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

6505860

Name of Company

Discord Limited

√/We

Nicholas Simmonds, 81 Station Road, Marlow, Bucks, SL7 1NS

Chris Newell, 81 Station Road, Marlow, Bucks, SL7 1NS

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 cowers the period from 15/10/2015 to 14/10/2016

Signed

Quantuma LLP 81 Station Road Marlow **Bucks SL7 1NS**

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15/12/2016

Discord Limited (In Liquidation) Joint Liquidators' Abstract of Receipts & Payments

	From 15/10/2015 To 14/10/2016
ATIONS	
Sinfonica Ltd	NIL
	NIL
Loan Account	NIL
	205 30
- HSBC	150 00
Gross	0 25
oward Legal Costs	2,001 67 2,357 22
ICATIONIC	-,
LISATIONS	2 000 00
nı Franco LLP)	2,000 00 (2,000 00)
	(2,000 00)
CREDITORS	
nse Creditors	NIL
	NIL
S	
eholders	NIL
	NIL
	357.22
	351.22
D BY	
t	357 22
	357.22
	# <u> </u>
-	CHAIS NAWELL
	Joint Liquidator

Discord Limited

(In Creditors' Voluntary Liquidation)

("the Company")

THE JOINT LIQUIDATORS' PROGRESS REPORT

13 December 2016

This report has been prepared for the sole purpose of updating the members and creditors for information purposes. The report is private and confidential and may not be relied upon, referred to, reproduced or quoted from, in whole or in part, by members and creditors for any purpose other than updating them for information purposes, or by any other person for any purpose whatsoever.

Nicholas Simmonds and Chris Newell were appointed Joint Liquidators of Discord Limited on 15 October 2015.

Nicholas Simmonds is licensed to act as an Insolvency Practitioner by the Insolvency Practitioners Association and Chris Newell is licensed to act as an Insolvency Practitioner by the Insolvency Practitioners Association

Quantuma LLP

81 Station Road, Marlow, Bucks, SL7 1NS

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2016

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ABBREVIATIONS

For the purpose of this report the following abbreviations shall be used

"the Act" Insolvency Act 1986
"the Rules" Insolvency Rules 1986

"the Joint Liquidators" Nicholas Simmonds and Chris Newell of Quantuma LLP

"the Company" Discord Limited (in Liquidation)

"SIP" Statement of Insolvency Practice (England & Wales)

"Review Period" Period covered by the report from 15 October 2015 to 14

October 2016

INTRODUCTION

This report has been prepared to provide members and creditors with an update on the progress of the Liquidation of the Company since our appointment as Joint Liquidators on 15 October 2015

A schedule of statutory information in respect of the Company is attached at Appendix 1

Details of the appointment of the Joint Liquidators

Nicholas Simmonds and Chris Newell of Quantuma LLP were appointed Joint Liquidators of the Company on 15 October 2015

The Joint Liquidators confirm that they are authorised to carry out all functions, duties and powers by either one or both of them

THE PROGRESS OF THE LIQUIDATION

The Joint Liquidators' receipts and payments account

Attached at Appendix 2 is a receipts and payments account covering the Review Period

The rest of this report describes the key developments in the Liquidation over the Review Period

We have summarised the main asset realisations during the Review Period and an estimation of the those assets yet to be realised, together with details of costs incurred but as yet remaining unpaid

VAT Basis

Receipts and payments are shown net of VAT, with any amount due from HM Revenue and Customs shown separately There is no VAT waiting to be reclaimed

Administrative, Statutory & Regulatory Tasks

The Joint Liquidators have met a considerable number of statutory and regulatory obligations. Whilst many of these tasks have not had a direct benefit in enhancing realisations for the insolvent estate, they have assisted in the efficient and compliant progressing of the Liquidation, which has ensured that the Joint Liquidators and their staff have carried out their work to high professional standards.

During the Review Period, primarily these tasks have included

- Informing all relevant persons of the commencement of the Liquidation, including filing statutory documents at Companies House and meeting statutory advertising requirements,
- Drafting and issuing the progress report to creditors.
- Consulting with and instructing staff and independent advisers as regards practical, technical and legal aspects of the case to ensure efficient progress,
- Maintaining electronic case files, which must include records to show and explain the Liquidation and any decisions made by the Joint Liquidators that materially affect the Liquidation,
- Monitoring and maintaining an adequate statutory bond,
- Conducting periodic case reviews to ensure that the Liquidation is progressing efficiently, effectively and in line with the statutory requirements,
- Maintaining and updating the estate cash book and bank accounts, including regular bank reconciliations and processing receipts and payments, and
- Completing periodic tax returns
- Preparing a report on the conduct of the directors as required by the Company Directors
 Disqualification Act

Realisation of assets

Investment in Sinfonica Limited

The Company is the sole shareholder of "Sinfonica Limited". It was the Joint Liquidators intention to have this shareholding valued to determine whether it could generate realisations for the liquidation estate.

The Joint Liquidators have liaised with the Luigi Caiola who is the director of the Company and also the director of Sinfonica Limited to request up to date financial information to assist with the valuation of Sinfonica Limited

Some information has been provided but the Joint Liquidators do not consider it sufficient to undertake a formal valuation. Additional information has been requested but has not yet been provided.

The Joint Liquidators will continue to liaise with Mr Caiola in order to confirm whether additional financial records are available that would facilitate a formal valuation

Cash at Bank

The Joint Liquidators have realised cash at bank in the sum of £205 30. This is broadly in line with the original estimate provided in the statement of affairs.

No further realisations are anticipated

Book Debts

The Company had a book debt ledger with a book value of c €1,201,635. It was understood that the debts were disputed so the amounts expected to be recovered were uncertain

As predicted in the report to the meeting of creditors, the recovery of these book debts has been complicated by the fact that debtors are non UK entities

Due to the scale and complexity of the book debt recoveries the Joint Liquidators have taken legal advice regarding recovery action. No further information regarding the collection of book debts will be provided at this time to avoid prejudicing any potential recovery action.

No realisations have been achieved to date but the matter should be considered ongoing

Intercompany Loan Account

The Company's draft financial statements for the period ending 28 February 2015 showed that the Company was owed €74,328 by Sinfonica Limited

The Joint Liquidators had intended to reconcile the balance as at the date of the financial statements to the date of liquidation using the Company records

As the Joint Liquidators are not in funds they have been unable to facilitate the collection of the Company books and records so have been unable to complete the reconciliation exercise and cannot confirm whether a balance is due to the Company

The director had agreed to provide the necessary funds to facilitate the collection of the books and records, the Joint Liquidators are liaising with the director in order to receive the funds necessary to have the books and records collated by the Company's former accountant

Compensation

The Joint Liquidators have received the sum of £150 00 from HSBC bank as compensation for delays in providing records to them

No further realisations are anticipated in this matter

SIP13 - Transactions with connected parties

In accordance with the guidance given in SIP13, details of the Company's transactions with connected parties during the period of this report, are provided below

Contribution toward legal fees

The Joint Liquidators received £2,001 67 from an entity in which Luigi Caiola is a director. This money represents a contribution toward the legal fees of Pini Franco LLP.

Pini Franco LLP are solicitors who have been instructed to provide legal advice in relation to the recovery of book debts

£2,000 was then paid to Pini Franco LLP as part payment of legal fees

Estimated future realisations

The Joint Liquidators will continue to carry out work relating to the Investment in Sinfonica Limited, the Book Debts and Intercompany Loan Account as described above

Payments

The payments made by the Joint Liquidators during the report period are shown in the R&P account attached an appendix 2

Costs incurred but remaining unpaid

Costs incurred during the Review Period, but which as yet remain unpaid. These costs are separately detailed below

Cost Description	Incurred (£)	Paid (£)	Outstanding (£)
Pını Franco LLP (Legal costs)	4,200	2,000	2,200
TOTAL	4,200	2,000	2,200

CREDITORS: CLAIMS AND DISTRIBUTIONS

Secured creditors

There are no known secured creditors

Preferential creditors

There are no known preferential creditors

Prescribed Part

Under Section 176A of the Insolvency Act 1986, where after 15 September 2003 a company has granted to a creditor a floating charge, a proportion of the net property of the company must be made available purely for the unsecured creditors. This equates to

- 50% of net property up to £10,000.
- Plus, 20% of net property in excess of £10,000
- Subject to a maximum of £600,000

The Company has not granted a floating charge to any creditor after 15 September 2003 and consequently there will be no prescribed part in this Liquidation

Unsecured creditors

Unsecured claims were estimated at £647,531 77 in the Director's Estimated Statement of Affairs and to date claims received from unsecured creditors total £302,878 67. There are a further 6 creditors entitled to provide their claims in the proceedings who have not yet done so Their claims are estimated to be in the sum of £377,277 50.

It is uncertain whether there will be sufficient funds to enable a dividend to be paid to the unsecured creditors. Dividend prospects are dependant the asset realisations described previously.

OTHER MATTERS AND INFORMATION TO ASSIST CREDITORS

Investigations

As part of the Joint Liquidators' statutory duties, an investigation into the conduct of the Company Directors was completed

In this regard, a confidential report was submitted to The Insolvency Service on 7 July 2016

SIP2 - Initial Assessment of Potential Recoveries

As part of our duties as Joint Liquidators, we are obliged to review shortly after appointment all the information available to us and conduct an initial assessment of whether there are any matters which may lead to any recoveries for the benefit of creditors. This would typically include any potential claims which may be brought against parties either connected to or who have past dealings with the Company.

This review has been completed and we confirm that we did not identify any further assets or actions which would lead to a recovery for creditors other than those described in the asset realisation section

Should creditors have any information in relation to the above which you feel we should be made aware of, please contact us as a matter of urgency

EC Regulations

Council Regulation (EU) No 1346/2000 applies and these are the main proceedings as defined in that regulation

Further Information

Please note that the Joint Liquidators are bound by the Insolvency Code of Ethics when carrying out all professional work relating to an insolvency appointment. Further information can be viewed at the following link https://www.gov.uk/government/publications/insolvency-practitioner-code-of-ethics

Additionally the Joint Liquidators are also bound by the regulations of their Licensing Bodies

To comply with the Provision of Services Regulations, some general information about Quantuma LLP, including our complaints policy and Professional Indemnity Insurance, can be found at http://www.quantuma.com/legal-information/

Information about this insolvency process may be found on the R3 website here http://www.creditorinsolvencyquide.co.uk/>

THE JOINT LIQUIDATORS' REMUNERATION AND EXPENSES

A copy of 'A Creditors Guide to Liquidators' Fees' effective from 1 October 2015 together with the firm's current schedule of charge-out rates and chargeable disbursements may be found at https://www.quantuma.com/guide/creditors-guide-fees/

A hard copy of both the Creditors' Guide and the firm's charge-out rate and disbursement policy may be obtained on request at no cost

Pre-Appointment Costs

A fixed fee of £7,000 plus disbursements plus VAT was agreed with the Company. The sum of £7,000 plus VAT was personally guaranteed by the director. To date the sum of £3,500 has been paid by the director. The balance remains outstanding.

Joint Liquidators' Remuneration

The the Joint Liquidators' proposed to fix their fees on the following basis

- 1 That the Joint Liquidators' fees for undertaking the work outlined in the Fee Estimate enclosed with the report to Creditors dated 15 October 2015 and prepared in connection with fee approval, will be charged by reference to the time properly spent by them and their staff in dealing with the matters relating to the Liquidation, such time to be charged at the hourly charge out rate of the grade of staff undertaking the work at the time the work is undertaken
- 2 That the Joint Liquidators' will charge an uplift fee of 45% on all time costs relating to the recovery of book debts if they are able to recover funds, in part or in full, in relation to any outstanding book debts
- 3 That the Joint Liquidators be permitted to recover Category 2 Disbursements, as defined in the Schedule of Current Charge Out Rates and Chargeable Disbursements provided to Creditors

The Joint Liquidators sent written resolutions to creditors to seek approval for the above on the 10 November 2015. No responses were received so the basis of the liquidators' remuneration has not been agreed.

As such, no fees have been drawn during or after the report period

Comparison of estimates

The Joint Liquidators' time costs incurred to date (whether or not they have been charged to the Liquidation estate) are compared with the original fee estimate as follows. The fee estimate covered the period 15 October 2015 to 14 October 2016

For a detailed list of work undertaken by the Joint Liquidators during the Review Period, see Appendix 5

Company of the	Original	fees estim	ate V	Actual during t	time costs	incurred erlod	Actual to date	time costs	incurred
Work category	No. of hours	Blended hourly rate per hour	Total fees £	No. of	Average hourly rate per hour	Total time costs	No. of hours	Average hourly rate £ per hour	Total time costs £
Administration (28 00	195 00	5,460 0 0	78	187 87	14,804 50	91 80	182 84	16,784 50

10 77 15 10 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	Original	fees estima	ite in it		time ' costs he Review F			time costs	
Work category	No. of hours	Blended hourly rate per hour	Total fees £	No. of hours	Average hourly rate per hour	Total time costs	No. of hours	Average hourly rate £ per hour	Total time costs
Creditors 3	29 70	195 00	5,791 5 0	9 15	206 99	1,894 0 0	9 15	206 99	1,894 00
Investigations	18 00	195 00	3,510 0 0	33 40	144 01	4,810 0 0	33 40	144 01	4,810 00
Realisation of Assets	11 00	195 00	2,145 0 0	24 10	195 23	4,705 0 0	24 10	195 23	4,705 00
Cashiering	3 50	180 00	630 00	5 25	134 05	703 75	5 75	133 26	766 25
TOTAL AT A	90 20	194 20	17,536 00	150 70	178 61	26,917 25	164 20	176 37	28,959 75

The expenses incurred to date are compared with the original expenses estimate as follows

Expenses	Original expenses estimate £	Actual expenses in the Review Period £	Actual expenses incurred to date	Reason for any excess (if the expenses are likely to, or have, exceeded the original estimate)
Legal costs	-	4,200 00	4,200 00	Legal costs unknown at outset
Advertising 1	225 00	225 00	225 00	
Collection & storage of records	65 00	Nil	Nil	
Bonding	135 00	135 00	135 00	
Other Category 1	15 00	30 88	30 88	Additional correspondence sent to creditors
Category 2 expenses	15 00	28 40	28 40	Additional correspondence sent to creditors
Meeting Room Hire	-	95 00	95 00	Meeting room charges not budgeted for
TOTAL 1 1 2 1	455 00	5,228 56	5,228 56	

The bases on which the expenses defined as Category 2 disbursements are calculated are explained in Quantuma LLP's current schedule of charge-out rates and chargeable disbursements referred to above Creditors have not yet approved the payment of Category 2 disbursements on these bases

No disbursements have been recovered to date

Having regard for the costs that are likely to be incurred in bringing this Eiquidation to a close, the Joint Liquidators consider that

 the original fees estimate has been exceeded, and the original expenses estimate has been exceeded The main reason why the fees estimate has been exceeded is due to the complexities of recovery action connected to the book debts. This has caused additional time and expenses to be incurred reviewing the records relating to the book debts, liaising with the Company director and taking legal advice.

In addition the Administration of the case in general has been more complex than first envisaged which has led to addition time spent on Admin & Planning. This is particularly true of case reviews, the case has required more frequent & detailed case reviews than expected at the outset to ensure the strategy remains up to date.

As the Joint Liquidators do not have authority to draw fees and there are currently no asset realisations it is not proposed to amend the fee estimate at this stage

If the Joint Liquidators are able to realise funds a new estimate will be issued and fee approval will be sought from creditors

Other professional costs

Solicitors

As previously advised, Pini Franco LLP were instructed by the Joint Liquidators to advise on the recovery of book debts. Their costs for initial legal advice are based on their standard hourly charge out rates, plus disbursements and VAT. These legal costs are in the region of £3,500 plus VAT (£4,200). To date £2,000 has been paid to Pini Franco LLP after a contribution to the legal costs was received.

Creditors' right to request information

Any secured creditor, or unsecured creditor with the support of at least 5% in value of the unsecured creditors or with permission of the Court, may request in writing the Joint Liquidators to provide additional information regarding remuneration or expenses to that already supplied within this report. Such requests must be made within 21 days of receipt of this report.

Creditors' right to challenge remuneration and/or expenses

Any secured creditor, or unsecured creditor with the support of at least 10% in value of the unsecured creditors or with permission of the Court, may apply to the Court for one or more orders, reducing the amount or the basis of remuneration which the Joint Liquidators are entitled to charge or otherwise challenging some or all of the expenses incurred

Such applications must be made within 8 weeks of receipt by the applicant(s) of the progress report detailing the remuneration and/or expenses being complained of

Please note that such challenges may not disturb remuneration or expenses disclosed in prior progress reports

Future of the Liquidation

The Joint Liquidators will continue to progress the realisation of those asset classes that have not been settled

Once this has been completed the Joint Liquidators will consider whether there are sufficient funds to enable a dividend to be paid to creditors

Final meetings will be convened (after a dividend has been paid if applicable), where the Joint Liquidators will seek their release from office. The Company will then be dissolved three months after the date of the final meetings.

Should you have any queries in regard to any of the above please do not hesitate to contact Thomas Stannett on 01628 478100 or by e-mail at Thomas Stannett@Quantuma.com

Your faithfully

Nicholas Simmonds Joint Liquidator

Appendix 1

Discord Limited (IN LIQUIDATION)

STATUTORY INFORMATION

Company Name	Discord Limited
Trading Address	1 Lumley Street, London, W1K 6TT
Proceedings	In Liquidation
Date of Appointment	15 October 2015
Joint Liquidators	Nicholas Simmonds & Chris Newell of Quantuma LLP 81 Station Road Marlow Bucks SL7 1NS
Change in Office Holder	N/A
Registered office Address	c/o Quantuma LLP 81 Station Road Marlow Bucks SL7 1NS
Company Number	6505860
Incorporation Date	15/02/2008

Appendix 2

Discord Limited (IN LIQUIDATION)

THE JOINT LIQUIDATORS' RECEIPTS AND PAYMENTS ACCOUNT AS AT 14 OCTOBER 2016

Discord Limited (in Liquidation)

Joint Liquidators' Summary of Receipts and Payments

	Statement of affairs £	From 15/10/2015 To 14/10/2016 £	From 15/10/2015 To 14/10/2016 £
RECEIPTS			
Investment in Sinfonica Ltd Book Debts Intercompany Loan Account Cash at Bank Compensation - HSBC Bank Interest Gross Contribution Toward Legal Costs	Uncertain Uncertain Uncertain 274 33	0 00 0 00 0 00 205 30 150 00 0 25 2,001 67	0 00 0 00 0 00 205 30 150 00 0 25 2,001 67
PAYMENTS	-		
Legal Fees (Pini Franco LLP) Trade & Expense Creditors Ordinary Shareholders	(647,531 77) (100 00)	2,000.00 0 00 0 00 2,000 00	2,000 00 0 00 0 00 2,000 00
BALANCE - 14 October 2016	-	357 22	357.22
MADE UP AS FOLLOWS			
Bank 1 Current		357 22	357 22
	- =	357 22	357 22
			Nicholas Simmonds

Nicholas Simmonds Joint Liquidator

Appendix 3

Discord Limited (IN LIQUIDATION)

SCHEDULE OF PRE-APPOINTMENT TIMECOSTS

Time Entry - SIP9 Time & Cost Summary

6000735 - Discord Limited Project Code PRE From 01/01/1900 To 15/10/2016

Classification of Work Function	Partner	Manager	Other Senior Professionals	Assistants & Support Staff	Total Hours	Time Cost (£)	Average Hourly Rate (£)
					1		Š
Admin & Planning	010	300	1150	210	16 70	2 704 50	c 6.19.
Case Specific Marters	000	800	000	000	000	80	000
Савлилир	080	000	000	0.20	020	2500	125 00
Closing Procedures	000	000	000	800	800	80	000
Creditors	000	80	5 60	0.00	\$ 90	988 50	147.20
tryceligations	000	8	000	000	000	80	860
Рте Арранителі	980	8	13.30	000	14.90	2 395,00	160 74
Realisation of Assots	000	0.20	200	80	2.20	350 00	159 03
Trading	800	000	000	800	8	900	80
Total Hours	0 10	4,80	32.40	260	28.90	6,343 00	158 97
Total Foes Claimed						1,500 00	
Total Disbursements Clamed						000	

Appendix 4

Discord Limited (IN LIQUIDATION)

DETAILED LIST OF WORK UNDERTAKEN BY THE JOINT LIQUIDATORS DURING THE REVIEW PERIOD

6000735 - Discord Limited From 15/10/2015 To 14/10/2016 Project Code POST

Classification of Work Function	Partner	Мападег	Other Servor Professionals	Assistants & Support Staff	Total Hours	Time Cost (£)	Average Hourly Rate (£)
100 Administration & Planning	4 25	050	26.10	4.50	35.25	5 920.00	187 94
100A Invital Stabulory & General Notifications & Filing	0.00	080	0.00	0.00	080	225.00	250 00
102A Recovering & Scheduling books and records	0,00	0.00	010	0.00	0.10	15.00	15000
103 IPS Case / File set up/ Filing	0.00	08	080	050	130	169 50	130 38
104 General Administration	8 %	926	080	1350	25 25	7 040.00	214 31
	8	3 8	290	070	\$.20	905.00	174 04
106 VAT & CY mothers and returns	0.00	0.50	08	0.00	0.50	125.00	250.00
506 Tax / VAT	0,00	000	270	0.00	270	405 00	150 00
Admin & Planning	13.40	13,00	33.20	19 20	78 80	14,804.50	187 87
600 Cashering	8	0,00	1 8	3.35	525	703.75	134.05
Cashiering	000	000	1.50	na	5.25	703 76	134.05
201 Creditors	8	040	0.80	070	- - - -	286.50	150 79
203 Credior correspondence / Call	0.30	98	370	88	4 30	735.00	170.93
212 Initial Appointment Notifications to Creditors	288	0.00	0.70	88	275	802.50	299.09
Creditors	2.35	0.90	5.20	۵,70	915	1,894 00	208.99
300 layesligations	0	8	21 40	720	20 60	3 930 00	137.41
301 CUUA Repons	000	ç	3 /0	988	1.00	90/00	100.00
Investigations	0.50	0.60	25.10	7 20	33.40	4,810 00	144 01
400 Realisation of Assets	4.00	2 30	1540	000	21 70	4.285 00	197 47
401 Freehold / Leasehold Property	0.00	0.30	0.80	000	10	88	177 27
405 Deblors	000	030	188	0.00	130	225 00	17308
Realisation of Assets	4.00	2.90	17 20	000	24.10	4,705.00	195 23
Total Hours	20.25	17.40	8260	30 43	150.70	26,917 25	178.61
Total Fees Claimed						08	

PROOF OF DEBT - GENERAL FORM

	Discord L					
Date of	of Winding-Up Order / Resolution for voluntary v	vinding up 15 October 2015				
1	Name of Creditor (If a company please also give company registration number)					
2	Address of Creditor for correspondence					
3	Total amount of claim, including any Value Added Tax and outstanding uncapitalised interest as at the date the company went into liquidation (see note)					
4	Details of any documents by reference to which the debt can be substantiated [Note there is no need to attach them now but the liquidator may call for any document or evidence to substantiate the claim at his discretion as may the chairman or convenor of any meeting]	F				
5	If amount in 3 above includes outstanding uncapitalised interest please state amount	£				
6	Particulars of how and when debt incurred (If you need more space append a continuation sheet to this form)					
7	Particulars of any security held, the value of the security, and the date it was given					
8	in respect of goods supplied to which the claim relates					
9	9 Signature of creditor or person authorised to act on his behalf					
	Name in BLOCK LETTERS					
	Position with or in relation to creditor					
	Address of person signing (if different from 2 above)					
		Admitted for dividend for				
£		£				
Date		Date				
Liquid	lator	Liquidator				