

Notice to preferential creditors seeking a decision by deemed consent

Name of Company

Marcus Worthington and Company Limited – in administration

Company Number

01230445

In the High Court of Justice, Business and Property Courts of England and Wales, Manchester District Registry, Insolvency and Companies List (ChD)
(full name of court)

Court case number

CR-2019-MAN-000983

(a) Insert full names of administrators / liquidators

We (a) Peter David Dickens and Toby Scott Underwood joint administrators of the company give notice to preferential creditors seeking decisions by deemed consent about the following matters:

(b)

(b) Insert nature of the matter

- Joint administrators' discharge from liability; and
- Extension of the period of administration.

The proposed decisions are: (c)

(c) Insert proposed decision

THAT the joint administrators be discharged from liability pursuant to Paragraph 98(1) of Schedule B1 to the Insolvency Act 1986 in respect of any action of theirs as administrators 14 days after they cease to be joint administrators of the company.

THAT in accordance with paragraph 76 of Schedule B1 of the Insolvency Act 1986, the period of the administration be extended by twelve months until 29 September 2021.

d) Insert date of decision

The decision date is (d) 28 September 2020

If you wish to object to the proposed decisions you must do so no later than 23.59 hrs on the decision date. Please refer to the information overleaf.

If less than 10% in value of relevant creditors* object to the proposed decisions in accordance with the procedure set out in this notice the creditors are to be treated as having made the proposed decisions.

If 10% or more in value of relevant creditors* object to the proposed decisions the creditors are to be treated as **NOT** having made the decisions. If a decision about the same matter is sought again it must be sought using a decision procedure (i.e. by correspondence, electronic voting, or a virtual or physical meeting).

* For the purposes of this notice "relevant creditors" means the creditors who, if the decision were to be made by a decision procedure, would be entitled to vote in the procedure.

Objecting to the proposed decisions or requesting a physical meeting:

In order to object to the proposed decisions you must deliver to us at the postal address shown below a notice stating that you object to the proposed decisions, to be received by us **NO LATER THAN 23.59 hrs ON THE DECISION DATE**, together **WITH A PROOF** in respect of your claim, in accordance with IR16, failing which your objection will be disregarded. A form of notice of objection is set out at the end of this notice and a proof of debt form which you can use is available at www.pwc.co.uk/stonewell

If your debt is treated as a small debt in accordance with rule 14.31(1) IR16 (creditors with claims of £1,000 or less) you must still deliver a proof to us by 23.59 hrs on the decision date if you wish to object to the proposed decision.

If you have opted out from receiving notices you may nevertheless object to the proposed decision if you provide a proof as set out above.

It is our responsibility to aggregate any objections to see if the threshold is met for the decision to be taken as not having been made.

If the threshold is met this deemed consent procedure will terminate without a decision being made and if a decision is sought again on the same matter it will be sought by a decision procedure.

Creditors who meet one of the thresholds in section 246ZE of the Insolvency Act 1986 may, within five business days from the date of delivery of this notice, require a physical meeting to be held to consider the matters set out above. The relevant thresholds are 10% in value of creditors, 10% in number of creditors, or 10 creditors.

A creditor may appeal a decision in accordance with rule 15.35 IR16 by applying to court not later than 21 days after the decision date.

Signed  Peter Dickens
Joint administrator

Dated 14 September 2020

Address for
correspondence

Administrators' postal address: PwC, Central Square, 29 Wellington Street, Leeds, LS1 4DL

Administrators' contact: James Moran on 0113 289 4067

In accordance with section 246ZF of the Insolvency Act 1986 and rule 15.7 of the Insolvency (England and Wales) Rules 2016

Preferential creditor's notice of objection to decisions by deemed consent

Name of Company

Marcus Worthington and Company Limited – in administration

Company Number

01230445

In the High Court of Justice, Business and Property Courts of England and Wales, Manchester District Registry, Insolvency and Companies List (ChD)
(full name of court)

Court case number

CR-2019-MAN-000983

To be completed and returned to the postal address above only if you wish to object to the proposed decisions

Insert creditor's name and address, and registered number if a company

I/We

Company number (if creditor is a company) _____

of _____

object to the proposed decisions set out in the notice seeking decisions by deemed consent dated 14 September 2020

I/we do*/do not* request that the decision[s] be considered at a physical meeting.

[* Delete as applicable]

NB: if creditors satisfying the relevant thresholds do not request a physical meeting and a decision about the same matter[s] is sought again, it will be sought by correspondence, electronic voting or a virtual meeting.

I/we enclose my/our proof of debt (if not previously submitted).

Signature of creditor or person authorised to act on behalf of the creditor:

Name in block capitals: _____

Position with or relation to the creditor:

(e.g. director, company secretary, solicitor): _____

Date: _____