£)	Average hourly rate (£)
Administration & planning	1 30	0 00	9 20	0 80	11 30	2,067 50	182 96
Investigations	0 40	0 00	4 80	0 00	5 20	938 00	180 38
Realisations of assets	0 00	0 00	0 00	0 00	0 00	0 00	0 00
Trading	0 00	0.00	0 00	0 00	0 00	0 00	0 00
Creditors	0 00	0 00	1 30	1 20	2 50	314 50	125 80
Case specific matters	0 00	0 00	0 00	0 00	0 00	0 00	0 00
Total Hours	1 70	0 00	15 30	2 00	19 00	3,320 00	174 74
Total Fees Claimed						0 00	

## QUID NOVI LIMITED - IN LIQUIDATION ADDITIONAL INFORMATION IN RELATION TO LIQUIDATOR'S FEES PURSUANT TO STATEMENT OF INSOLVENCY PRACTICE NO 9

#### 1 Policy

Detailed below is B&C Associates Limited's policy in relation to

- Staff allocation and the use of subcontractors
- Professional advisors
- Disbursements

#### 1 2 Staff allocation and the use of subcontractors

Our general approach to resourcing our assignments is to allocate staff with the skills and experience to meet the specific requirements of the case

The constitution of the case team will usually consist of a Director, Manager, Senior and Assistant The exact constitution of the case team will depend on the anticipated size and complexity of the assignment and on larger, more complex cases, several Seniors/Assistants may be allocated to meet the demands of the case

With regard to support staff, we would advise that time spent by cashiers in relation to specific tasks on an assignment is charged

We have not utilised the services of any subcontractors in this case

#### 1 3 Disbursements

Category 1 disbursements do not require approval by creditors. The type of disbursements that may be charged as a Category 1 disbursement to a case generally comprise of external supplies of incidental services specifically identifiable to the case, such as postage, case advertising, invoiced travel and external printing, room hire and document storage. Also chargeable will be any properly reimbursed expenses incurred by personnel in connection with the case.

Category 2 disbursements do require approval from creditors. These disbursements can include costs incurred which relate to payments due to associated companies for the provision of services to the office holder.

#### 1 4 Charge-out rates

A schedule of B&C Associates Limited charge-out rates was issued to creditors at the time the basis of the Liquidator's remuneration was approved. There has been no material increases in charge-out rates since that date although a further copy is attached for your information.

## B & C ASSOCIATES LIMITED DETAILS OF CHARGE OUT RATES & POLICY REGARDING THE RECHARGE OF DISBURSEMENTS - JANUARY 2011

The current hourly chargeout rates applicable to this appointment (excluding VAT) are

	£
Directors	365
Managers	265/325
Administrators	165
Assistants	125
Juniors	75

Charge out rates, and rates for indirect expenses (see below), are normally reviewed annually in December with any changes taking effect from 1 January Charges take into account such matters as inflation, increases in salary costs and changes to indirect costs such as Professional Indemnity Insurance

#### Direct Expenses ("Category 1 disbursements")

Category 1 disbursements are defined by Statement of Insolvency Practice No9 (SIP9) as those which can be specifically identified as relating to the administration of the case and are charged at cost, with no uplift. These include, but are not limited to, such items as statutory advertising, bonds and other insurance premiums and properly reimbursed expenses incurred by personnel in connection with the case - typically travel costs.

#### Indirect Expenses ("Category 2 disbursements")

Category 2 disbursements are also defined by SIP9 and relate to payments made by B&C Associates Limited, which include an element of shared or allocated costs. Typical examples relate to photocopying and correspondence. On this case the following costs may be incurred

	£	
Circularisation to creditors & others	2 70	per cırcular
Meeting Rooms	52 50	usage charge
IPS Accounting system charge	15 00	per annum
Telephone	10 00	per annum
Registered Office fee	50 00	one off charge
Faxes	0 40	per fax
Letters out other than circulars	1 00	per letter
Initial case set up costs	10 00	per case