

924669  
Carpets.

7LS31412

CASE NO. of 2007

IN THE HIGH COURT OF JUSTICE  
CHANCERY DIVISION  
LEEDS DISTRICT REGISTRY

IN THE MATTER OF LICENCE HOLDERS  
AND

IN THE MATTER OF THE INSOLVENCY ACT 1986  
AND

IN THE MATTER OF CULLIT REALISATIONS LIMITED AND OTHER  
ADMINISTRATION ORDERS LISTED IN SCHEDULE 1  
AND

IN THE MATTER OF DUNLOP TEXTILES LIMITED AND OTHER  
CREDITORS VOLUNTARY LIQUIDATIONS LISTED IN SCHEDULE 1  
AND

BETWEEN

HOWARD SMITH, MARK GRANVILLE FIRMIN AND PAUL ANDREW FLINT

Applicants

AND

FRANCIS GRAHAM NEWTON

Respondent

---

ORDER

---

UPON reading Part 8 Claim Form

AND UPON reading the Witness Statements of Howard Smith dated 25 July 2007 and the Witness Statement of Francis Graham Newton dated 13 July 2007

IT IS ORDERED THAT with effect from *22nd August* 2007

- 1 Pursuant to the Insolvency Rules 1986, Rule 7 51 and the Civil Procedure Rules 1998 the proceedings which were commenced in or transferred to a District Registry of the High Court be transferred to this Court for the purposes only of this Application,

SATURDAY



AIQ

\*AD69NTDV\*

29/09/2007

30

COMPANIES HOUSE

- 2 The Respondent be removed as officeholder in respect of the companies set out in Schedule 1 hereto and the Applicant whose name appears in the column headed "Replacement Appointee" be appointed in his place,
- 3 In relation to all administration proceedings set out in Schedule 1 hereto the Respondent be removed as officeholder and the Applicants whose names appear in the column headed "Replacement Appointee" in Schedule 1 be appointed in place of the Respondent
- 4 The Respondent shall be granted his release as appropriate 21 days after the publication in the Gazette referred to below
- 5 The Applicants be entitled to publish in the Gazette one composite notice relating to all new appointments which are required by law to be published within 14 days of receipt of the sealed Order and shall file any appropriate notices in respect of the Respondent's resignations and those appointments with the Registrar of Companies and the Secretary of State for the Department of Trade and Industry (Insolvency Service) as appropriate
- 6 The Applicants shall be allowed to
  - a Charge to each individual estate the cost of obtaining an Insolvency Practitioners licence bond in respect of that estate, and
  - b Apportion between said estates equally the cost of the composite Gazette notice to be placed under paragraph 5 above
- 7 Without incurring any additional expense to any of the said estates, the Applicants shall notify each creditor or member (as the case may be) of this Application and any Order made as a result of this Application, by way of notice in the next routine report that shall be due to the creditors of each estate (as the case may be), such notice to contain the following matters
  - 7 1 An explanation of the effect of the Order,
  - 7 2 Express reference to the liberty to apply contained in paragraph 9 below,
  - 7 3 In the case of Administrations, the provision of all such information as might reasonably be required with regard to the conduct of the Administration as the case may be
  - 7 4 In the case of Liquidations, where Liquidation Committees have 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 this report) it is open to that committee to require the Applicant to provide an account of the administration of the estate, including
    - 7 4 1 A summary of receipts and payments,
    - 7 4 2 A statement that he has reconciled his accounts

7 5 In the case of Liquidations under the Insolvency Act 1986 where no Liquidation Committees have been appointed, an explanation that, to the extent that such information has not already been provided as part of the report, it is open to any Creditor to apply to court for an order that the Applicant do provide such information as might otherwise be required by Rule 4 108(3) that is to say, an account of the administration of the estate, including

7 5 1 A summary of receipts and payments,

7 5 2 A statement that he has reconciled his accounts

7 6 Notification that if any Applicant appointed has been required to provide the information referred to above, whether by the Liquidation Committee or by court order on the application of any individual creditors, the Applicant's costs of so complying will, unless there are good reasons to the contrary, be paid as an expense of the winding up, and

7 7 In the case of Liquidations under the Insolvency Act 1986, notification to each creditor and member of his right under Rule 11(2) (voluntary winding up) of the Insolvency Regulations 1994 to require the appointed Applicant to supply a statement of receipts and payments free of charge

8 The costs of and occasioned by this Application be apportioned equally between the cases listed in Schedule 1 hereto and be paid as an expense thereof

9 Liberty to each Creditor of each estate to apply to vary or discharge this Order within 21 days of the receipt of the noticed directed to be sent under paragraph 7 above

10 The service of the Application and the time of the hearing of the Application be dispensed with

Dated this 22<sup>nd</sup> day of August 2007



This order was made at the 43<sup>rd</sup> page 5  
Own initiative (CPR Part 33(5)). If you object  
To the order you must file an application to  
Have it set aside, varied or stayed within 7 days  
of receiving it (CPR Part 33(5))

**SCHEDULE 1  
LIST OF INSOLVENCY CASES**

**COMPANY ADMINISTRATION ORDERS – POST ENTERPRISE ACT 2002**

| <b>Company Name</b>   | <b>Company No.</b> | <b>Court</b>                                       | <b>Court Ref.</b> | <b>Date of Appointment</b> | <b>Respondent's Joint Appointee</b> | <b>Replacement Appointee</b>   |
|---|--------------------|--|-------------------|----------------------------|-------------------------------------|--------------------------------|
| Cullitt Realisations Ltd<br>(formerly known as C T Glass Ltd) | 01717027           | High Court of Justice, Leeds District Registry     | 150/2006          | 13/02/2006                 | Richard Dixon Fleming               | Howard Smith                   |
| Equipment Services UK Plc                                     | 04730238           | High Court of Justice, Leeds District Registry     | 507/2006          | 02/05/2006                 | Richard Dixon Fleming               | None<br>(to be sole Appointee) |
| Kingsley Cards Ltd  | 01513540           | High Court of Justice, Leeds District Registry     | 458/2006          | 18/04/2006                 | Richard Dixon Fleming               | Mark Granville Firmin          |
| Macfarlane Transport Ltd                                      | 01371115           | High Court of Justice, Leeds District Registry     | 103/2006          | 31/01/2006                 | Richard Dixon Fleming               | None<br>(to be sole Appointee) |
| VPTA Limited  | 03862859           | High Court of Justice, Newcastle District Registry | 557/2005          | 21/10/2005                 | Richard Dixon Fleming               | None<br>(to be sole Appointee) |

**CREDITORS' VOLUNTARY LIQUIDATIONS**

| <b>Company Name</b>               | <b>Company No.</b> | <b>Court</b> | <b>Court Ref.</b> | <b>Date of Appointment</b> | <b>Respondent's Joint Appointee</b> | <b>Replacement Appointee</b>   |
|-----------------------------------|--------------------|--------------|-------------------|----------------------------|-------------------------------------|--------------------------------|
| Dunlop Textiles Ltd               | 00153741           | N/A          | N/A               | 05/07/2006                 | Brian Green                         | Paul Andrew Flint              |
| Graham Precision Pumps Ltd        | 00431141           | N/A          | N/A               | 13/09/2005                 | Brian Green                         | Paul Andrew Flint              |
| Medinet Corporation Ltd           | 03767053           | N/A          | N/A               | 22/12/2005                 | Brian Green                         | Paul Andrew Flint              |
| Carpets International (UK) Ltd    | 00924669           | N/A          | N/A               | 11/06/2004                 | Richard Dixon Fleming               | Howard Smith                   |
| Urbis (GB) Ltd                    | 05195374           | N/A          | N/A               | 05/01/2006                 | Richard Dixon Fleming               | None<br>(to be sole Appointee) |
| Bradbury & Brown<br>(Rugeley) Ltd | 00931206           | N/A          | N/A               | 16/08/2004                 | Richard Dixon Fleming               | Howard Smith                   |
| Bradbury & Brown<br>(Rugeley) Ltd | 00789416           | N/A          | N/A               | 16/08/2004                 | Richard Dixon Fleming               | Howard Smith                   |