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SCHEDULE

Rule 6

Form 4.74

**Rule 4.218C ,
4.218D**

Form 4.74

See Note (1)

**Request by Liquidator for Approval or Authorisation of
Litigation Expenses by Creditor**

(TITLE)

(a) Insert name and address of liquidator I (a) _____

(b) Insert name of company the liquidator of (b) _____

(c) Insert amount of money for which approval/ authorisation is requested (*?delete as appropriate). Give details at (d) of earlier requests in respect of litigation expenses request your *approval / authorisation for the [?further] expenditure of (c) £ _____ in respect of litigation expenses *yet to be incurred/ incurred in legal proceedings.

(d) Details of earlier requests(d) _____

(e) Insert description of legal proceedings, including statutory provision under which proceedings are to be or have been brought, if relevant, and the grounds upon which relied The legal proceedings which I wish to take or have taken are (e) _____

These proceedings;

* Tick as applicable * are subject to sanction * are not subject to sanction

Note to liquidator: you do not have to complete this part if these proceedings are not subject to sanction.

In the event that these proceedings are subject to sanction: * I undertake to seek the relevant permissions upon authorisation or approval being granted.

* Tick as applicable * I have sought and been given the relevant permissions

(f) If there is more than one, from whom approval etc. is sought, insert number of specified creditors The number of specified creditors from whom approval or authorisation is sought is(f) _____

The total value of claims of specified creditors for the purpose of this request is (g) _____

(g) If there is more than one creditor insert the total value of their claims. Identity of other floating charge holders and value of apportioned parts are: _____

Note to creditor: where there is more than one holder of floating charge, see Note (4) below.

Date _____

Signed _____
Liquidator

You must reply to this request in writing within 28 days of it being received by you either by completing Annex A and returning it to the liquidator or otherwise (see note (2) below).

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Notes:

(1) Sensitive information: Where any information, the disclosure of which could be seriously prejudicial to the winding up of the company, is excluded from this request, this form must be accompanied by a statement to that effect. Where such information is included, the statement must give notice to the recipient creditor that he is bound to keep the information confidential and include an undertaking on the part of the liquidator to apply to the court for an order that so much of that information as may be kept in the files of the court, not be open to public inspection.

(2) Time limit applicable to Creditor Responses: Approval, authorisation or other reply to this request must be made in writing (whether by way of the Annexed Reply Form or otherwise) **within 28 days** from the date of it being received by you. If there is no response in writing to this request within the specified time limit it shall be taken to have been approved or authorised from the date of the expiry of that time limit.

(3) Note to Preferential Creditors: If there is more than one preferential creditor requested to provide authorisation / approval for the above expenditure, approval or authorisation of the specified amount shall be taken to be given where a **majority in value** of those preferential creditors who respond within the specified time limit are in favour of it. Where the majority in value of two or more preferential creditors propose an amount other than that specified by the liquidator ("a different amount"), they shall be taken to have approved or authorised an amount equal to the lowest of the amounts so proposed.

(4) Note to Creditors who are holders of debentures secured by, or holders of, floating charges created by the company: If approval or authorisation is required of two or more holders of debentures secured by, or holders of, floating charges created by the company, the amount of litigation expenses sought will be apportioned between the holders according to the value of the property to the extent covered by the charge.

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Annex A – Creditor Reply Form

Rule 4.218C,
4.218D

Form 4.74

**Reply by Creditor to Liquidator's request for
Approval or Authorisation of Litigation Expenses**

(TITLE)

(a) Insert name and
address of creditor I (a)

(b) Insert date of request in response to your request for approval or authorisation of litigation expenses dated (b),

*Tick ONE BOX ONLY as
applicable

**For holders of floating
charge only

*approve / authorise the [**apportioned] amount of expenses requested by the liquidator

(c) Insert maximum level
of expenses which you
authorise / approve

*do not approve / authorise the [**apportioned] amount of expenses requested by the liquidator

(d) Insert matters on
which you request further
information

*approve/authorise expenses up to a maximum amount of (c) _____

*request further information on (d)

Date

Signed

Creditor