

In accordance with Rule 18.7 of the Insolvency (England & Wales) Rules 2016 and Sections 92A, 104A and 192 of the Insolvency Act 1986.

LIQ03

Notice of progress report in voluntary winding up



Companies House



A22 *A7HP7QJK* 31/10/2018 #45

COMPANIES HOUSE

For further information, please refer to our guidance at www.gov.uk/companieshouse

WEDNESDAY

1 Company details

Company number 0 9 1 5 1 0 5 1

Company name in full Thorn Medical Ltd

→ Filing in this form
Please complete in typescript or in bold black capitals.

2 Liquidator's name

Full forename(s) Michael

Surname Goldstein

3 Liquidator's address

Building name/number Egale 1

Street 80 St Albans Road

Post town Watford

County/Region

Postcode W D 1 7 1 D L

Country

4 Liquidator's name

Full forename(s)

Surname

Other liquidator
Use this section to tell us about another liquidator.

5 Liquidator's address

Building name/number

Street

Post town

County/Region

Postcode

Country

Other liquidator
Use this section to tell us about another liquidator.

LIQ03

Notice of progress report in voluntary winding up


6 Period of progress report

From date	d 0 d 6	m 0 m 9	y 2 y 0 y 1 y 7
To date	d 0 d 5	m 0 m 9	y 2 y 0 y 1 y 8

7 Progress report

The progress report is attached

8 Sign and date

Liquidator's signature	Signature X  X
Signature date	d 2 d 6 m 1 m 0 y 2 y 0 y 1 y 8

LIQ03

Notice of progress report in voluntary winding up

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 **Debbie Convery**

Company name **Myers Clark Business Rcovery**

Address **Egale 1**

80 St Albans Road

Post town **Watford**

County/Region

Postcode

W	D	1	7		1	D	L
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Country

DX

Telephone **01923 224411**

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.

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 or email enquiries@companieshouse.gov.uk

This form is available in an alternative format. Please visit the forms page on the website at www.gov.uk/companieshouse

Liquidator's Annual Progress Report to Creditors & Members

Thorn Medical Ltd - In Liquidation

26 October 2018

THORN MEDICAL LTD - IN LIQUIDATION

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APPENDICES

- A** *Receipts and Payments Account for the Period from 6 September 2017 to 5 September 2018*
- B** *Additional information in relation to Liquidator's Fees, Expenses & Disbursements*

THORN MEDICAL LTD - IN LIQUIDATION

1 Introduction and Statutory Information

- 1.1 I, Michael Goldstein MABRP of Myers Clark Business Recovery Limited, Egale 1, 80 St Albans Road, Watford, Hertfordshire, WD17 1DL, was appointed as Liquidator of Thorn Medical Ltd (the Company) on 6 September 2017. This progress report covers the period from 6 September 2017 to 5 September 2018 (the Period).
- 1.2 Information about the way that we will use, and store personal data on insolvency appointments can be found in the attached Privacy Notice.
- 1.3 The principal trading address of the Company was Victoria House, 18 Dalston Gardens, Stanmore, Middlesex, HA7 1BU. The business traded under the name Thorn Medical Plc.
- 1.4 The registered office of the Company has been changed to Egale 1, 80 St Albans Road, Watford, Herts, WD17 1DL and its registered number is 09151051.

2 Progress of the Liquidation

- 2.1 This section of the report provides creditors with an update on the progress made in the liquidation during the Period and an explanation of the work done by the Liquidator and his staff.
- 2.2 At Appendix A is my Receipts and Payments Account for the Period.
- 2.3 Over the last year, I have made a forensic examination of the way that the Company's business was conducted prior to my appointment.
- 2.4 From information received from the Company's creditors and members who were left out of pocket by the Insolvency of the Company, it appears that the Company employed unconnected intermediaries to sell its shares.
- 2.5 Some of these intermediaries have been placed into Liquidation subsequently and my investigations into the links between the intermediaries, the Company and its directors continue.
- 2.6 This is a very time consuming and labour intensive process which will take a substantial amount of time to yield results.
- 2.7 Due to the large number of Company shareholders, my staff and I have spent a significant amount of time dealing with the queries and questions from individuals, some of whom have required additional time and assistance due to their personal circumstances.
- 2.8 Administration (including statutory compliance & reporting)
- 2.9 An office holder must comply with certain statutory obligations under the Insolvency Act 1986 and other related legislation. Details about the work I anticipated would need to be done in this area was outlined to creditors in my initial fees estimate/information.
- 2.10 Where the costs of statutory compliance work or reporting to creditors exceeds the initial estimate, it will usually be because the duration of the case has taken longer than anticipated, possibly due to protracted asset realisations, which have in turn placed a further statutory reporting requirement on the Liquidator.
- 2.11 As noted in my initial fees estimate/information, this work will not necessarily bring any financial benefit to creditors, but is required on every case by statute.

THORN MEDICAL LTD - IN LIQUIDATION

Realisation of Assets

- 2.12 The buyer identified in my post-appointment correspondence to creditors withdrew from purchasing the interest in Radley Pharma Limited due to a lack of funds.

Cash at Bank

- 2.13 £6.17 was realised upon closure of the Company's account held with Lloyds TSB.

Investigations into Company's assets

- 2.14 The Statement of Affairs signed by the Company's director stated that the sole assets due to the Company were interests in Clean Waste Development SH.P.K. with a book value of £20,000 and Radley Pharma Limited, with a book value of £10,500 and an estimated to realise value of £10,500.
- 2.15 No other realisable assets have currently been identified via my investigations.
- 2.16 Following my investigation into these assets, I have been unable to verify the value of the Company's interest in Clean Waste Development SHPK and in the absence of any documentary information from the directors which would enable the valuation and sale of the Company's interests, as such I have determined that they cannot be realised.
- 2.17 I have recovered statements on 3 bank accounts operated by the company and I have carried out a financial analysis of the statements to determine whether there are any transactions which may be recoverable as transactions at an undervalue, or as preferences. To date, no recoverable transactions have been identified. My enquiries with the banks in respect of recipients of funds are continuing.
- 2.18 My enquiries into the destination and application of shareholder funds paid via third party intermediaries is ongoing. These intermediaries are no longer active companies and I anticipate that the recovery of any information regarding the payment of investor funds will be protracted. I am considering whether any legal action can be taken to recover the relevant banking records, although as creditors are aware there are no funds in the liquidation, and this may prevent me from engaging in any legal action at this stage.
- 2.19 I have also undertaken enquiries with shareholders and third parties, including professional advisors, in respect of the Company and its affairs. I have received a considerable volume of information and documentation from third parties which requires review. These enquiries are ongoing.
- 2.20 As my enquiries are still ongoing, I do not expect to be in a position to comment on whether there will be any recoveries at this stage. In addition, these enquiries are confidential as any disclosure of any detailed information arising from my investigations may prejudice any future action I may take.
- 2.21 I will report further on the outcome of my investigations in my next annual report.

Creditors (claims and distributions)

- 2.22 Further information on the anticipated outcome for creditors in this case can be found at section 3 of this report. A Liquidator is not only required to deal with correspondence and claims from unsecured creditors (which may include retention of title claims), but also those of any secured and preferential creditors of the Company. This may involve separate reporting to any secured creditor and dealing with distributions from asset realisations caught under their security, most typically a debenture.
- 2.23 The above work will not necessarily bring any financial benefit to creditors generally, however a Liquidator is required by statute to undertake this work. Similarly, if a distribution is to be paid to any class of creditor, work will be required to agree those claims and process the

THORN MEDICAL LTD - IN LIQUIDATION

dividend payments to each relevant class of creditor. The more creditors a company has, the more time and cost will be involved by the Liquidator in dealing with those claims.

2.24 I consider the following matters worth noting in my report to creditors at this stage:

1. There are approximately 22 unsecured creditor claims in this case with a value per the director(s) statement of affairs of £2,517,418.00.
2. There are no secured creditors in this case.

Investigations

- 2.25 Some of the work the Liquidator is required to undertake is to comply with legislation such as the Company Directors' Disqualification Act 1986 (CDDA 1986) and Statement of Insolvency Practice 2 – Investigations by Office Holders in Administration and Insolvent Liquidations and may not necessarily bring any financial benefit to creditors, unless these investigations reveal potential asset recoveries that the Liquidator can pursue for the benefit of creditors.
- 2.26 I can confirm that I have submitted a report on the conduct of the Directors of the Company to the Department for Business, Energy & Industrial Strategy under the CDDA 1986. As this is a confidential report, I am unable to disclose the contents.

3 Creditors

Unsecured Creditors

- 3.1 I have received claims totalling £2,587,377.92 from 17 creditors. I have yet to receive claims from 5 creditors whose debts total £86,971.91 as per the Company's statement of affairs.

4 Liquidator's Remuneration

- 4.1 The Creditors' Committee approved that the basis of the Liquidator's pre-appointment remuneration fixed at £7,000 plus VAT could be drawn from any asset realisations of the Liquidation. My fees estimate/information was originally provided to creditors when the basis of my remuneration was approved and was based on information available to me at that time.
- 4.2 The Liquidator has made the following realisations to date and details of which are set out below:

[REDACTED]		
Cash at Bank	6.17	6.17

- 4.3 A copy of 'A Creditors' Guide to Liquidators' Fees' is available on request or can be downloaded from www.icaew.com/en/technical/insolvency/creditors-guides.
- 4.4 Attached as Appendix B is additional information in relation to the Liquidator's fees, expenses and disbursements, including where relevant, information on the use of subcontractors and professional advisers.

5 Creditors' Rights

- 5.1 Within 21 days of the receipt of this report, a secured creditor, or an unsecured creditor (with the concurrence of at least 5% in value of the unsecured creditors) may request in writing that the Liquidator provide further information about his remuneration or expenses which have been itemised in this progress report.

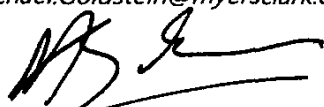
THORN MEDICAL LTD - IN LIQUIDATION

5.2 Any secured creditor, or an unsecured creditor (with the concurrence of at least 10% in value of the unsecured creditors) 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.

6 Next Report

6.1 I am required to provide a further report on the progress of the liquidation within two months of the next anniversary of the liquidation, unless I have concluded matters prior to this, in which case I will write to all creditors with my final account.

6.2 If you have any queries in relation to the contents of this report, my colleague Debbie Convery and I can be contacted by email at Debbie.Convery@myersclark.co.uk / Michael.Goldstein@myersclark.co.uk.



Michael Goldstein MABRP
Liquidator

**Thorn Medical Ltd
(In Liquidation)
Liquidator's Summary of Receipts & Payments
To 05/09/2018**

S of A £		£	£
	ASSET REALISATIONS		
NIL	Clean Waste Development SH.P.K	NIL	
10,500.00	Radley Pharma Limited	NIL	
	Cash at Bank	6.17	
			6.17
	UNSECURED CREDITORS		
(2,517,418.00)	Trade & Expense Creditors	NIL	
			NIL
	DISTRIBUTIONS		
(12,062,562.00)	Ordinary Shareholders	NIL	
			NIL
(14,569,480.00)			6.17
	REPRESENTED BY		
	Bank 1 Current		6.17
			6.17

THORN MEDICAL LTD - IN LIQUIDATION

Appendix B

Additional Information in Relation to the Liquidator's Fees, Expenses & Disbursements

1 Staff Allocation and the Use of Sub-Contractors

- 1.1 The general approach to resourcing our assignments is to allocate staff with the skills and experience to meet the specific requirements of the case.
- 1.2 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.
- 1.3 We are not proposing to utilise the services of any sub-contractors in this case.

2 Liquidator's Expenses & Disbursements

Current position of Liquidator's expenses

- 2.1 An analysis of the expenses paid to the date of this report, together with those incurred but not paid at the date of this report is provided below:

Statutory advertising		£298 plus VAT	£298 plus VAT
Specific penalty bond		£80 no VAT	tba
Re-direction of the Company's mail		£185 no VAT	£185 plus VAT

- 2.2 Category 1 disbursements do not require approval by creditors. 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. These disbursements are included in the tables of expenses above.
- 2.3 Myers Clark Business Recovery does not charge Category 2 disbursements.

Privacy Notice

Use of personal information

We process personal information to enable us to carry out our work as insolvency practitioners which includes processing data that was held by companies/individuals before our appointment together with data collected during an insolvency procedure or a fixed charge receivership. Our legal obligation to process personal data arises from work we are required to carry out under insolvency and other related legislation.

Insolvency practitioners are Data Controllers of personal data in so far as defined by data protection legislation. Myers Clark Business Recovery Limited will act as Data Processor on their instructions about personal data in relation to an insolvency procedure or fixed charge receivership.

Personal data will be kept secure and processed only for matters relating to the insolvency procedure being dealt with.

The data we may process

The personal data insolvency practitioners may process in most cases will be basic details that may identify an individual and will typically be sufficient to allow us to carry out our work as insolvency practitioners, for example, dealing with the claims of individuals who are owed monies by the companies/individuals over whom we have been appointed.

However, insolvency practitioners may be appointed over entities that process personal data that is considered more sensitive, for example health records and this sensitive data will usually have been created before our appointment. Although we will take appropriate steps to safeguard sensitive data (or to destroy it where it is appropriate to do so), subject to limited exceptions, for example, where we identify previous conduct and/or action that requires further investigation, we will not be processing sensitive data.

Sharing information

We may share personal data with third parties where we are under a legal or regulatory duty to do so, or it is necessary for the purposes of undertaking our work as insolvency practitioners. We may also share personal data to lawfully assist the police or other law enforcement agencies with the prevention and detection of crime, where disclosure is necessary to protect the safety or security of any persons and/or otherwise as permitted by the law.

How long will we hold it?

Personal data will be retained for as long as any legislative or regulatory requirement requires us to hold it. Typically, this may be up to 6 years after which it will be destroyed.

What are your rights?

You have the right to receive the information contained in this document about how your personal data may be processed by us.

You also have the right to know that we may be processing your personal data and, in most circumstances, to have information about the personal data of yours that we hold, and you can ask for certain other details such as what purpose we may process your data for and how long we will hold it.

Individuals have the right to request that incorrect or incomplete data is corrected and in certain circumstances, you may request that we erase any personal data on you which may be held or processed as part of our work as insolvency practitioners. If you have any complaints about how we handle your personal data, please contact **Michael Goldstein, Egale 1, 80 St Albans Road, Watford, Herts, WD17 1DL or alternatively email Michael.Goldstein@myersclark.co.uk** so we can resolve the issue, where possible. You also have the right to lodge a complaint about any use of your information with the Information Commissioners Office (**ICO**), the UK data protection regulator.