



For further information, please  
refer to our guidance at  
[www.gov.uk/companieshouse](http://www.gov.uk/companieshouse)

### 1 Company details

Company number 0 7 1 6 7 0 3 9

Company name in full Kaim Todner Solicitors Limited

#### → Filling in this form

Please complete in typescript or in  
bold black capitals.

### 2 Administrator's name

Full forename(s) Mike

Surname Kienlen

### 3 Administrator's address

Building name/number Third Floor

Street 10 South Parade

Post town Leeds

County/Region West Yorkshire

Postcode L S 1 5 Q S

Country

### 4 Administrator's name ①

Full forename(s)

Surname

#### ① Other administrator

Use this section to tell us about  
another administrator.

### 5 Administrator's address ②

Building name/number

Street

Post town

County/Region

Postcode

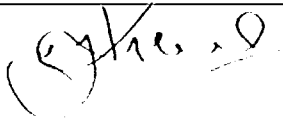
Country

#### ② Other administrator

Use this section to tell us about  
another administrator.

# AM10

## Notice of administrator's progress report

<b>6</b>	<b>Period of progress report</b>															
From date	d	0	d	3	m	0	m	1	y	2	y	0	y	2	y	3
To date	d	0	d	2	m	0	m	7	y	2	y	0	y	2	y	3
<b>7</b>	<b>Progress report</b>															
<input checked="" type="checkbox"/> I attach a copy of the progress report																
<b>8</b>	<b>Sign and date</b>															
Administrator's signature	Signature 															
Signature date	d	0	d	7	m	0	m	7	y	2	y	0	y	2	y	3

**Presenter information**

You do not have to give any contact information, but if you do it will help Companies House if there is a query on the form. The contact information you give will be visible to searchers of the public record.

Contact name

Ann Probert

Company name

Armstrong Watson LLP

Address

Third Floor

10 South Parade

Post town

Leeds

County/Region

West Yorkshire

Postcode

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Country

DX

Telephone

0113 221 1300

**Important information**

All information on this form will appear on the public record.

**Where to send**

You may return this form to any Companies House address, however for expediency we advise you to return it to the address below:

The Registrar of Companies, Companies House,  
Crown Way, Cardiff, Wales, CF14 3UZ.  
DX 33050 Cardiff.

**Further information**

For further information please see the guidance notes on the website at [www.gov.uk/companieshouse](http://www.gov.uk/companieshouse) or email [enquiries@companieshouse.gov.uk](mailto:enquiries@companieshouse.gov.uk)

**Checklist**

We may return forms completed incorrectly or with information missing.

Please make sure you have remembered the following:

- ☐ The company name and number match the information held on the public Register.
- ☐ You have attached the required documents.
- ☐ You have signed the form.

This form is available in an alternative format. Please visit the forms page on the website at [www.gov.uk/companieshouse](http://www.gov.uk/companieshouse)

**KAIM TODNER SOLICITORS LIMITED  
(IN ADMINISTRATION) ("THE COMPANY")  
ADMINISTRATOR'S PROGRESS REPORT TO CREDITORS  
FOR THE PERIOD ENDING 2 JULY 2023 ("THE PERIOD")**

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- 2 Administrator's actions since the last report**
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**KAIM TODNER SOLICITORS LIMITED  
(IN ADMINISTRATION) ("THE COMPANY")  
ADMINISTRATOR'S PROGRESS REPORT TO CREDITORS  
FOR THE PERIOD ENDING 2 JULY 2023 ("THE PERIOD")**

## **1 Statutory and general information**

**Company number:** 07167039

**Administrator:** Mike Kienlen of Armstrong Watson LLP, Third Floor, 10 South Parade, Leeds, West Yorkshire, LS1 5QS.

Rob Adamson was also appointed Administrator on 3 January 2020. On 23 June 2022 Rob Adamson passed away. Mike Kienlen continues in office as sole appointee.

**Date of appointment:** 3 January 2020

**Court reference:** In the High Court of Justice The Business and Property Courts in Leeds, 2019-LDS-001385

Creditors wishing to contact the Administrator, should contact Louis Rakha on telephone number 0113 2211 300 in the first instance.

## **2 Administrator's actions since the last report**

- 2.1 This report should be read in conjunction with my previous progress reports and my receipts and payments account which is attached as Appendix 1; please note that the figures are shown net of VAT. Whilst some of the information in this report will be a replication of the matters detailed in the Administrator's proposals, it is a legal requirement that I include these matters in this report.
- 2.2 My receipts and payments account confirms that realisations are not significantly different to those detailed in the proposals. Greater detail is provided below.
- 2.3 I confirm that the bank account is a non-interest bearing account. I considered that, due to the costs of dealing with the necessary tax returns that would arise if interest is received, it is not cost effective to hold the funds in an interest bearing account.
- 2.4 During the Period there have been no realisations. See previous progress reports for details of realisations to date.

### Client Account Monies

- 2.5 As reported previously, at the date the Company entered Administration, the Company was holding the sum of £26,683 on behalf of former clients in a designated client account. Following guidance from the Solicitors Regulation Authority ("SRA"), I have repatriated these funds to the former clients.
- 2.6 Having exhausted all avenues with the funds that remained in the client account the SRA granted permission for the remaining client account balances to be donated to charity. I have distributed £5,519 to charity which left a small residual balance relating to bank charges that had been anticipated but not applied. This balance has been transferred to the Company's Administration bank account.

### Overdrawn Directors Loan Account

- 2.7 As detailed in previous reports, prior to my appointment as Administrator, there was on-going litigation between One Legal Services (trading as One Legal) Ltd ("OLS"), and the former owner of the Company, Karen Todner, in relation to a dispute arising following the sale of the Company to OLS.

Included within this litigation is a claim against Ms Todner in respect of an Overdrawn Director's Loan Account ("ODLA") that was outstanding as at the date of the sale to OLS. Creditors may recall that OLS entered into Administration at the same time as the Company. I am also the Administrator of OLS.

- 2.8 Ms Todner and her legal representatives have disputed whether the ODLA was due to the Company or whether it actually should be an asset of OLS. Having reviewed the Company records it is unclear whether the ODLA was part of the hive up that occurred following the sale to OLS or whether it remained with the Company.
- 2.9 I have discussed this with my legal advisors, Knights Plc ("Knights"), who suggested that an approach to external litigation funders was made to ascertain if there was any interest in the claim. I advise that in conjunction with Knights, approaches were made to two external litigation funders.
- 2.10 I confirm that I have reached an agreement with Manolete, one of the external litigation funders approached. Manolete suggested that the claim is pursued on a joint basis with OLS to enable any value in the claim to be realised. An initial sum of £2,000 has been paid by Manolete which is shared on a 50/50 basis with OLS. I advise that these funds are held by Knights and will be transferred to the Administration estate shortly.
- 2.11 In order not to prejudice the claim, I will make no further comment on the likelihood or otherwise of recoveries from the ODLA at this stage.
- 2.12 Updates will be provided in future progress reports to the extent possible without prejudicing the claim.

#### Other matters

- 2.13 In addition to my responsibility to deal with the matters detailed in this report, I am required to comply with various legislative and best practice obligations and deadlines. These obligations include filing of documents with the Registrar of Companies, ensuring that all receipts and payments are promptly dealt with and proper accounting records are maintained. In addition, I am required to undertake periodic case reviews to monitor progress, advise creditors of the Administration and record all claims received. Furthermore, I am obliged to deal with any other day to day matters that may arise during the Administration.
- 2.14 Periodical reviews confirm that no ethical issues have come to light during the Period.
- 2.15 It should also be noted that the Administration has now been extended through to 2 January 2024 following making an application to Court. The counsel fees in respect of securing the extension have been paid as a disbursement in the Period.

### **3 Unrealised assets**

- 3.1 The only unrealised asset is the ODLA.

### **4 Investigation into the affairs of the Company**

- 4.1 One of the responsibilities the Administrator has is to review the Company's books and records together with any information provided by creditors to establish if there are any areas which may warrant further investigations. The purpose of these investigations is to establish whether there is the possibility of making further recoveries for the benefit of creditors.
- 4.2 After my initial review, I did not identify any matters which I believed required further investigation.
- 4.3 A further responsibility of the Administrator is to report to the Secretary of State on any matters that come to his attention that could lead them to conclude that any past or present director may be unfit to be involved with managing the affairs of a company in the future. This report is confidential and it is a legal requirement that I do not disclose the content of this report.

### **5 Creditors and dividend prospects**

#### Preferential creditors

- 5.1 The company has no preferential creditors.

Floating charge creditor and the prescribed part

- 5.2 The Company granted a floating charge to Barclays Bank PLC ("Barclays") on 12 April 2011. Accordingly, the Administrator is required to create a fund out of the Company's net floating charge property for the benefit of unsecured creditors (known as "the Prescribed Part").
- 5.3 However, Barclays have advised that they do not have any indebtedness to the Company and therefore the Prescribed Part does not apply in this instance.

Unsecured creditors

- 5.4 To date claims received from creditors are broadly in line with the amounts detailed on the Company's statement of affairs. At this stage it is uncertain if there will be funds available to enable a distribution to unsecured creditors as this is dependent upon the outcome of the ODLA position.

## **6 Administrator's remuneration**

- 6.1 Changes to charge out rates during the Period are detailed in Appendix 2.
- 6.2 My remuneration was approved by creditors at the creditors' decision procedure convened for the purpose of approving the Administrator's proposals, which was held on 14 May 2020.
- 6.3 The basis of my fees as Administrator has been fixed as a set amount of £50,000 plus VAT, together with a percentage of asset realisations fixed at 20%.
- 6.4 The majority creditor, the Legal Aid Agency ("LAA") approved the bases of my remuneration as Administrator. However, any fees drawn over £25,000 plus VAT must be agreed in advance by the LAA before they can be drawn. To date I have drawn £25,000 in respect of my remuneration as Administrator.
- 6.5 At present, I believe that the estimate of fees which has been provided to creditors will not be exceeded.
- 6.6 For the benefit of creditors, the Association of Business and Recovery Professionals publish 'A Creditors' Guide to Administrators' Fees'. This document is available at the following website address, <https://www.r3.org.uk/technical-library/england-wales/technical-guidance/fees/>. A hard copy of this document can be obtained on request from our office.

## **7 Administrator's expenses**

- 7.1 Details of the expenses that I have paid are shown on the attached receipts and payments account. These expenses are in line with the estimate already provided to creditors, and are not likely to exceed this amount.
- 7.2 The following expenses have been incurred but have not yet been paid:

Type of expense	Amount of expense incurred/accrued to date	Amount still to be paid
Knights LLP (formerly Keeble's LLP)	£30,010	£30,010

- 7.3 When considering which professionals to instruct to assist me with dealing with the Administration, I considered their relevant experience and fee estimate provided. As previously reported, legal fees have increased since my initial estimate of expenses was provided to creditors. This is because of additional legal advice and representation being necessary to deal with a complex enquiry from a former client of the Company.
- 7.4 Legal costs have also been incurred in respect of assistance in relation to the ongoing enquiries into the ODLA as well as the requirement for legal advice and representation to facilitate the application to Court for the extension to the Administration.

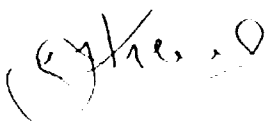
## **8 Further information**

- 8.1 Within 21 days of receipt of a progress report a creditor may request that the Administrator provide further information about the fees and expenses set out in this report. A request must be in writing, and may be made either by a secured creditor, or by an unsecured creditor with the concurrence of at least 5% in value of unsecured creditors, or the permission of the court.
- 8.2 Any secured or unsecured creditor, if they consider that the Administrator's fees are excessive, or that the basis of those fees is inappropriate or that the expenses incurred are excessive, may make an application to the court if at least 10% in value of the unsecured creditors agree. An application must be made within 8 weeks of receipt of this report.

## **9 Conclusion**

- 9.1 The Administration was extended via an application to the High Court of Justice, Business & Property Court until 2 January 2024.
- 9.2 There are still matters to be concluded in the Administration which are preventing it from being progressed to closure. The following paragraphs provides an overview of the items to be dealt with.
- 9.3 I will continue to liaise with Manolete and my legal advisors in respect of the ODLA and potential realisations for the benefit of the Administration estate. Subject to this a further extension of the Administration may be required and I will update creditors as required.
- 9.4 I will prepare any necessary reports and updates to creditors, including a request for further fee approval and an extension to the Administration if and when required.
- 9.5 Once all potential assets have been realised or it is confirmed that there will be no further realisations I will progress the case to closure, including the filing of the appropriate forms with the Register of Companies.
- 9.6 I will be discharged from liability under Paragraph 98(3) of Schedule B1 to the Insolvency Act 1986 immediately upon my appointment as Administrator ceasing to have effect.
- 9.7 I am required to provide a progress report within one month of the end of the next six months of the Administration or earlier if the Administration has been finalised or they wish to extend it.

Should you have any queries regarding this matter please contact Louis Rakha on 0113 2211 300.



Michael C Kienlen  
Administrator

Dated: 7 July 2023



## Appendix 1 - Administrator's receipts and payments account

### Kaim Todner Solicitors Limited

(In Administration)

#### Joint Administrator's Summary of Receipts and Payments (Accruals Basis)

Statement of Affairs	From 03 January 2023 To 02 July 2023	From 03 January 2020 To 02 July 2023
£	£	£
<b>ASSET REALISATIONS</b>		
NIL Inter Company Loan	0.00	0.00
Cash at Bank	0.00	32,546.23
Sundry refund	0.00	701.64
	0.00	33,247.87
<b>COST OF REALISATIONS</b>		
Preparation of S of A	0.00	700.00
Pre-appointment fees	0.00	1,307.50
Administrators' fees	0.00	25,000.00
Disbursements	0.00	241.65
Pre-appointment Legal Fees	0.00	1,268.00
Legal disbursements	999.00	1,148.00
DWP bulk letter service	0.00	7.10
	(999.00)	(29,672.25)
<b>DISTRIBUTIONS</b>		
(100,000.00) Ordinary Shareholders	0.00	0.00
	0.00	0.00
<b>(100,000.00)</b>	<b>(999.00)</b>	<b>3,575.62</b>
<b>REPRESENTED BY</b>		
VAT Receivable		180.00
Bank Account (Non Interest Bearing)		3,383.40
Client funds in hand		(5,506.98)
Client		5,519.20
		<b>3,575.62</b>

## Appendix 2 – Armstrong Watson LLP fees and expenses information

### 1 Introduction

- 1.1 The current legislation allows fees to be charged in an insolvency matter in several ways, either by charging for time properly spent, a percentage of realisations, a fixed fee, or a combination.
- 1.2 The basis of any fee approval in an insolvency matter is to be agreed by either a creditors committee, the general body of creditors, or where the creditors reject the office holders' fees, by the Court.

### 2 Time Cost Basis

- 2.1 When charging fees on a time cost basis we use staff with the appropriate skill level for the work to be performed. Details of our charge-out rates are below.

### 3 Charge-Out Rates

Grade	Charge-out rates from 1 April 2023 (£ per hour, charged in 6-minute units)	Charge-out rates from 1 January 2022 (£ per hour, charged in 6-minute units)	Charge-out rates from 23 April 2021 (£ per hour, charged in 6-minute units)	Charge-out rates from 17 April 2019 (£ per hour, charged in 6-minute units)
Partner	584	460 – 508	438	400 - 425
Director	481	380 – 419	361	350
Senior Manager	447	352 – 389	335	325
Manager	-	325 – 359	309	300
Assistant Manager	412	-	258	250
Senior/Executive	310	244 – 270	232	225
Administrator/Cashier	240	189 – 209	180	175
Junior Administrator	210	165 – 183	157	-

- 3.1 The firms charge-out rates are reviewed periodically.

### 4 Percentage Basis

- 4.1 Where an office holder is expecting to realise specific assets, the fee charged may be a percentage of a specific asset or the assets as a whole.
- 4.2 Once agreed, the percentage basis can only be increased where there has been a material and substantial change in the circumstances in the case. If this is not the case, any request for an increase can only be approved by the Court.

### 5 Fixed Fee

- 5.1 An office holder may charge a fixed fee on either the case as a whole or for specific tasks to be undertaken.
- 5.2 Once agreed, the fixed fee can only be increased where there has been a material and substantial change in the circumstances in the case. If this is not the case, any request for an increase can only be approved by the Court.

## **6 Agents' Costs**

- 6.1 These are charged at cost based upon the charge(s) made by the agent instructed. The term 'agent' includes:
- Solicitors/legal fees
  - Auctioneers/valuers
  - Accountants
  - Quantity surveyors
  - Estate agents
  - Other specialist advisors

## **7 Expenses**

- 7.1 Expenses are any payments from the estate which are neither office holder's remuneration nor a distribution to a creditor or member. Expenses also includes disbursements.
- 7.2 Disbursements are payments which are first paid by the office holder and then reimbursed to the office holder from the estate.

### Category 1 Expenses:

- 7.3 These are payments to those providing the service to which the expense relates who are not an associate of the office holder.
- 7.4 Examples of category 1 expenses include agents costs as detailed above as well as items such as insurance, statutory advertising, external meeting room hire, external storage and specific bond.

### Category 2 Expenses:

- 7.5 These are payments to associates or payments which have an element of shared costs. Associates are defined as an entity with which the firm, office holder or staff member has a business or personal relationships with, perceived or actual.
- 7.6 No category 2 expenses have been incurred on this case.

## **8 Subcontractors**

- 8.1 Subcontractors are considered to undertake work that can be completed by the office holder or their staff.
- 8.2 Payments to subcontractors do not require specific approval and are treated as an expense of the estate, however I am required to provide the following information to you.
- 8.3 We have not utilised the services of any subcontractors in this case.