

**Liquidator's Progress
Report****S.192****Pursuant to Sections 92A and 104A and 192
of the Insolvency Act 1986**

To the Registrar of Companies

Company Number

4935859

Name of Company

Kaufmann Direct Limited

☒ We
Gilbert John Lemon
Portwall Place
Portwall Lane
Bristol
BS1 6NA

Paul David Wood
Portwall Place
Portwall Lane
Bristol
BS1 6NA

the liquidator(s) of the company attach a copy of my/our Progress Report
under section 192 of the Insolvency Act 1986

The Progress Report covers the period from 30/06/2011 to 29/06/2012

Signed



Date

24/7/12

Smith & Williamson LLP
Portwall Place
Portwall Lane
Bristol
BS1 6NA

Ref KA195/GJL/NH7/TRDF

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COMPANIES HOUSE

**Kaufmann Direct Limited
(In Liquidation)
Joint Liquidators' Abstract of Receipts & Payments**

Statement of Affairs		From 30/06/2011 To 29/06/2012
	ASSET REALISATIONS	
	Tax Refund	11 56
13,886 00	Cash at Bank	14,715 32
		<u>14,726 88</u>
	COST OF REALISATIONS	
	Liquidators Fees	4,500 00
	Liquidators Expenses	241 02
	S&W Fee re Corp Tax	750 00
	Corporation Tax	174 80
	Bank Charges	40 00
		<u>(5,705 82)</u>
	UNSECURED CREDITORS	
	Pre-appt Corporation Tax Liability	2,175 26
		<u>(2,175 26)</u>
	DISTRIBUTIONS	
	Ordinary Shareholders	4,832 08
		<u>(4,832 08)</u>
<u>13,886.00</u>		<u><u>2,013.72</u></u>
	REPRESENTED BY	
	Clients Deposit Account NIB	2,013 72
		<u><u>2,013.72</u></u>



Gilbert John Lemon
Joint Liquidator

Smith & Williamson

Kaufmann Direct Limited (in members' voluntary liquidation)

Joint liquidators' first annual progress report pursuant to Section
92A of the Insolvency Act 1986 and Rule 4.49C of the Insolvency
Rules 1986 for the year ended 29 June 2012

24 July 2012

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1. Introduction

This is the first progress report to the members of Kaufmann Direct Limited ("the Company") pursuant to Section 92A of the Insolvency Act 1986. It gives an account of the acts and dealings and of the conduct of the winding up for the period from the appointment of joint liquidators to 29 June 2012.

A summarised account of the receipts and payments for the year ended 29 June 2012, which includes the Declaration of Solvency comparatives, is attached as Appendix A.

An analysis of the time spent attending to the matters arising in the winding up for the year 30 June 2011 to 29 June 2012 is attached as Appendix B. This analysis has been prepared in accordance with the requirements of Statement of Insolvency Practice 9.

Details of charge out rates for the joint liquidators and staff are attached as Appendix C.

Following an internal change to Smith & Williamson's legal structure a new limited liability partnership "Smith & Williamson LLP" has been established. The business currently undertaken by Smith & Williamson Limited will be conducted through the limited liability partnership with effect from 1 May 2012. Other services provided by entities within the Smith & Williamson Group will remain unaffected by these changes.

2. Statutory information

2.1 Company name

The Company was incorporated as Quayshelfco 1044 Limited on 17 October 2003. It changed its name to Kaufmann Direct Limited on 24 November 2003.

2.2 Registered company number

04935859

2.3 Registered office

The Company's registered office address is Portwall Place, Portwall Lane, Bristol BS1 6NA.

2.4 Trading address

The Company operated from Unit 1A & 1B, Stirling Way, North Bretton, Peterborough PE3 8YD.

2.5 Insolvency Practitioners appointed

I Gilbert John Lemon together with Paul David Wood currently act as joint liquidators. We are licensed by the Institute of Chartered Accountants in England and Wales under licence numbers 9573 and 9872 respectively. Our address is Smith & Williamson Limited, Portwall Place, Portwall Lane, Bristol BS1 6NA.

3. Company's assets

The directors' sworn Declaration of Solvency prepared for the General Meeting of the Company's members held on 30 June 2011 set out the estimated position for realising the Company's assets. Details of the realisations are set out below.

3.1 Balance at bank

The Declaration of Solvency showed balance at bank as £13,886. £14,715 was received into the liquidation estate following closure of the Company's bank account.

3.2 Tax refund

A repayment of interest totalling £11.56 was received into the liquidation estate which was not identified in the Declaration of Solvency. This was in relation to interest paid by HM Revenue & Customs for the accounting period 1 January 2010 to 31 December 2010.

4. Company's liabilities

All known creditors have been paid in full together with statutory interest at the official rate as prescribed by Section 189(4) of the Insolvency Act 1986.

5. Distribution to shareholders

One distribution totalling £4,832.08 was paid to Silampos UK Limited, the sole shareholder, during the first year of the winding up.

6. Statutory obligations

The joint liquidators have complied with the various statutory obligations required under the relevant provisions of the insolvency legislation.

7. Receipts and payments account

A copy of the joint liquidators' receipts and payments account for the year ended 29 June 2012 is attached as Appendix A. This shows a balance held of £2,014 at the year end.

8 Joint liquidators' time costs

At the General Meeting held on 30 June 2011 the members passed a resolution authorising the joint liquidators' remuneration to be calculated by reference to the time properly spent by them and their staff in attending to matters arising in the winding up, in accordance with Rule 4.148A of the Insolvency Rules 1986 provided such remuneration does not exceed £4,500 plus VAT. Details of the hourly charge out rates for all grades of staff were sent to the members with the notice convening the meeting. The rates were increased with effect from 1 July 2012. Details of the new rates are attached as Appendix C.

An analysis of the time spent dealing with the Company's affairs for the year ended 29 June 2012 is attached as Appendix B. During the first year of the winding up a total of 25 hours to a value of £6,003 was spent representing an average hourly charge out rate of £238.

The joint liquidators have drawn remuneration of £4,500 plus VAT.

8.1. Members' right to request information

In accordance with Rule 4.49E of the Insolvency Rules 1986 a member has a right to request information. An extract of the Rule is set out in Appendix D.

8.2. Members' right to challenge the joint liquidators' remuneration and expenses

In accordance with Rule 4.131 of the Insolvency Rules 1986 a member has the right to challenge the joint liquidators' remuneration and expenses. An extract of the Rule is set out in Appendix E, for creditors, please read members.

9. Disbursements

In accordance with SIP 9 disbursements may be either category 1 disbursements or category 2 disbursements.

Category 1 disbursements do not require approval by the members. Disbursements that may be charged under category 1 generally comprise specific external supplies of incidental services that are specifically identifiable to the winding up and are payable to independent third parties. These include postage, case advertising, invoiced travel and external printing, room hire and document storage. Properly reimbursed expenses incurred by personnel in connection with the winding up

will also fall under category 1 Disbursements of this type incurred during the first year of the winding up are set out in Appendix F

10. Outstanding matters

A second and final distribution can be made to the member once tax clearance has been obtained from H M Revenue & Customs

Signed



Gilbert J Lemon
Joint liquidator

Dated

24-7-12

Appendix A Receipts and payments account

**Declaration of
Solvency**

		Notes	£	£
	RECEIPTS			
	Tax refund		11 56	
13,886	Cash at bank		<u>14,715 32</u>	14,726 88
	PAYMENTS			
	Joint liquidators' fees	(1)	4,500 00	
	Joint liquidators' expenses		241 02	
	Smith & Williamson fee re preparation of corporation tax return		750 00	
	Corporation tax		174 80	
	Bank charges		40 00	
	Pre-appointment corporation tax liability		2,175 26	
	Ordinary shareholders		<u>4,832 08</u>	(12,713 16)
	Balance			<u>2,013 72</u>
	MADE UP AS FOLLOWS			
	Bank account	(2)		<u>2,013 72</u>

Notes

- (1) Joint liquidators' fees are drawn on a time costs basis
(2) The bank account is non interest bearing
(3) All entries are shown net of VAT and the VAT is recoverable

Appendix B. Joint liquidators' time costs

	Director	Senior Manager	Manager	Professional staff	Support staff /secretarial	Total hours	Time cost £	Average hourly rate £
Total time (hours)	10.00	0.45	2.30	10.20	2.25	25.20		
Total cost (£)	3,500.00	112.50	460.00	1,632.00	298.50		6,003.00	
Average hourly rate	350.00	250.00	200.00	160.00	132.67		4,500.00	238.21
Less already drawn								
Balance - written off							1,503.00	

All time is charged in units representing 3 minutes or multiples thereof

Time spent	Administration and planning	Completion and filing of statutory documentation and correspondence including bonding
	Set up internal systems	
	Cashiering functions including bank reconciliations	
	Processing of VAT returns	
	Cataloguing and arranging for storage of books and records	
Asset realisation	Arranging closure of company's bank account and transfer of funds	
Creditor	Considering position re Dom Wan	
Member	Processing distribution	
Case specific	WIP review and raising invoice	

Appendix C. Charge out rates for joint liquidators and their staff

Staff Grade	Charge out rate £
Director / Partner	350 - 440
Director / Partner – tax staff	305
Associate Director	295 to 350
Associate Director – tax staff	210 to 240
Senior Manager	250 - 260
Manager	195 to 200
Case Administrators	130 to 165
Tax assistant	38
Assistant and Support Staff	28 to 160

Appendix D. Members' right to request further information

Extract of Rule R4 49E of the Insolvency Rules 1986

Creditors' and members' request for further information

(1) [Duty of liquidator re remuneration or expenses] If-

(a) within the period mentioned in paragraph (2) -

- (i) a secured creditor, or
 - (ii) an unsecured creditor with the concurrence of at least 5% in value of the unsecured creditors (including the creditor in question), or
 - (iii) members of the company in a members' voluntary winding up with at least 5% of the total voting rights of all the members having the right to vote at general meetings of the company
- or

(b) with the permission of the court upon an application made within the period mentioned in paragraph (2) -

- (i) any unsecured creditor or
- (ii) any members of the company in a members' voluntary winding up,

makes a request in writing to the liquidator for further information about remuneration or expenses set out in a progress report in accordance with Rule 4 49B(1)(e) or (f) (including by virtue of Rule 4 49C(5)) or in a draft report under Rule 4 49D, the liquidator must, within 14 days of receipt of the request, comply with paragraph (3) except to the extent that the request is in respect of matter in a draft report under Rule 4 49D or a progress report required by Rule 4 108 which (in either case) was previously included in a progress report not required by Rule 4 108

(2) [Period for compliance] The period referred to in paragraph (1)(a) and (b) is

- (a) 7 business days of receipt (by the last of them in the case of an application by more than one member) of the progress report where it is required by Rule 4 108, and
- (b) 21 days of receipt (by the last of them in the case of an application by more than one member) of the report or draft report in any other case

(3) [How liquidator to comply] The liquidator complies with this paragraph by either -

- (a) providing all of the information asked for, or
- (b) so far as the liquidator considers that -
 - (i) the time or cost of preparation of the information would be excessive, or
 - (ii) disclosure of the information would be prejudicial to the conduct of the liquidation or might reasonably be expected to lead to violence against any person, or
 - (iii) the liquidator is subject to an obligation of confidentiality in respect of the information, or
 - (iv) giving reasons for not providing all of the information

(4) [Application to court by creditors and members] Any creditor, and any member of the company in a members' voluntary winding up, who need not be the same as the creditors or members who asked for the information, may apply to the court within 21 days of -

- (a) the giving by the liquidator of reasons for not providing all of the information asked for, or
- (b) the expiry of the 14 days provided for in paragraph (1),

and the court may make such order as it thinks just

(5) [Court may extend period in rr4 131(1B), 4 148C(2)] Without prejudice to the generality of paragraph (4), the order of the court under that paragraph may extend the period of 8 weeks or as the case may be 4 weeks provided for in Rule 4 131(1B) or 4 148C(2) by such further period as the court thinks just

(6) [Non-application to official receiver] This Rule does not apply where the liquidator is the official receiver

Appendix E. Members' rights to challenge the joint liquidators' remuneration and expenses

Extract of Rule 4 131 of the Insolvency Rules 1986

Creditors' claim that remuneration is or other expenses are excessive

(1) [Secured or certain unsecured creditors may apply to Court]

Any secured creditor, or any unsecured creditor with either the concurrence of at least 10% in value of the creditors (including that creditor) or the permission of the court, may apply to the court for one or more of the orders in paragraph (4)

(2) [Grounds for application] Application may be made on the grounds that –

- (a) the remuneration charged by the liquidator,
- (b) the basis fixed for the liquidator's remuneration under Rule 4 127, or
- (c) expenses incurred by the liquidator,

is or are, in all the circumstances, excessive or, in the case of an application under sub-paragraph (b), inappropriate

(3) [Time limit for application]

The application must, subject to any order of the court under Rule 4 49E(5), be made no later than 8 weeks (or, in a case falling within Rule 4 108, 4 weeks) after receipt by the applicant of the progress report, or the draft report under Rule 4 49D, which first reports the charging of the remuneration or the incurring of the expenses in question ("the relevant report")

(4) [Power of court to dismiss etc]

The court may, if it thinks that no sufficient cause is shown for a reduction, dismiss the application, but it shall not do so unless the applicant has had an opportunity to attend the court for a hearing, of which he has been given at least 5 business days' notice but which is without notice to any other party

If the application is not dismissed under this paragraph, the court shall fix a venue for it to be heard, and give notice to the applicant accordingly

(5) [Court order]

If the court considers the application to be well-founded, it must make one or more of the following orders –

- (a) an order reducing the amount of remuneration which the liquidator was entitled to charge,
- (b) an order fixing the basis of remuneration at a reduced rate or amount,
- (c) an order changing the basis of remuneration,
- (d) an order that some or all of the remuneration or expenses in question be treated as not being expenses of the liquidation,
- (e) an order that the liquidator or the liquidator's personal representative pay to the company the amount of the excess of remuneration or expenses or such part of the excess as the court may specify,

and may make any other order that it thinks just, but an order under sub-paragraph (b) or (c) may be made only in respect of periods after the period covered by the relevant report

(6) [Costs of application]

Unless the court orders otherwise, the costs of the application shall be paid by the applicant, and are not payable as an expense of the liquidation

Appendix F. Joint liquidators' disbursements

£

Category 1 disbursements

Paid to date

Statutory advertising	219 02
Bonding	20 00
Companies House	2 00
	<u>241 02</u>