

Amended pursuant to CPR 40.12

IN THE HIGH COURT OF JUSTICE
CHANCERY DIVISION
COMPANIES COURT

No. 7942 of 2008



The Honourable Mr Justice Hildyard

11 October 2016

**IN THE MATTER OF LEHMAN BROTHERS INTERNATIONAL (EUROPE)
(IN ADMINISTRATION)**

AND IN THE MATTER OF THE INSOLVENCY ACT 1986

B E T W E E N:

- (1) ANTHONY VICTOR LOMAS**
- (2) STEVEN ANTHONY PEARSON**
- (3) PAUL DAVID COPLEY**
- (4) RUSSELL DOWNS**
- (5) JULIAN GUY PARR**

Applicants

**(in their capacity as joint administrators of
Lehman Brothers International (Europe) (in administration))**

- and -

**COMMISSIONERS FOR HER MAJESTY'S
REVENUE AND CUSTOMS**

Respondents

ORDER

UPON the application by the joint administrators (the “**Joint Administrators**”) of
Lehman Brothers International (Europe) (in administration) dated 22 December 2015

AND UPON HEARING John Gardiner QC, Daniel Bayfield QC and Philip Walford
for the Joint Administrators and David Goy QC and Catherine Addy for the
Respondents

AND UPON READING the evidence

IT IS HEREBY DECLARED that:

1. Statutory interest payable pursuant to rule 2.88(7) of the Insolvency Rules 1986 (“**Rule 2.88(7)**”) is not yearly interest for the purposes of section 874(1) of the Income Tax Act 2007 and the payment of statutory interest pursuant to Rule 2.88(7) does not give rise to any obligation on the part of a company in administration or on the part of the company’s administrators to deduct amounts representing income tax.

AND IT IS ORDERED that:

2. The Joint Administrators’ costs of and occasioned by this application be paid by the Respondents subject to a detailed assessment if not agreed.
3. If and in so far as any of the Joint Administrators’ costs of and occasioned by this application are not met by the Respondents, such costs be paid as an expense of the administration.
4. Permission to appeal is given to the Respondents.
5. This order shall be served by the Joint Administrators on the Respondents.

Service of the order

The court has provided a sealed copy of this order to the serving party:

Linklaters LLP, One Silk Street, London EC2Y 8HQ

Ref: Euan Clarke