



**IN THE GRAND COURT OF THE CAYMAN ISLANDS  
FINANCIAL SERVICES DIVISION**

**CAUSE NO: FSD \_\_\_\_ OF 2021 (\_\_\_\_)**

**IN THE MATTER OF THE COMPANIES ACT (2021 REVISION)**

**AND IN THE MATTER OF KIRKHAM FINANCE LIMITED (IN VOLUNTARY  
LIQUIDATION)**

**SUPERVISION PETITION**

**TO THE GRAND COURT:**

The humble petition of Owen Walker and Martin Trott (the **Petitioners**), of R&H Restructuring (Cayman) Ltd., Windward 1, Regatta Office Park, PO Box 897, Grand Cayman KY1-1103, Cayman Islands, in their capacity as joint voluntary liquidators (the **JVLs**) of Kirkham Finance Limited (in Voluntary Liquidation) (the **Company**) shows that:

1. The JVLs seek a supervision order against the Company under section 124 of the Companies Act (2021 Revision) (the **Companies Act**) on the grounds that the sole director of the Company has confirmed to the JVLs in writing that he cannot provide a declaration of solvency in respect of the Company.
2. The Company is a Cayman Islands exempted company, incorporated on 19 May 2015 with registration number 299849. Its registered office is at The R & H Trust Co. Ltd., PO Box 897, Windward 1, Regatta Office Park, West Bay Road, Grand Cayman KY1-1103, Cayman Islands.

This Petition is presented by KSG, attorneys for the Petitioners, whose address for service is 4th Floor Harbour Centre, 42 North Church Street, PO Box 2255, Grand Cayman KY1-1107, Cayman Islands [MR/02366]

3. On 23 September 2021, the sole shareholder of the Company passed a written special resolution of the Company resolving that the Company be voluntarily wound up and appointing the JVLs as the voluntary liquidators.
4. As of 23 September 2021, the sole director of the Company was Mr Garry Taylor. Mr Taylor remains as the sole director of the Company.
5. On 28 September 2021, the Mr Taylor confirmed to the JVLs in writing that he cannot provide a declaration of solvency, in the prescribed form or otherwise, due to the insolvency of the Company.
6. Each of the JVLs is a qualified insolvency practitioner within the meaning of section 89 of the Companies Act, consents to be appointed as a joint official liquidator of the Company, and is qualified to be so appointed.

Your Petitioners therefore humbly pray that:

- (1) The liquidation of the Company be continued under the supervision of the Court.
- (2) Owen Walker and Martin Trott, of R&H Restructuring (Cayman) Ltd., Windward 1, Regatta Office Park, PO Box 897, Grand Cayman KY1-1103, Cayman Islands, be appointed as joint official liquidators of the Company (the **JOLs**).
- (3) The JOLs shall not be required to give security for their appointment.
- (4) The JOLs be at liberty and are authorized and empowered to apply to any court, tribunal, regulatory or administrative body, wherever located, for the recognition of the supervision order and their appointment and for assistance in carrying out their powers and duties, and the JOLs are authorized and empowered to act as a representative in respect of the winding up proceedings for the purpose of having the proceedings and their appointment recognized in any jurisdiction outside the Cayman Islands.
- (5) The JOLs be at liberty to carry on the business of the Company so far as the JOLs consider necessary for its beneficial winding up.

- (6) The JOLs be at liberty to engage counsel, attorneys and/or other professional advisors (whether in the Cayman Islands or elsewhere) as the JOLs consider necessary to assist them in the performance of their duties, on such terms as the JOLs may think fit, and to remunerate them out of the assets of the Company as an expense of the liquidation.
- (7) The JOLs be at liberty to pay any class of creditors in full.
- (8) No suit, action or other proceedings, including criminal proceedings, shall be proceeded with or commenced against the Company except with leave of the Court pursuant to section 97 of the Companies Act.
- (9) No disposition of the Company's property by or with the authority of the Voluntary Liquidators or the JOLs in the carrying out of their duties and functions and the exercise of their powers shall be avoided by virtue of section 99 of the Companies Act.
- (10) The JOLs may from time to time apply to the Court for advice and directions in the discharge of their powers and duties and the conduct and administration of the winding up.
- (11) The Voluntary Liquidators' costs of and incidental to this petition shall be paid out of the assets of the Company as an expense of the liquidation.

AND your Petitioners will ever pray etc.

**DATED** the 15th day of October, 2021.



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**KSG**

Attorneys for the Petitioners