

TO ALL KNOWN PREFERENTIAL CREDITORS

24 January 2020

Ref: LKB/DH/MT/AP/D19.6

Please contact Andy Pelenski  
lkbadministration@uk.ey.com

Dear Sirs,

## **L.K. Bennett Limited (in Administration) (“the Company”)**

As you may be aware, the administration of the Company is due to end on 7 March 2020.

As my work is not yet complete, I am seeking the consent of the secured and preferential creditors, under paragraph 78(2) of Schedule B1 to the Insolvency Act 1986, for an extension of the administration for a period of 12 months, ending on 7 March 2021.

The purpose of the extension includes, but is not limited to, the following:

- Finalising the administration, including finalising property matters with regards to the licence to occupy granted to the purchaser of the business and certain assets of the Company;
- Continuing to deal with the Company's overseas subsidiaries, including pursuing realisations by way of dividends from local jurisdiction insolvency proceedings;
- Dealing with statutory reporting and compliance obligations, including reporting to creditors and corporation tax/VAT returns;
- Making further distributions to the secured creditor;
- Agreeing preferential creditor claims and distributing any amounts due to the preferential creditors;
- Agreeing unsecured creditor claims and distributing amounts due to the unsecured creditors (by virtue of the Prescribed part); and
- Any other actions required to be undertaken by the Joint Administrators in order to fulfil the purpose of the administration.

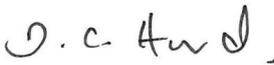
I intend to seek a decision from preferential creditors on this matter by deemed consent and I enclose formal notice to this effect.

The Insolvency (England and Wales) Rules 2016 require that whenever a decision is sought from creditors, they must also be invited to establish a creditors' committee if, as in this case, a committee is not already in existence. Accordingly, I enclose an invitation to form a creditors' committee. In order for a committee to be formed, at least 3 creditors must be willing to serve on the committee and they must give their consent in writing.

If you vote in favour of establishing a committee, please also complete the nomination section of the voting form and, unless you are nominating yourself, include the appropriate written consent(s) to act with your completed voting form. If there are fewer than 3 valid nominations, a committee will not be established. If there are at least 3 and no more than 5 valid nominations, a committee will be formed with the nominated creditors. In the event that there are more than 5 valid nominations, I shall put the nominations to a vote by the general body of creditors.

Should you have any queries relating to the enclosed documents or any other aspect of the administration, please do not hesitate to contact Andy Pelenski at [lkbadministration@uk.ey.com](mailto:lkbadministration@uk.ey.com), or on 0121 535 2993.

Yours faithfully  
for the Company



D C Hurd  
Joint Administrator

Enc: Notice of deemed consent  
Invitation to form a creditors' committee

On 7 March 2019, the Company entered Administration, and D C Hurd, C A Lewis and R H Kelly were appointed as Joint Administrators ('the Administrators'). The appointment was made by the Company's director under the provisions of Paragraph 22(2) of Schedule B1 to the Insolvency Act 1986.

D C Hurd and C A Lewis are licensed in the United Kingdom to act as insolvency practitioners by the Institute of Chartered Accountants in England and Wales. R H Kelly is licensed in the United Kingdom to act as an insolvency practitioner by the Institute of Chartered Accountants of Scotland.

The affairs, business and property of the Company are being managed by the Joint Administrators, D C Hurd, C A Lewis and R H Kelly, who act as agents of the Company only and without personal liability.

The Joint Administrators may act as data controllers of personal data as defined by the General Data Protection Regulation 2016/679, depending upon the specific processing activities undertaken. Ernst & Young LLP and/or the Company may act as a data processor on the instructions of the Joint Administrators. Personal data will be kept secure and processed only for matters relating to the Joint Administrator's appointment. The Office Holder Data Privacy Notice can be found at [www.ey.com/uk/officeholderprivacy](http://www.ey.com/uk/officeholderprivacy)

## Notice to creditors of deemed consent

### Paragraph 78(2A) of Schedule B1 to the Insolvency Act 1986 and Rules 15.7 and 15.8 of the Insolvency (England and Wales) Rules 2016

Name of court:	High Court of Justice, Business and Property Courts of England and Wales (Insolvency Companies List)
Case number:	1534 of 2019
Registered name of the company	L.K. Bennett Limited
Other trading name(s) or style(s) of the company:	n/a
Any other registered name in the 12 months prior to administration:	n/a
Registered number:	02699136
Registered office address:	c/o Ernst & Young LLP, No. 1 Colmore Square Birmingham. B4 6HQ
Principal trading address (if different from above):	n/a
Date on which the company entered administration:	7 March 2019
Date of appointment of Joint Administrators:	7 March 2019
Joint Administrators address(es):	Daniel Christopher Hurd, Ernst & Young LLP, No. 1 Colmore Square, Birmingham, B4 6HQ  Robert Hunter Kelly, Ernst & Young LLP, 1 Bridgewater Place, Water Lane, Leeds, LS11 5QR  Craig Anthony Lewis, Ernst & Young LLP, 1 More London Place, London, SE1 2AF
Office holder number(s):	20030, 8582 and 9356
Telephone number:	0121 535 2993
Name of alternative person to contact about the administration:	Andy Pelenski

NOTICE IS HEREBY GIVEN that the Joint Administrators of the above-named company are seeking an extension of the administration for a period of 12 months to 7 March 2021 by deemed consent.

Creditors will be deemed to have consented to the extension unless by the end of **17:00 on 12 February 2020**, at least 10% in value of creditors who would be entitled to vote in a qualifying decision procedure have objected to approval and their objections have been made in accordance with the procedure set out below.

## Objections

Any creditor wishing to object to the proposed decision to extend the administration including any creditor who has opted out from receiving notices about the administration - must deliver to me, at the above address, a notice stating that the creditor so objects. The notice must be delivered to me at the above address not later than the end of **17:00 on 12 February 2020** together with a proof in respect of the creditor's claim which complies with the requirements of Rules 15.28 to 15.35 of the Insolvency (England and Wales) Rules 2016 failing which the objection will be disregarded.

Please note that creditors whose debts may be treated as small debts in accordance with Rule 14.31(1) of the Insolvency (England and Wales) Rules 2016 must still deliver a proof of claim if they wish to object.

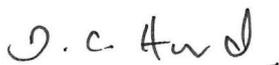
It is my responsibility, as joint administrator convening the deemed consent procedure, to aggregate any objections to see if the threshold is met for the decision to be taken as not having been made.

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

### Requests for a physical meeting to be held

Creditors who meet the thresholds in s.246ZE(7) of the Insolvency Act 1986, namely 10% in value of creditors, 10% in number of creditors or 10 creditors, may, within five business days from the date of delivery of this notice, make a request to me in writing for a physical meeting of creditors to be held to consider the request for an extension of the administration.

Signed  
D C Hurd  
Joint Administrator



Date 24 January 2020

## Notice to creditors – invitation to form a creditors’ committee

### Rule 3.39, Insolvency (England and Wales) Rules 2016

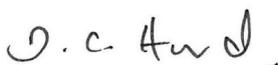
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Case number:	1534 of 2019
Registered name of the company	L.K. Bennett Limited
Other trading name(s) or style(s) of the company:	n/a
Any other registered name in the 12 months prior to administration:	n/a
Registered number:	02699136
Registered office address:	c/o Ernst & Young LLP, No. 1 Colmore Square Birmingham. B4 6HQ
Principal trading address (if different from above):	n/a
Date on which the company entered administration:	7 March 2019
Date of appointment of Joint Administrators:	7 March 2019
Joint Administrators address(es):	Daniel Christopher Hurd, Ernst & Young LLP, No. 1 Colmore Square, Birmingham, B4 6HQ  Robert Hunter Kelly, Ernst & Young LLP, 1 Bridgewater Place, Water Lane, Leeds, LS11 5QR  Craig Anthony Lewis, Ernst & Young LLP, 1 More London Place, London, SE1 2AF
Office holder number(s):	20030, 8582 and 9356
Telephone number:	0121 535 2993
Name of alternative person to contact about the administration:	Andy Pelenski

### Invitation to form a creditors' committee

Creditors are invited to decide whether a creditors' committee should be formed if sufficient creditors are willing to be members of the committee. Information on the role of committees can be found at <https://www.r3.org.uk/media/documents/publications/professional/R3-Guide-to-Creditors-Committees.pdf>.

To be validly established, a committee must have at least three and not more than five members, who must have agreed to act.

Should you wish to form a committee, please follow the instructions in the nomination form attached to this notice and return the completed nomination form (with written agreements to act where appropriate) to *Andy Pelenski at Ernst & Young LLP, No.1 Colmore Square, Birmingham, B4 6HQ*, to arrive no later than **17:00 on 12 February 2020**. Nominations can only be accepted if I am satisfied as to the creditor's eligibility under Rule 17.4 of the Insolvency (England and Wales) Rules 2016.



D C Hurd  
Joint Administrator  
24 January 2020

**L.K. Bennett Limited (in Administration)**

**Nominations for creditors' committee**

*You may nominate up to five creditors of the company. Please note that before a person can act as a member of a creditors' committee that person must agree to do so.*

*In the event that more than five valid nominations are received, the five receiving the most votes will be appointed.*

*When you have completed this form, please return it with the creditor's written agreement to act (unless you are nominating yourself or your own organisation) to Andy Pelenski at Ernst & Young LLP, No.1 Colmore Square, Birmingham, B4 6HQ to arrive no later than the closing date stated on the notice of invitation to form a committee.*

I nominate:

(Name of creditor) \_\_\_\_\_ of

(Address) \_\_\_\_\_  
\_\_\_\_\_

(Name of creditor) \_\_\_\_\_ of

(Address) \_\_\_\_\_  
\_\_\_\_\_

(Name of creditor) \_\_\_\_\_ of

(Address) \_\_\_\_\_  
\_\_\_\_\_

(Name of creditor) \_\_\_\_\_ of

(Address) \_\_\_\_\_

\_\_\_\_\_

(Name of creditor) \_\_\_\_\_ of

(Address) \_\_\_\_\_

\_\_\_\_\_

to be appointed as (a) member(s) of the creditors' committee.

Signature \_\_\_\_\_

Name of signatory \_\_\_\_\_

On behalf of  
(name of creditor) \_\_\_\_\_

Date \_\_\_\_\_