

IN THE HIGH COURT OF JUSTICE  
CHANCERY DIVISION  
COMPANIES COURT

No. 18643 of 2009

IN THE MATTER OF A LICENCE HOLDER

AND IN THE MATTER OF HERBERT REGINALD EVERARD (IN BANKRUPTCY) AND OTHERS

AND IN THE MATTER OF FIBRECAST (UK) LIMITED (IN CREDITORS VOLUNTARY LIQUIDATION)

AND IN THE MATTER OF A & C PROPERTY COMPANY LIMITED (IN MEMBERS VOLUNTARY LIQUIDATION)

AND IN THE MATTER OF THE INSOLVENCY ACT 1986 AND THE BANKRUPTCY ACT 1914

BEFORE MR JUSTICE *NORRIS*

*25 NOVEMBER 2009.*  
BETWEEN:



MICHAEL JAMES GREGSON

Applicant

- and -

MICHAEL PERKINS

Respondent

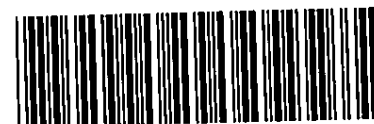
ORDER

UPON the application of the Applicant dated 16 September 2009

AND UPON hearing Counsel for the Applicant

IT IS ORDERED THAT

THURSDAY



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COMPANIES HOUSE

1. the proceedings in the bankruptcy and members' and creditors' voluntary liquidation appointments as identified in the Schedule marked "A" annexed hereto be transferred to the High Court in London, Chancery Division, solely for the purpose of making the Orders contained in the paragraphs below.
2. In relation to the appointment held jointly by the Applicant and Respondent in respect of Gregory Andrew Pogonowski (in bankruptcy) identified in the Schedule marked "A" attached, the Respondent be removed from office.

3. In relation to all the appointments held solely by the Respondent in respect of the bankruptcies and members and creditors voluntary liquidations identified in the Schedule marked "A" attached, the Respondent be removed from office and the Applicant be appointed as Office Holder in the Respondent's place.
4. The Applicant be entitled to publish in the London Gazette one composite notice relating to all new appointments which are required by law to be published in the Gazette.
5. The Applicant shall when the next report is due to the creditors of each bankruptcy and members and creditors voluntary liquidation, give written notice of the making of this Order to each such creditor of each bankruptcy and liquidation, such notice to include the following matters:-
  - (i) An explanation of the effect of the Order;
  - (ii) Express reference to the liberty to apply set out in the Order;
  - (iii) In the case of the liquidations where a liquidation or creditors committee has been appointed, an explanation that (to the extent that any information which would otherwise be required to be provided under Insolvency Rule 4.108(3) has not already been provided as part of that report) it is open to the committee to require the Applicant to provide an account of the administration of the estate, including:-
    - (a) a summary of receipts and payments;
    - (b) a statement that he has reconciled his accounts;
  - (iv) In the case of the liquidations where no liquidation or creditors committee has been appointed, an explanation that, to the extent that such information has not already been provided as part of the routine report, it is open to any creditor to apply for an order that the Applicant appointed do provide such information as they might otherwise be required by Insolvency Rule 4.108(3), that is to say an account of the administration of the estate, including:-

- (a) a summary of receipts and payments;
  - (b) a statement that he has reconciled his accounts;
  
- (v) In the case of members voluntary liquidations, an explanation that, to the extent that any information which might otherwise be required to be supplied under Insolvency Rule 4.142(2) has not already been provided as part of the routine report, it is open to any member to apply to court for an order that the Applicant appointed do provide such information that is to say an account of the administration of the estate, including:-
  - (a) a summary of receipts and payments;
  - (b) a statement that he has reconciled his accounts;
  
- (vi) In the case of the bankruptcies where creditors committees have been appointed, an explanation that (to the extent that any information which would otherwise be required to be provided under IR 6.126(2) has not already been provided as part of that report) it is open to the committee to require the Applicant appointed or remaining in office to provide an account of the administration of the estate including:-
  - (a) a summary of receipts and payments;
  - (b) a statement that he has reconciled his account;
  
- (vii) In the case of the bankruptcies where no creditors committees have been appointed, an explanation that, to the extent that such information has not already been provided as part of the routine report, it is open to any creditor to apply for an order that the Applicant do provide such information as might otherwise be required by IR 6.126(2), that is to say an account of the administration of the estate including:-
  - (a) a summary of receipts and payments;
  - (b) a statement that he has reconciled his account;
  
- (viii) Notification that if the Applicant has been required to provide the information referred

to in paragraphs 5(iii)-(vii) above whether by liquidation/creditors' committee or by Court order on the application of an individual creditor the Applicant's costs of complying with such request or order shall, unless good reasons to the contrary are demonstrated, be paid as costs in the relevant bankruptcy or liquidation estates;

- (ix) In the case of the liquidations, notification as to each creditor of their right under Insolvency Rule 11(2) of the Insolvency Regulations 1994 to require the Applicant to supply a statement of receipts and payments free of charge;
- (x) Liberty to the creditors of each liquidation and bankruptcy to apply to vary or discharge this Order within 21 days of receipt of the notices directed to be sent under paragraph 5 above.

6. That the costs of this application be apportioned as follows:-

- (i) Such remuneration, costs or expenses in respect of this Application as are referable to a particular matter in Schedule "A" attached to this Application shall be fixed and paid in the ordinary way as remuneration, costs and expenses in respect of such matter; and
- (ii) Such remuneration, costs or expenses in respect of this Application as are not referable to a particular matter shall be divided equally between each of the estates identified in Schedule "A" attached to this Application and thereafter treated as costs and expenses of such estates;

PROVIDED THAT in no case shall the total of such remuneration, costs and expenses (including VAT) payable under 6(i) and (ii) above exceed 10% of the value of the realised assets in that particular matter.

7. Liberty to the creditors of each liquidation and bankruptcy to apply to vary or discharge this Order within 21 days of receipt of the notices directed to be sent under paragraph 5 above.

SCHEDULE A

Name	Court	Count no.	Case type	Date of Order	Date of Appointment	Comments
Herbert Reginald Everard	Boston	96/92	BKY	11-Jun-92	20-Aug-92	
Michael John Wolfenden	Norwich	187/92	BKY	15-Jun-92	14-Dec-93	
Richard Gordon Marshall	Peterborough	1/95	BKY	27-Feb-95	19-Apr-95	
Colin Martin Walker	Cambridge	178/95	BKY	31-Oct-95	13-Dec-95	
David John Fryatt	King's Lynn	155/95	BKY	04-Jan-96	14-Mar-96	
Edward Simpson	Northampton	19/93	BKY	13-Jan-93	14-Jun-96	
Paul James Hogan	Northampton	197/96	BKY	11-Jun-96	23-Aug-96	
Patrick Silas Henney	Leicester	63/96	BKY	25-Jul-96	25-Oct-96	
Peter Michael Wright & John Stanley Taylor	Peterborough	142/97	BKY	17-Jun-97	28-Jul-97	Joint Estate
Peter Michael Wright	Peterborough	142/97	BKY	17-Jun-97	28-Jul-97	Sole Estate
John Stanley Taylor	Peterborough	142/97	BKY	17-Jun-97	28-Jul-97	Sole Estate
Terence Edward Bryant	Northampton	272/92	BKY	27-May-92	29-Aug-97	
Peter Surgenor	Bedford	113/97	BKY	10-Nov-97	18-Feb-98	
Jaspal Singh	Peterborough	322/96	BKY	16-Dec-96	19-Mar-98	
Thomas Herbert Vallis	Peterborough	290/97	BKY	03-Dec-97	03-Nov-98	
Danny Blessett	Gt Yarmouth	79/97	BKY	17-Apr-97	27-Jan-99	
Hussein Mehmet Kadioglu	Cambridge	31/99	BKY	22-Feb-99	14-Jun-99	
Shefika Kadioglu	Cambridge	32/99	BKY	22-Feb-99	14-Jun-99	
Ronald Henry Martin	Nottingham	92A/85	BKY	03-Oct-85	25-Oct-99	Receiving Order
John Dix	Lincoln	80/95	BKY	01-Jun-95	23-Nov-99	
Martin Pettitt	Lincoln	227/99	BKY	24-Sep-99	07-Jan-00	
Denis Joseph Hickey	Nottingham	106/93	BKY	02-Aug-93	16-Feb-00	
Kenneth Edward George Newman	Cambridge	43A/85	BKY	05-Nov-85	27-Sep-00	Receiving Order
Dennis John Savory	Norwich	211/92	BKY	18-May-92	19-Oct-00	
David MacQuarrie	Northampton	59/98	BKY	08-Jun-89	03-Sep-01	Receiving Order
Walter Donald Robertson	Lincoln	33/84	BKY	25-Oct-84	17-Dec-01	Receiving Order
Brian Morley & Barry James Morley	Nottingham	26/84	BKY	01-Feb-84	08-Feb-02	Joint Estate - Receiving Order
Brian Morley	Nottingham	26/84	BKY	01-Feb-84	08-Feb-02	Sole Estate - Receiving Order
Barry James Morley	Nottingham	26/84	BKY	01-Feb-84	08-Feb-02	Sole Estate - Receiving Order
Frederick Raymond Turner	King's Lynn	40/87	BKY	24-Sep-87	15-Jan-03	
Anthony Charity	Peterborough	62/95	BKY	24-Sep-85	20-Mar-03	Receiving Order
Fibrecaast (UK) Limited			CVL	07-Jan-04	07-Jan-04	
Neil Grant	Gt Yarmouth	84/93	BKY	11-Aug-93	11-Feb-04	
A & C Properties Company Limited			MVL	27-Aug-04	27-Aug-04	
Christopher Dalkner	King's Lynn	169/93	BKY	15-Nov-93	08-Feb-07	

Mark Daniel Yarlett	Nottingham	1201/06	BKY	07-Jul-06	15-Mar-07	
Gregory Andrew Pogonowski	Lincoln	418/06	BKY	24-Aug-08	17-Apr-07	Joint Estate with MG, remove MP only required
Michael Robert Canham	Leicester	460/92	BKY	23-Oct-92	31-Jul-07	
Ricky Alan Emerson	Peterborough	71/97	BKY	18-Mar-97	18-Feb-09	

Key

BKY = Bankruptcy  
 MG = Michael Gregson

CVL = Creditors Voluntary Liquidation  
 MP = Michael Perkins

MVL = Members Voluntary Liquidation

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BETWEEN:

MICHAEL JAMES GREGSON

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- and -

MICHAEL PERKINS

Respondent

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ORDER

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Blake Laphorn  
Watchmaker Court  
33 St John's Lane  
London  
EC1M 4DB

Tel: 020 7405 2000

Ref: TSS/504691-3

Solicitors for the Applicant

sealed by D. Swales  
to whom all enquiries  
should be made between the hours 9.00-4.30pm  
on any day.