

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

1170753

Name of Company

Benfield Limited


I / ~~We~~

Ian Robert, Devonshire House, 60 Goswell Road, London, EC1M 7AD

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 29/03/2013 to 28/03/2014

Signed



Date

2/5/14

Kingston Smith & Partners LLP
Devonshire House
60 Goswell Road
London
EC1M 7AD

Ref KPA0200/IR/JW/JK/SC/JH

THURSDAY



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08/05/2014

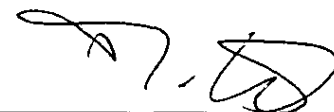
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COMPANIES HOUSE

**Benfield Limited
(In Liquidation)
Liquidator's Abstract of Receipts & Payments**

Statement of Affairs	From 29/03/2013 To 28/03/2014	From 29/03/2012 To 28/03/2014
ASSET REALISATIONS		
Intercompany Debtor	NIL	500,000 00
Cash at Bank	6,304 22	6,304 22
	<u>6,304 22</u>	<u>506,304 22</u>
DISTRIBUTIONS		
Distribution to Shareholder In specie	NIL	500,000 00
Distribution to shareholder in cash	6,304 22	6,304 22
	<u>(6,304 22)</u>	<u>(506,304 22)</u>
	<u>NIL</u>	<u>(0 00)</u>
REPRESENTED BY		

Note



**Ian Robert
Liquidator**

Liquidator's Annual Progress Report to Members

Benfield Limited - In Liquidation

2 May 2014

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APPENDICES

- Appendix A Receipts and Payments Account for the Period from 29 March 2013 to 28 March 2014 and Cumulative from 29 March 2012 to 28 March 2014
- Appendix B Time Analysis for the Period from 29 March 2013 to 28 March 2014 Cumulative for the Period from 29 March 2012 to 28 March 2014
- Appendix C Additional Information in Relation to Liquidators' Fees Pursuant to Statement of Insolvency Practice 9

1 Introduction

- 1 1 I, Ian Robert of Kingston Smith & Partners LLP, Devonshire House, 60 Goswell Road, London, EC1M 7AD, was appointed as Liquidator of Benfield Limited (the Company) on 29 March 2012. This report provides an update on the progress in the liquidation for year ended 28 March 2014.
- 1 2 The registered office of the Company was changed to Devonshire House, 60 Goswell Road, London, EC1M 7AD and its registered number is 01170753.
- 1 3 At Appendix A, I have provided an account of my Receipts and Payments for the year ended 29 March 2014 with a comparison to the Declaration of Solvency values. I have also provided a cumulative account, showing total receipts and payments since the date of my appointment.

2 Progress of the Liquidation

- 2 1 The issues preventing closure of the liquidation were discussed in my last report and are yet to be resolved. Those matters are described again below.
- 2 2 The Liquidation is being held open pending the resolution of two legal cases in the USA, in which the Company is one of several defendants. The Directors believe that there is no merit in the lawsuits. However, there was the possibility of a contingent liability which may give rise to a claim in the liquidation. The liquidation will therefore remain open until the matter is resolved. Further information on the claims can be found in Section 3 below.
- 2 3 In November 2012 £500,000 was distributed in specie to shareholders, with an indemnity in place to cover any potential liability falling on the Company due to the above matter.
- 2 4 In 2013 I was informed that a former solicitor of the Company was holding \$10,307 in cash which belonged to the Company. This was collected and distributed to the shareholder in February 2014.

3 Creditors' Claims

- 3 1 There are no Secured or Preferential claims in the Liquidation.

Contingent Creditors

- 3 2 As outlined in Section 2, if the courts ruled against the Company, the claimants may have a claim against the Company.
- 3 3 The matter is being dealt with primarily by the joint defendants.

4 Distributions to Members

4 1 The following distributions have been made

- £500,000 in specie on 28 November 2012
- \$10,307 in cash on 20 February 2014

5 Liquidator's Remuneration

5 1 The Members 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. The agreed fees for the liquidation are not to exceed £6,000 plus VAT and disbursements without the approval of a majority of the members.

5 2 My time costs as liquidator for the period from 29 March 2013 to 28 March 2014 are £4,410. This represents 18 hours at an average rate of £245 per hour. Attached as Appendix B 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 in managing the Liquidation.

5 3 Also attached at Appendix B is a cumulative Time Analysis for the period from 29 March 2012 to 28 March 2014 which provides details of my total time costs since the date of my appointment.

5 4 My time costs for the period prior to my appointment in dealing with placing the Company into liquidation were £5,524.

5 5 Since my appointment members have agreed further fees of £2,500 for each of the years ended 29 March 2013 and 29 March 2014 for the work involved in producing annual report and completing the associated statutory matters.

5 6 Additionally, fees of £2,500 have been agreed for dealing with matters outside the scope of the original engagement. This has primarily been dealing with the contingent creditors, and includes costs associated with another company, Aon 180412 Limited, which entered liquidation on the same date as Benfield Limited.

5 7 I would confirm that £11,000 plus disbursements of £1,117.75 has been paid by a third party to date on account of my pre-appointment costs associated with placing the Company into Liquidation and dealing with the liquidation process in general.

5 8 Time has been spent in the following areas

- Correspondence with Aon group regarding deed of indemnity

- Correspondence with Aon group for details of claimants in legal proceedings, and corresponding with contingent creditor's lawyers
- Reviewing legal documents and settlement agreements
- Dealing with asset recoveries and distributions to shareholders
- General administrative work including statutory filing and in-house procedures

5.9 Attached as Appendix C is additional information in relation to this firm's policy on staffing, the use of subcontractors, disbursements and details of our current charge-out rates by staff grade

6 Liquidator's Expenses

The following expenses have been incurred since my appointment as Liquidator

Supplier / Service Provider	Nature of expense incurred	Amount incurred to date £	Paid to date £	Amount Outstanding £
Marsh Limited	Insurance (case bonding)	160	160	nil
Taxis	Travel	8	nil*	8
Lawrence Graham	Legal advice relating to Aon Colombia	948.75	948.75	nil
Companies House	Company searches	9	9	nil

Please note Expenses marked () have been paid for by Kingston Smith & Partners LLP and disbursed to the case. These outstanding disbursements may be billed from the case at a later date*

7 Members' Rights

- 7.1 Within 21 days of the receipt of this report, members with either at least 5% of the total voting rights of all the members having the right to vote at general meetings of the Company or with the permission of the court, may request in writing that the Liquidator provide further information about his remuneration or expenses which have been itemised in this progress report
- 7.2 Any members with at least 10% of the total voting rights of all the members having the right to vote at general meetings of the Company may within 8 weeks of receipt of this progress report, make an application to court on the grounds that, in all the circumstances, the basis fixed for the Liquidator's remuneration is inappropriate and/or the remuneration charged or the expenses incurred by the Liquidator, as set out in this progress report, are excessive

8 Next Report

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

Yours faithfully

A handwritten signature in black ink, appearing to be 'I Robert', written over a horizontal line.

I ROBERT
Liquidator

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**Appendix A Receipts and Payments Account for the Period from 29 March 2013 to
28 March 2014 and Cumulative from 29 March 2012 to 28 March 2014**

Benfield Limited
(In Liquidation)

Liquidator's Abstract Of Receipts And Payments

	Declaration of Solvency £	From 29/03/2013 To 28/04/2014 £	From 29/03/2012 To 28/04/2014 £
RECEIPTS			
Intercompany Debtor	500,000 00	0 00	500,000 00
Cash at Bank		6,304 22	6,304 22
		<u>6,304 22</u>	<u>506,304 22</u>
PAYMENTS			
Distribution to Shareholder In specie		0 00	500,000 00
Distribution to shareholder in cash		6,304 22	6,304 22
		<u>6,304 22</u>	<u>506,304 22</u>
BALANCE - 28 April 2014		<u><u>0.00</u></u>	<u><u>0.00</u></u>
MADE UP AS FOLLOWS			
		<u><u>0 00</u></u>	<u><u>0 00</u></u>

Note

Appendix B Time Analysis for the Period from 29 March 2013 to 28 March 2014 Cumulative for the Period from 29 March 2012 to 28 March 2014

Benfield Limited

Summary of Fees and Expenses

From 29/03/2013 to 28/03/2014

Time Costs

The following is a summary of the time costs incurred by the Office Holder and his staff in the administration of this matter. It should be read in conjunction with the Office Holder's Report for the period referred to above.

Work Activity	Partner Hrs	Manager / Supervisor Hrs	Administrator Hrs	Other Hrs	Total Hrs	Time Costs (£)	Average Costs (£)
⊕ Administration & Planning	1 08	0 33	3 75	1 42	6 58	1,581 14	240 17
⊕ Realisation of Assets	0 25		3 75		4 00	940 75	235 19
⊕ Creditors	1 75		5 33	0 50	7 58	1,888 58	249 04
Grand Total	3 08	0 33	12 83	1 92	18 17	4,410 47	

Notes

1 All costs are shown excluding VAT and include an element of undrawn work in progress. It should also be noted that the office holder's fees and other expenses included in his Abstract Receipts and Payments, will include irrecoverable VAT, where the insolvent was not formerly registered for VAT.

2 The time accounting system utilised by Kingston Smith & Partners LLP does not allow for analysis of time, by task, prior to 30 November 2002.

Disbursements

Category 1 Disbursements

1,013 05

These are out of pocket expenses which are directly attributable to the case. These are charged to the case and billed as funds allow.

Category 2 Disbursements

These are costs which are allocated to the case, where no direct costs are applicable. In this case, category 2 disbursements have been charged to the case as follows:

Benfield Limited

Summary of Fees and Expenses

From 29/03/2012 to 28/03/2014

Time Costs

The following is a summary of the time costs incurred by the Office Holder and his staff in the administration of this matter. It should be read in conjunction with the Office Holder's Report for the period referred to above.

Work Activity	Partner Hrs	Manager / Supervisor Hrs	Administrator Hrs	Other Hrs	Total Hrs	Time Costs (£)	Average Costs (£)
⊕ Administration & Planning	2 50	1 00	13 83	1 50	18 83	4,442 56	235 89
⊕ Realisation of Assets	1 83		3 75		5 58	1,624 92	291 03
⊕ Creditors	4 75		11 67	0 50	16 92	4,552 91	269 14
Grand Total	9 08	1 00	29 25	2 00	41 33	10,620 39	

Notes

1 All costs are shown excluding VAT and include an element of undrawn work in progress. It should also be noted that the office holder's fees and other expenses included in his Abstract Receipts and Payments, will include irrecoverable VAT, where the insolvent was not formerly registered for VAT.

2 The time accounting system utilised by Kingston Smith & Partners LLP does not allow for analysis of time, by task, prior to 30 November 2002.

Disbursements

Category 1 Disbursements 1,190 05

These are out of pocket expenses which are directly attributable to the case. These are charged to the case and billed as funds allow.

Category 2 Disbursements

These are costs which are allocated to the case, where no direct costs are applicable. In this case, category 2 disbursements have been charged to the case as follows:

1 Policy

Detailed below is Kingston Smith & Partners LLP's policy in relation to

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

1.1 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 Partner, a Manager and an Administrator or Assistant. The exact constitution of the case team will depend on the anticipated size and complexity of the assignment and the experience requirements of the assignment. The charge out rate schedule below provides details of all grades of staff and their experience level.

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

1.2 Professional advisors

On this assignment we have used the professional advisors listed below. We have also indicated alongside, the basis of our fee arrangement with them, which is subject to review on a regular basis.

Name of Professional Advisor	Basis of Fee Arrangement
Marsh Limited (insurance)	Risk based premium

Our choice was based on our perception of their experience and ability to perform this type of work, the complexity and nature of the assignment and the basis of our fee arrangement with them.

1.3 Disbursements

Category 1 disbursements do not require approval by members. 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 by members. These disbursements can include costs incurred by Kingston Smith & Partners LLP for the provision of services which include an element of recharged overhead, for example, room hire or document storage.

We do not seek to charge any Category 2 disbursements on this case.

2 Charge-out rates

A schedule of Kingston Smith & Partners LLP's charge-out rates for this assignment effective from 1 May 2014 is detailed below.

	Per Hour £
Partner	395
Senior Manager	335
Manager	300
Supervisor /Assistant Manager	275
Senior Administrator	240
Administrator	180
Junior Administrator	140
Support Staff	
Experienced Cashier	260
Cashier	180
Support	110

Please note that this firm records its time in minimum units of 5 minutes.