

To all known creditors

3 November 2015

When telephoning please ask for Laura Monagan

Our ref: ASB/BV/GGN/D355D

**Dear Sirs** 

## Caparo Engineering Limited – in Administration (the "Company") Also Trading as Clydesdale Jones, Caparo Forgings Europe, CMT Engineering

I was appointed joint administrator of Caparo Engineering Limited on 19 October 2015 together with my colleagues David Matthew Hammond and Robert Jonathan Hunt. I enclose formal notice on Form 2.12B.

The purchase orders issued by the Company before my appointment are being reviewed and if I haven't already, I will be contacting the suppliers concerned regarding these orders. In the meantime please do not supply any goods ordered prior to my appointment without my prior authorisation.

#### Amounts due to creditors at the date of appointment

In order to assist me further please supply details of: -

- Any outstanding orders
- Any Company property you hold
- Any property which the Company may be holding on hire or rental from you and, if known, the address where this property is held.

It is too early to give any indication of the prospects of return for creditors. However, should you wish to submit details of your claim at this stage, please complete and return the statement of claim form which can be found in the creditors section at <a href="https://www.pwc.co.uk/caparo">www.pwc.co.uk/caparo</a>

### Reporting to creditors

As administrator I am required to prepare my proposals for distribution to all known creditors providing the information required by Rule 2.33 of the Insolvency Rules 1986 as soon as reasonably practicable and, in any event within eight weeks of the date of my appointment. These will be accompanied by a notice convening a meeting of creditors or, depending upon the circumstances, an explanation as to why no such meeting is required. You will receive notification of any creditors meeting, together with a copy of my proposals in due course.

I regret that I cannot enter into general correspondence with creditors regarding the Company's affairs in the meantime.

PricewaterhouseCoopers LLP, 7 More London Riverside, London SE1 2RT T: +44 (0) 20 7583 5000, F: +44 (0) 20 7212 4652, www.pwc.co.uk

Creditors whose claims include VAT may be able to obtain VAT bad debt relief six months after the taxable supply. If you are not familiar with the procedure you should contact your local VAT office.

#### Creditors' rights

In accordance with Statement of Insolvency Practice No.9, an explanatory note of creditors' rights in relation to administrators' remuneration and expenses can be found at:

 $\underline{http://www.icaew.com/\sim/media/Files/Technical/Insolvency/creditors-guides/creditors-guide-administrators-fees-final.pdf}$ 

Please contact Laura Monagan on +44 (0)20 7213 8151 or at laura.e.monagan@uk.pwc.com if you would like a paper copy.

#### Restrictions on the rights of creditors

The joint administrators' appointment restricts the rights of creditors in a number of ways. In particular the rights to start or continue legal proceedings or to enforce security are suspended. Paragraph 43 of Schedule B1 to the Insolvency Act 1986 makes clear that goods in the possession of the Company cannot be repossessed without the consent of the court or the administrator.

#### **Directors' conduct**

One of our duties is to look at the actions of anybody who has been a director of the Company in the 3 years before our appointment. We also have to decide whether any action should be taken against anyone to recover or contribute to the Company's assets. If you think there is something we should know about, please write to me at this address. This is part of our normal work and doesn't necessarily imply any criticism of the directors' actions.

I will be considering the possible sale of the Company's business. So I shall be pleased to hear from any person who may be interested in acquiring the business and assets.

Yours faithfully

For and on behalf of the Company

AS Barrell

Joint administrator

**Enclosures:** 

- Form 2.12B

David Matthew Hammond, Anthony Steven Barrell and Robert Jonathan Hunt were appointed as Joint Administrators of Caparo Engineering Limited on 19 October 2015 to manage its affairs, business and property as its agents and without personal liability. David Matthew Hammond, Anthony Steven Barrell and Robert Jonathan Hunt are licensed in the United Kingdom to act as insolvency practitioners by the Institute of Chartered Accountants in England and Wales.

The Joint Administrators are bound by the Insolvency Code of Ethics which can be found at: https://www.gov.uk/government/publications/insolvency-practitioner-code-of-ethics

The Joint Administrators are Data Controllers of personal data as defined by the Data Protection Act 1998. PricewaterhouseCoopers LLP will act as Data Processor on their instructions. Personal data will be kept secure and processed only for matters relating to the Administration.

Rule 2.27 Form 2.12B

The Insolvency Act 1986

# Notice of administrator's appointment

2.12B

Name of Company

Caparo Engineering Limited

Company Number

03450375

In the

High Court of Justice, Chancery Division, Birmingham District Registry

Court case number

8386 of 2015

(full name of court)

(a) Insert full name(s) and address(es)

We (a) Anthony Steven Barrell, David Matthew Hammond and Robert Jonathan Hunt of PricewaterhouseCoopers LLP, Cornwall Court, 19 Cornwall Street, Birmingham, B3 2DT give notice that we were appointed as administrators of the above company on:

(b) 19 October 2015

(b) Insert date

Signed / Sunda

Dated 20 October 2015

Joint Administrators (IP Nos: 9523, 9355, 8597)