Notice of Final Meeting of Creditors

Pursuant to sections 171(6) and 172(8) of the Insolvency Act 1986 and Rule 4.31(4) of the Insolvency (Scotland) Rules 1986

To the Registrar of Companies

To the Accountant in Bankruptcy

To the Court

(a)

For official use

Company Number

SC2041'40

R4.31

Name of Company

(a) Insert name of company

Vianet Group plc

\*1 / We, Colin Peter Dempster and Andrew James Davison Ten George Street, Edinburgh, EH2 2DZ

\* Delete as applicable

the liquidator(s) of the above company give notice that the Final General Meeting of creditors under section 106 of the Insolvency Act is deemed, in terms of Rule 4.31(5), to have been held on (b) 13 April 2011 and 1 / we attach a copy of the report which was laid before the meeting.

No quorum was present at the meeting

\*1/ We were / were not released as liquidators.

Signed

Date

9 APRIL 2011

Presenter's name, address and reference

(if any):

Alan McGinlay Ernst & Young LLP George House 50 George Square Glasgow G2 1RR

CPD/MAR/AMCG

For Official Use

Liquidation Section Post Room





SCT

21/04/2011 COMPANIES HOUSE

405



**型ERNST&YOUNG** 

Ernst & Young LLP George House 50 George Square Glasgow G2 1RR

Tel: 0141 626 5000 Fax: 0141 626 5001 www.ey.com/uk

TO ALL KNOWN CREDITORS

3 March 2011

Ref:CPD/EC/MAR/FP

Alan McGinlay Direct line: 0141 626 5359 Direct fax: 0141 626 5003

Dear Sirs

## Vianet Group plc (In Creditors' Voluntary Liquidation)("the Company")

As you are aware, the Company moved from Administration to Creditors' Voluntary Liquidation on 21 October 2009. I write to provide you with a final update on the progress of the Liquidation.

I enclose notice of the final meeting of creditors of the Company called in accordance with Section 106 of the Insolvency Act 1986. This report and the attached account of intromissions for the period from 21 October 2010 to 2 March 2011 will form the basis of the report that will be presented at the meeting. Also enclosed is a form of proxy which will avoid the necessity of creditors being required to attend the meeting in person and I should be obliged if you would ensure that the proxy is returned to this office prior to the meeting.

The purpose of the meeting is purely formal and there is no necessity for creditors to attend. I should be grateful if anyone wishing to attend the meeting would contact this office in advance in order to ensure that sufficient accommodation is available. Any persons who propose to attend the meeting on behalf of a corporation should ensure that they are properly authorised to represent that corporation in accordance with Section 375 of the Companies Act 1985. They should be prepared to produce to the Chairman of the meeting a copy of the resolution from which they derive their authority.

## Summary of progress

#### **Account of Intromissions**

The account of intromissions for the period from 21 October 2010 to 2 March 2011 shows that the Joint Liquidators are currently holding funds of £139.75. I would advise that these funds will be used to settle the expenses of advertising the final meetings of the Company and any remaining funds will be consigned to the Accountant of Court.

#### **Secured Creditors**

There are no secured creditors.



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#### **Preferential Creditors**

There are no preferential creditors.

#### **Prescribed Part**

The prescribed part is a proportion of floating charge assets set aside for unsecured creditors pursuant to section 176A of the Insolvency Act 1986. The prescribed part applies to floating charges created on or after 15 September 2003.

There are no secured creditors so the prescribed part does not apply in this case.

## **Ordinary Creditors**

As you are aware, the first and final dividend of 23.059p/£ was distributed to the ordinary unsecured creditors during August 2010.

## Conclusion of the Liquidation

The Company will be deemed to have been dissolved 3 months after the serving of the appropriate notice with the Registrar of Companies. The Joint Liquidators are required to serve this notice within seven days of the date of the final meetings of the Liquidaton.

Should you have any queries then please do not hesitate to contact my colleague, Alan McGinlay.

Yours faithfully

Melvyn A Ruddocks

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for C P Dempster

Joint Liquidator

### Encs

C P Dempster and A J Davison are licensed in the United Kingdom to act as Insolvency Practitioners by The Institute of Chartered Accountants of Scotland.

We may collect, use, transfer, store or otherwise process (collectively, "Process") information that can be linked to specific individuals ("Personal Data"). We may Process Personal Data in various jurisdictions in accordance with applicable law and professional regulations including (without limitation) the Data Protection Act 1998.

# Vianet Group plc (In Creditors' Voluntary Liquidation) Account of Intromissions for the period from 21 October 2010 to 2 March 2011

	21 Oct 2010 - 2 Mar 2011		21 Oct 2009 - 2 Mar 2011	
	£	£	£	£
Receipts				
Balance Brought Forward	418,999		0	
Funds received from Joint Administrators	0		418,733	
Interest Received	0	440.000	<u>266</u>	440.000
		418,999		418,999
<u>Payments</u>				
Balance Brought Forward	411,184		. 0	
Joint Administrators' Fees	0		38,410	
Joint Administrators' Disbursements	0		337	
Joint Liquidators' Fees	5,000		20,000	
Ordinary Creditors (20/08/2010 - 23.059p/£)	0		354,599	
Legal Fees	2,600		2,600	
Court Fees	0		2,275	
Public Notices	0		257	
Bank Charges	3		37	
Corporation Tax	72		72	
Storage Charges	0		272	
	- =	(418,859) 140		(418,859) 140
Represented by:				
Balance at Bank	_	140		140
	=	140	:	140

**Rule 7.15** 

The Insolvency Act 1986

Form 4.29 (Scot)

**Proxy** 

Pursuant to Rules 7.14 and 7.15 of the Insolvency (Scotland) Rules 1986

- (a) Insert name of company
- (a) Vianet Group plc
- (b) Insert nature of insolvency proceedings
- (b) Creditors' Voluntary Liquidation

Name of Creditor/Member

Address

(hereinafter called "the principal").

(c) insert the name and address of the proxyholder and of any alternatives. A proxyholder must be an individual aged over 18.

Name of proxy-holder (c) 1.

Address

whom failing 2.

whom failing 3.

I appoint the above person to be the principal's proxy-holder at

\*[all meetings in the above Insolvency proceedings relating to the above company]

\*[the meeting of creditors of the above Company to be held on 13 April 2011 or at any adjournment of that meeting].

#### **Voting Instructions**

The proxy-holder is authorised to vote or abstain from voting in the name, and on behalf, of the principal in respect of any matter\*/s, including resolution\*/s, arising for determination at said meeting\*/s and any adjournment\*/s thereof and to propose any resolution\*/s in the name of the principal, either

(i) in accordance with instructions given below or,

(ii) if no instructions are given, in accordance with his/her own discretion.

(d) Complete only if you wish to instruct the proxy-holder to vote for a specific person as liquidator	(d) 1. To *propose/suppor of whom failing	t a resolution for the	e appointment of	
(e) Delete if the proxyholder is only to vote as directed in (1).  (f) Set forth any voting instructions for the proxy-holder. If more room is required attach a	(e) [in the event of a pers eliminated from any vote ballot at *his/her discretio 2. (f)	the proxy-holder ma	aph (1) withdrawi y vote or abstain	ng or being in any further
separate sheet	Signed	[	Date	
	Name in BLOCK LETTER	RS.		
	Position of signatory in refor signing.	elation to the *credito	or/or member or o	other authority

## Notes for the Principal and Proxy-holder

- 1. The chairman of the meeting who may be nominated as proxy-holder, will be the insolvency practitioner who is presently \*liquidator/receiver/administrator/nominee under the voluntary arrangement or a director of the company.
- 2. All proxies must be in this form or a form substantially to the same effect with such variations as circumstances may require. (Rules 7.15(3) and 7.30).
- 3. To be valid the proxy must be lodged at or before the meeting at which it is to be used. (Rule 7.16(2)).
- 4. Where the chairman is nominated as proxy-holder he cannot decline the nomination. (Rule 7.14(4).
- 5. The proxy-holder may vote for or against a resolution for the appointment of a named person to be liquidator jointly with another person, unless the proxy states otherwise. (Rule 7.16(4)).
- 6. The proxy-holder may propose any resolution in favour of which he could vote by virtue of this proxy. (Rule 7.16(5)).
- 7. The proxy-holder may vote at his discretion on any resolutions not dealt with in the proxy, unless the proxy states otherwise. (Rule 7.16(6)).
- 8. The proxy-holder may not vote in favour of any resolution which places him, or any associate of his, in a position to receive remuneration out of the insolvent estate unless the proxy specifically directs him so to vote. (Rule 7.19(1)).
- 9. Unless the proxy contains a statement to the contrary the proxy-holder has a mandate to act as representative of the principal on the creditors' or liquidation committee. (Rule 4.48).

# Vianet Group plc (In Creditors' Voluntary Liquidation)

NOTICE IS HEREBY GIVEN, pursuant to Section 106 of the Insolvency Act 1986, that a meeting of the creditors of the above-named company will be held at George House, 50 George Square, Glasgow G2 1RR on Wednesday 13 April 2011 at 11am for the purpose of having a final account laid before it showing how the winding up of the company has been conducted and the property of the company disposed of, and of hearing any explanations that may be given by the liquidators.

Creditors are entitled to attend in person or alternatively by proxy. A creditor may vote only if his claim has been submitted to me and that claim has been accepted in whole or in part. A resolution will be passed only if a majority in value of those voting in person or by proxy vote in favour. Proxies and claims must be lodged with us at or before the meeting.

Colin Peter Dempster Andrew James Davison Joint Liquidators

Ernst & Young LLP George House 50 George Square Glasgow G2 1RR

3 March 2011