

# Liquidator's Progress Report

# S.192

Pursuant to Sections 92A and 104A and 192 of the Insolvency Act 1986

To the Registrar of Companies

Company Number

04056724

Name of Company

Abacus E-Solutions Limited

I / We

Amanda Wade, 30 Finsbury Square, London, EC2P 2YU

Kevin J Hellard, 30 Finsbury Square, London, EC2P 2YU

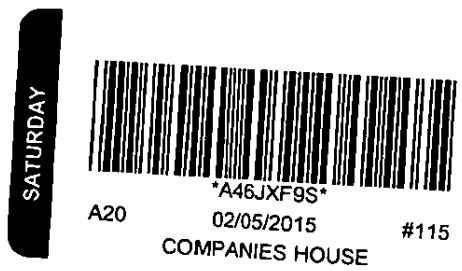
the liquidator(s) of the company attach a copy of my/our Progress Report under section 192 of the Insolvency Act 1986

The Progress Report covers the period from 01/04/2014 to 31/03/2015

Signed *A Wade* Date 1/5/15

Grant Thornton UK LLP  
30 Finsbury Square  
London  
EC2P 2YU

Ref A71005/AWA/JYC/SLB/CES





Our Ref AWA/JYC/SLB/A71005/7

To the creditors and members

Recovery and Reorganisation

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28 April 2015

Dear Sirs

## **Abacus E-Solutions Limited - In Liquidation ("the Company")**

### **1 Introduction**

- 1.1 I refer to the above liquidation which commenced on 1 April 2011 with the appointment of Arif Anwar of Rifsons as liquidator of the Company.
- 1.2 On 15 March 2012, pursuant to an application made by the Association of Certified Chartered Accountants in their capacity as Mr Anwar's Regulatory Professional Body, the High Court of England & Wales made an order transferring Mr Anwar's insolvency case portfolio in a Block Transfer Order to myself and Kevin J Hellard of this office.
- 1.3 I now report on the progress of the liquidation in accordance with section 104A of the Insolvency Act 1986, for the year ended 31 March 2015 and attach:
  - Appendix A, a summary of our receipts and payments for the period 1 April 2014 to 31 March 2015, which includes a cumulative account to that date,
  - Appendix B, a summary of the former liquidator's receipts and payments account for the period 1 April 2011 to 14 March 2012, the entire period of his office,
  - Appendix C, an analysis of time costs as required by Statement of Insolvency Practice ("SIP") 9,
  - Appendix D, a statement of the remuneration charged by the joint liquidators in the period from 1 April 2014 to 31 March 2015 and a statement of expenses incurred in the period;
  - Appendix E, an extract from the Insolvency Rules 1986 relating to creditors' rights to request additional information from the liquidator (rule 4.49E),
  - Appendix F, an extract from the Insolvency Rules 1986 relating to creditors' rights to challenge the liquidator's remuneration or expenses if excessive (rule 4.131)
- 1.4 Please note that we are both authorised by the Insolvency Practitioners' Association to act as insolvency practitioners

**Chartered Accountants**

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A list of members is available from our registered office

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A list of personnel permitted by Grant Thornton to accept appointments as insolvency practitioners and of their respective authorising bodies may be inspected at the above address.

## **2 Statutory information**

2.1 The company's statutory details are as follows

Registered number 04056724

Registered office 30 Finsbury Square, LONDON, EC2P 2YU

## **3 Progress report**

### **Assets**

3.1 Creditors may recall that the directors' Statement of Affairs disclosed assets with a book value of £147,000, which included book debts with an estimated to realise value of £15,000

3.2 I have attempted to seek clarification from the directors of the asset position at the date of the liquidation and to obtain further information concerning the book debts. I have been unable to obtain or confirm the current contact details for the directors and have, therefore, been unable to secure a response

3.3 Given the lack of information in this case, and the likely low value of any remaining assets, I do not consider it to be cost effective to continue this line of enquiry, and no further action is proposed

3.4 The former liquidator received funds in the sum of £3,562.79, but as previously reported, I have been unable to establish what these funds were in respect of due to the lack of information received

3.5 I received the sum of £1,938.79 from the former liquidator's estate. No further funds have been received in this reporting period

### **Investigations**

3.6 As you will be aware from my previous reports, I have a duty to investigate the conduct of the previous office holder to establish whether any of his acts or omissions to act may have jeopardised creditors' prospects, and if so, to consider if any claim should be made against his bond

3.7 Creditors may recall that a claim was made against Mr Anwar's bond in relation to a payment of £1,600 he made to Cameron Solicitors out of funds received into the liquidation estate, as I have seen no evidence that this was for the benefit of the liquidation

3.8 Losses of £10,495 were agreed by the bondsman in relation to this case, but due to a shortfall in the available cover only a payment out of the general bond has been possible. This only provides a contribution to costs. Since the end of this reporting period I have received a contribution of £8,895 to my liquidators' costs out Mr Anwar's general bond, and at this stage no further settlement is expected

- 3 9 I am currently considering whether it is viable to make a claim in Mr Anwar's bankruptcy, and I do not intend to close the case until this avenue has been fully explored

### **Creditors**

- 3 8 There are no preferential creditors in this matter as far as I am aware.
- 3 9 A charge is registered in favour of HSBC Bank plc, and the Bank is shown as a creditor in the Statement of Affairs in sum of £12,040. No formal claim has been received to date.
- 3 10 The Statement of Affairs estimated unsecured claims totalling £268,660. Claims of £27,481.56 have been received to date.
- 3 11 At present, there are no funds available for a distribution to be made to creditors, and at this stage the prospect of funds being available for a dividend to be paid appears unlikely.

### **4 Liquidators' Remuneration**

- 4 1 In accordance with SIP 9, office holders are obliged to provide creditors with certain information as regards their fees and disbursements accrued and/or drawn

#### **Rifsons**

- 4 2 As previously reported, I have no evidence to suggest that Mr Anwar drew a Statement of Affairs fee or any remuneration as liquidator. I have no information regarding Mr Anwar's time costs.

#### **Grant Thornton UK LLP**

- 4 3 Please find attached as Appendix C a summary of my time costs up to 31 March 2015 by grade of staff and type of work. This shows time costs of £20,013.05, representing 80.33 hours at an average of £249.14 per hour, against which I have drawn fees of £1,400. A further £8,895 has been drawn since the end of this reporting period, in relation to fees specifically agreed with the Bondsman.
- 4 4 At a meeting of creditors held on 21 May 2015 the following resolutions were approved:

"The joint liquidators' remuneration be fixed by reference to the time properly given by the joint liquidators and their staff in attending to matters arising in the liquidation in accordance with the firm's London charge out rates given from time to time"

"The joint liquidators' remuneration be drawn on account on a monthly basis or at such longer intervals as the joint liquidators see fit"

4.5 Total expenses of £223.04 have been incurred as set out below:

Expenses	
Category 1 Disbursements	£
Liquidator's bonding	20.00
Statutory Advertising	203.04
Category 2 disbursements	-
Total	223.04

4.6 These expenses have been drawn in full from the balance of funds received from Mr Anwar's estate account


4.7 Time is charged in units of 6 minutes. Background information regarding the fees of liquidators can be found at <http://www.insolvency-practitioners.org.uk>. Alternatively, I will supply this information by post on request

4.6 My firm's charge out rates are as follows.

	2014/2015	2013/2014	2012/2013	2011/2012
	£	£	£	£
Partner/Director	515 - 615	500 - 600	480 - 580	460-560
Associate Director/Manager	330 - 470	320 - 455	310 - 440	300-425
Executives/Administrators	165 - 305	160 - 295	155 - 285	150-275
Assistants and support staff	155 - 175	150 - 170	145 - 165	140-160

4.7 Should you have any questions or wish to discuss any aspect of this report, please contact my colleague Siân Barraclough on 0113 200 2629.

Yours faithfully  
for and on behalf of Abacus E-Solutions Limited



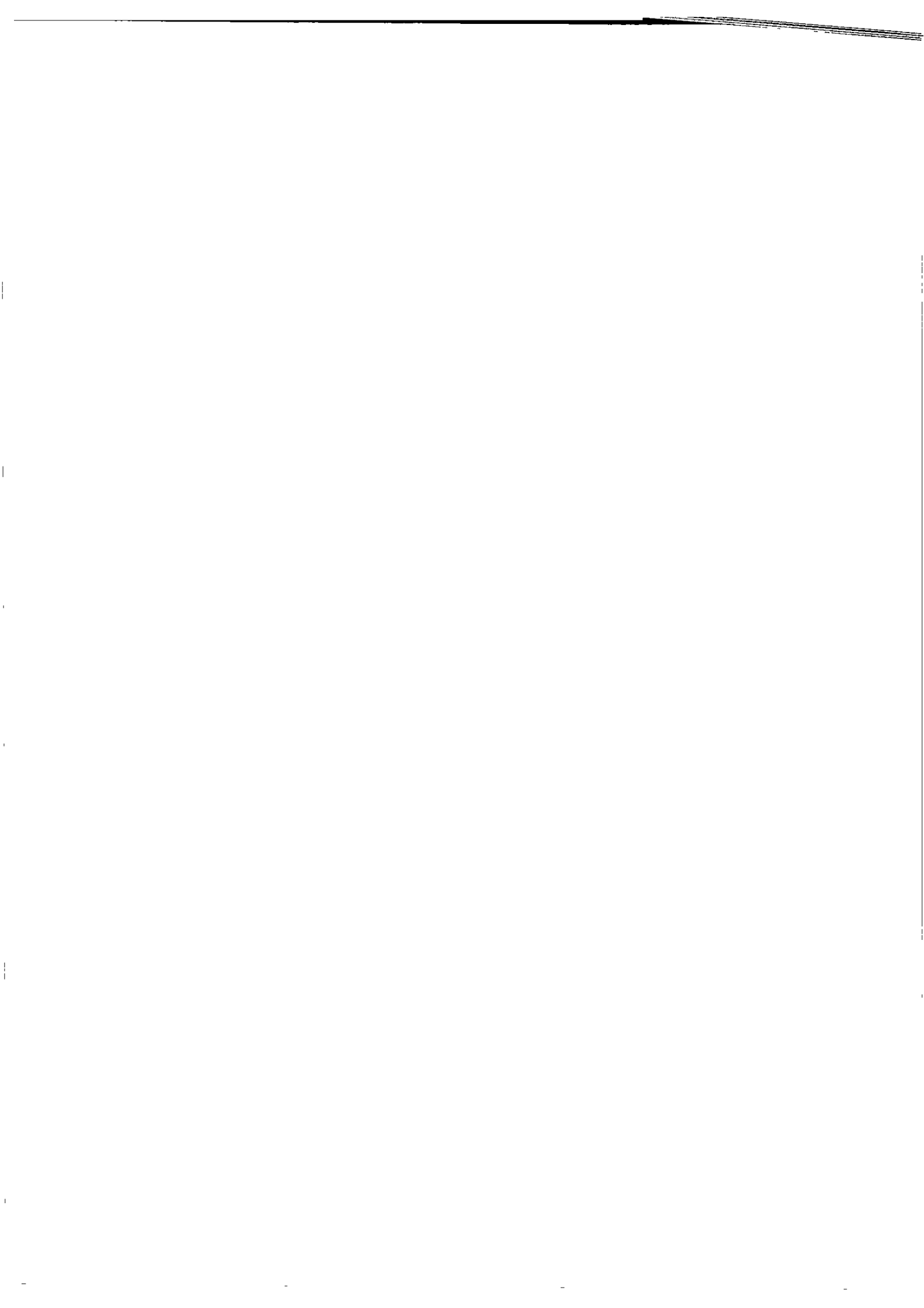
Amanda Wade  
Joint Liquidator

APPENDIX A

ABACUS E-SOLUTIONS LIMITED- IN LIQUIDATION

SUMMARY OF THE JOINT LIQUIDATORS' RECEIPTS AND PAYMENTS  
COVERING THE PERIOD FROM 1 APRIL 2014 TO 31 MARCH 2015

	Statement of Affairs	Statement of Affairs	15/03/12 to 31/03/14	01/04/14 to 31/03/15	Total to 31/03/15
	Book Values	Estimated to Realise			
	£	£	£	£	£
<b>RECEIPTS</b>					
Plant and Machinery	57,000	Nil	Nil	Nil	Nil
Prepayments	18,000	Nil	Nil	Nil	Nil
Debtors	72,000	15,000	Nil	Nil	Nil
Balance received from former liquidator	-	-	1,938 79	Nil	1,938 79
Bank/ISA interest Gross	-	-	5 31	Nil	5 31
	<b>147,000</b>	<b>15,000</b>	<b>1,944.10</b>	<b>Nil</b>	<b>1,944.10</b>
<b>PAYMENTS</b>					
Liquidators' Fees			Nil	1,400 00	1,400 00
Liquidators' expenses			Nil	223 04	223 04
Statutory Advertising			Nil	84 60	84 60
VAT receivable			Nil	16 92	16 92
			<b>Nil</b>	<b>(1,724 56)</b>	<b>1,724.56</b>
Balance of funds in hand as at 31 March 2015			<b>1,944.10</b>	<b>(1,724.56)</b>	<b>219.54</b>



APPENDIX B

ABACUS E-SOLUTIONS LIMITED- IN LIQUIDATION

SUMMARY OF THE FORMER LIQUIDATOR'S RECEIPTS AND PAYMENTS  
COVERING THE PERIOD FROM 1 APRIL 2011 TO 14 MARCH 2012

	Statement of Affairs Book Values	Statement of Affairs Estimated to Realise	Total to 14/03/12
	£	£	£
<b>RECEIPTS</b>			
Plant and Machinery	57,000 00	Nil	Nil
Prepayments	18,000 00	Nil	Nil
Debtors	72,000 00	15,000 00	Nil
Unknown Credit	-	-	3,562 79
	<b>147,000.00</b>	<b>15,000.00</b>	<b>3,562 79</b>
<b>PAYMENTS</b>			
Charge			24 00
Cameron Solicitors			1,600 00
			<b>1,624.00</b>
Balance of funds in hand as at 14 March 2012			<b>1,938.79</b>

The above figures have been summarised from documents prepared by Mr Anwar and have not been independently verified by ourselves



**Abacus E Solutions Limited - In Liquidation - SIP 9 TIME COST ANALYSIS**

For the period covering 15 March 2012 to 31 March 2015

**APPENDIX C**

Standard	Partner			Manager			Executive			Administrator			Total		
	Hrs	£	Avg Hrly Rate	Hrs	£	Avg Hrly Rate	Hrs	£	Avg Hrly Rate	Hrs	£	Avg Hrly Rate	Hrs	£	Avg Hrly Rate
Administration and Planning	2.12	1077.50	508.25	20.75	7233.50	348.80	10.49	2612.80	249.08	31.07	4378.75	140.93	64.43	15302.55	237.51
Creditors										3.30	511.00	154.85	3.30	511.00	154.85
Investigations				4.20	1437.00	342.14	1.20	318.00	265.00	0.85	171.50	201.76	6.25	1926.50	308.24
Realisation of Assets				5.60	2158.75	385.13				0.75	116.25	155.00	6.35	2273.00	357.95
<b>Total</b>	<b>2.12</b>	<b>1077.50</b>	<b>508.25</b>	<b>30.55</b>	<b>10827.25</b>	<b>354.41</b>	<b>11.69</b>	<b>2930.80</b>	<b>250.71</b>	<b>35.97</b>	<b>5177.50</b>	<b>143.94</b>	<b>80.33</b>	<b>20013.05</b>	<b>249.14</b>

Activity	Examples of work
Administration and planning	Case review, administrative set up, dealing with practitioners' bank account Liaising with solicitors in respect of appointment Dealing with company tax position Reporting Treasury statutory work
Investigations	Preparing strategy note Sending enquiry letters to various parties to establish company's trading position Reviewing solicitors and agents files Reviewing position regarding company's business and assets
Realisations of assets	Making enquiries regarding the Company's assets and book debts
Creditors	Dealing with creditor correspondence, updating creditor details

D Remuneration charged and expenses incurred by the joint liquidators in the period 1 April 2014 to 31 March 2015

	Charged/ incurred in the period 01/04/14 to 31/03/15	Cumulative charged/ incurred to 31/03/15	Of which paid to 31/03/15
	£	£	£
Joint liquidators' costs			
Time costs	5,795 75	20,013 05	1,400 00
Expenses	101 52	223 04	223 04
	<u>5,897.27</u>	<u>20,236.09</u>	<u>1,623.04</u>

## E An extract from the Insolvency Rules 1986 relating to creditors' rights to request additional information from the liquidator

Rule 4 49E edited for application to a progress report in a creditors' voluntary liquidation

- (1) If
  - (a) within the period mentioned in paragraph (2)
    - (i) a secured creditor, or
    - (ii) an unsecured creditor with the concurrence of at least 5% in value of the unsecured creditors (including the creditor in question), or
  - (b) with the permission of the court upon an application made within the period mentioned in paragraph (2), any unsecured creditor makes a request in writing to the liquidator for further information about remuneration or expenses set out in the progress report, the liquidator must, within 14 days of receipt of the request, comply with paragraph (3) except to the extent that the request is in respect of a matter which was previously included in a progress report
- (2) The period referred to in paragraph (1)(a) is 21 days of receipt of the progress report
- (3) The liquidator complies with this paragraph by either -
  - (a) providing all of the information asked for, or
  - (b) so far as the liquidator considers that
    - (i) the time or cost of preparation of the information would be excessive, or
    - (ii) disclosure of the information would be prejudicial to the conduct of the liquidation or might reasonably be expected to lead to violence against any person, or
    - (iii) the liquidator is subject to an obligation of confidentiality in respect of the information,giving reasons for not providing all of the information
- (4) Any creditor, who need not be the same as the creditor who requested further information, may apply to the court within 21 days of -
  - (a) the giving by the liquidator of reasons for not providing all of the information asked for, or
  - (b) the expiry of the 14 days provided for in paragraph (1),and the court may make such order as it thinks just
- (5) Without prejudice to the generality of paragraph (4), the order of the court under that paragraph may extend the period of 8 weeks provided for in Rule 4 131(1B) by such further period as the court thinks just

F An extract from the Insolvency Rules 1986 relating to creditors' rights to challenge the liquidator's remuneration or expenses if excessive

Rule 4 131

- (1) Any secured creditor, or any unsecured creditor with either the concurrence of at least 10% in value of the creditors (including that creditor) or the permission of the court, may apply to the court for one or more of the orders in paragraph (4)
- (1A) Application by a creditor may be made on the grounds that -
  - (a) the remuneration charged by the liquidator,
  - (b) the basis fixed for the liquidator's remuneration under Rule 4 127, or
  - (c) expenses incurred by the liquidator,
 is or are, in all the circumstances, excessive or, in the case of an application under sub-paragraph (b), inappropriate
- (1B) The application must, subject to any order of the court under Rule 4 49E(5), be made no later than 8 weeks (or in a case falling within Rule 4 108, 4 weeks) after receipt by the applicant of the progress report or the draft report under Rule 4 49D, which first reports the charging of the remuneration or the incurring of the expenses in question ("the relevant report")
- (2) The court may, if it thinks that no cause is shown for a reduction, dismiss the application, but it shall not do so unless the applicant has had an opportunity to attend the court for a hearing, of which he has been given at least 5 business days' notice, but which is without notice to any other party  
If the application is not dismissed under this paragraph, the court shall fix a venue for it to be heard, and give notice to the applicant accordingly
- (3) The applicant shall, at least 14 days before the hearing, send to the liquidator a notice stating the venue and accompanied by a copy of the application, and of any evidence which the applicant intends to adduce in support of it
- (4) If the court considers the application to be well-founded, it must make one or more of the following orders -
  - (a) an order reducing the amount of remuneration which the liquidator was entitled to charge
  - (b) an order fixing the basis of remuneration at a reduced rate or amount
  - (c) an order changing the basis of remuneration
  - (d) an order that some or all of the remuneration or expenses in question be treated as not being expenses of the liquidation
  - (e) an order that the liquidator or the liquidator's personal representative pay to the company the amount of the excess of remuneration or expenses or such part of the excess as the court may specify
 and may make any other order that it thinks just, but an order under sub-paragraph (b) or (c) may be made only in respect of periods after the period covered by the relevant report
- (5) Unless the court orders otherwise, the costs of the application shall be paid by the applicant, and are not payable as an expense of the liquidation