



Case No. CR-2014-008395

IN THE HIGH COURT OF JUSTICE
BUSINESS AND PROPERTY COURTS OF ENGLAND AND WALES
INSOLVENCY AND COMPANIES LIST (ChD)

Before: Deputy Insolvency and Companies Court Judge Frith

CR-2014-008395

Dated: 23 November 2018

**IN THE MATTER OF PHONES 4U LIMITED (IN ADMINISTRATION)
AND IN THE MATTER OF THE INSOLVENCY ACT 1986**

**(1) IAN DAVID GREEN
(2) DAVID JAMES KELLY
(3) ROBERT JOHN MORAN**

(in their capacity as the joint administrators of Phones 4U Limited (in administration))

Applicants

ORDER

UPON THE APPLICATION of the Applicants in their capacity as the joint administrators of Phones 4U Limited (in administration) (the “**Company**”) by application notice dated 2 November 2018 pursuant to paragraph 103(1) of Schedule B1 to the Insolvency Act 1986 (the “**Application**”)

AND UPON READING the evidence filed, including Mr Paul Copley’s written consent to act and the draft Memorandum of Understanding between the Applicants and Mr Copley (the “**MOU**”)

AND UPON HEARING Mark Arnold QC for the Applicants and David Head QC for the Vodafone group of companies

IT IS ORDERED THAT:

1. Mr Paul David Copley of 45 Garden Road, Bromley, BR1 3LU (licensed insolvency practitioner no. 9440) is hereby appointed as a concurrent administrator of the

Company (the “**Concurrent Administrator**” and, together with the Applicants, the “**Administrators**”). The appointment shall be effective from 23 November 2018.

2. The powers and duties of the Administrators shall be divided between them as follows:
 - a. The Concurrent Administrator shall be empowered to:
 - i. investigate the facts and circumstances leading up to the administration of the Company in order to consider whether such facts and circumstances involve any wrongful conduct and/or breach of competition law by third parties, such as to give rise to any claims or causes of action by the Company against such third parties (the “**Relevant Claims**”); and
 - ii. if so advised, to issue and prosecute the Relevant Claims.
 - b. Insofar as necessary to give effect to sub-paragraph (a) above, the Concurrent Administrator shall have all the powers of an administrator under the general law.
 - c. The Concurrent Administrator shall exercise the powers conferred by this Order in his own name (severally from the Applicants).
 - d. Save as aforesaid, the Applicants shall remain responsible for all other matters in the administration of the Company.
3. The Applicants and the Concurrent Administrator are at liberty to enter into an agreement in substantially the form of the MOU for the purpose of allocating their powers and duties as Administrators of the Company.
4. The Administrators’ costs of this Application shall be paid as an expense of the administration.