

Made on behalf of

Targus Investments Limited

Initials and surname of witness

K Clough

No. of statement of this witness
(if more than one)

1

Identifying initials and number
of each exhibit (if any)

KLC1

Date of statement

25 February 2014

Claim No.

ORD 13/0035

**IN THE HIGH COURT OF JUSTICE OF THE ISLE OF MAN
CIVIL DIVISION**

Chancery	PROCEDURE				
Parties					
<table border="1"> <tr> <td>Targus Investments Limited</td> <td>Claimant</td> </tr> <tr> <td>Banners Broker International Limited</td> <td>Defendant</td> </tr> </table>		Targus Investments Limited	Claimant	Banners Broker International Limited	Defendant
Targus Investments Limited	Claimant				
Banners Broker International Limited	Defendant				
Full name of witness	Kathryn Louise Clough				
Address ¹	Callin Wild LLC Bank Chambers 15 - 19 Athol Street Douglas Isle of Man IM1 1LB				

¹ Place of residence or, if witness is making statement in a professional, business or other occupational capacity, work address

Position held and name of firm or employer ²	Partner, Callin Wild LLC		
Occupation or description	Advocate		
Please indicate with an 'X' here if witness is <input type="checkbox"/> a party <input type="checkbox"/> an employee of a party			
<p>Statement³ (use numbered paragraphs) See attached</p> <p>If you need to continue on a separate sheet please use prescribed form – 'HCC CONTINUATION SHEET'</p> <p>I believe that the facts stated in this witness statement are true.</p>			
Date	25 February 2014	Signature	

² Complete if witness is making statement in a professional, business or other occupational capacity

³ The statement must comply with Schedule 8.1 to the Rules of the High Court 2009. Continue on a separate sheet or sheets if necessary (but each page must be numbered, and the last page must contain the above statement of truth and be signed by the witness).

WITNESS STATEMENT OF KATHRYN LOUISE CLOUGH

I Kathryn Louise Clough, Advocate, of Callin Wild LLC, Bank Chambers, 15 – 19 Athol Street, Douglas, Isle of Man, will say as follows:

1. I am the advocate for Targus Investments Limited ("**Targus**"), the Claimant in this matter which seeks an order placing Banners Broker International Limited ("**BBIL**") into liquidation. I am authorised by Targus to make this statement of their behalf and the contents hereof are true to the best of my knowledge.
2. On 10 January 2014 a Claim was filed by Targus with this Honourable Court seeking the winding up of BBIL. As set out in the Claim Targus is the sole shareholder of BBIL. The Claim is listed to be heard by the Court on 26th February 2014.
3. I can confirm that the Claim has been served on the relevant parties and advertised in accordance with the Winding Up Rules and I attach herewith at KLC1 the following:
 - (a) Letter dated 24 January 2014 to Mr Chris Brooks ("**Mr Brooks**") Advocate of M & P Legal. Mr Brooks represents Mr Christopher Smith ("**Mr Smith**") who is the beneficial owner of BBIL and purports to be the current and sole director of BBIL. As set out in the Claim the status of Mr Smith is perhaps uncertain although prima facia he is shown at the Companies Registry as a director of BBIL.
 - (b) Letter dated 24 January 2014 to Old Court Chambers who are advocates on record for Ian Driscoll ("**Mr Driscoll**"). Mr Driscoll has an extant Claim against BBIL although no judgment has been issued and Mr Driscoll's claim is now stayed.
 - (c) Letter dated 5th February 2014 from Mr Brooks confirming he represents Mr Smith and acknowledging receipt of my letter of 24 January 2014.
 - (d) Letters dated 25 February 2014 to Richard Dixon ("**Mr Dixon**") and Stephen Eppleston ("**Mr Eppleston**") as the former directors of BBIL. BBIL is currently without a registered office and Mr Dixon and Mr Eppleston resigned as directors on 21st May 2014 however out of an abundance of caution a copy of the Claim has been sent to them.
 - (e) Replies from Mr Dixon and Mr Eppleston acknowledging receipt of the Claim.

(f) Advert placed in the Isle of Man Courier dated 14 February 2014.

(g) Advert placed in the Isle of Man Examiner dated 18 February 2014.

KLC/tc/O1139-013

24 January 2014

Attn: Chris Brooks

M&P Legal
New Court Chambers
23 25 Bucks Road
Douglas
Isle of Man

Dear Sirs,

Re: Banners Broker International Limited – Targus Investments Limited

We write with regard to the above matter and enclose herewith by way of service a Claim brought seeking the winding up of Banners Broker International Limited together with documents filed in support thereof.

We are forwarding these documents to you by way of service as we are aware that you currently represent Mr Smith.

If you have any queries about this please let us know.

Finally, please note that this matter has been listed for hearing at 10am on 26 February 2014 with 30 minutes allocated.

Please let us know if you have any questions.

Yours faithfully

Callin Wild

Enc.

KLC/tc/O1139-013

24 January 2014

Attn: Steve Coren

Old Court Chambers
Eight Finch Road
Douglas
Isle of Man IM1 2PT

Dear Sirs,

Re: Targus Investments Limited v Banners Broker International Limited

Please find enclosed for your information a copy of the Claim and supporting documentation in relation to the above matter. Please note that this matter is due to be heard by the court at 10am on 26 February 2014 with 30 minutes allocated.

If you have any questions please do not hesitate to contact our Mrs Clough who has care and conduct of this matter.

Yours faithfully

Callin Wild

Enc.



Advocates Solicitors Attorneys
An incorporated legal practice

New Court Chambers
23-25 Bucks Road
Douglas
Isle of Man
IM1 3DA

T: 44 (0)1624 695800
F: 44 (0)1624 695801
E: law@mplegal.im
W: www.mplegal.im

Advocates Solicitors & Attorneys

Christopher J Murphy LL.B (Hons)
Advocate & Notary (Isle of Man)
Solicitor (England & Wales) (non-practising)

John T Aycock LL.B (Hons)
Advocate (Isle of Man)
Solicitor for Advocate (England & Wales)
Attorney at Law (Turks & Caicos Islands)
Accredited Employment & Workplace Mediator

Christopher M Brooks M.A. (Cantab)
Advocate (Isle of Man)

Consuelo Suay Cortes M.A.
Advocate & Notary (Isle of Man)
Solicitor (England & Wales) (non-practising)
Abogada (Spain)

Damian P Molyneux LL.B (Hons)
Advocate (Isle of Man)

Nadine V Roberts LL.B (Hons)
Advocate (Isle of Man)

Ilsa L Reeves LL.B (Hons)
Advocate (Isle of Man)
Solicitor (England & Wales)

Conveyancing Manager
Carol A Young FCILEX

Practice Manager
Honor K Beard

Your Ref: KLC/tc/O1139-013

Our Ref: S1280/001/CMB/ALM

5 February 2014

5 FEB 2014

Callin Wild
Bank Chambers
15-19 Athol Street
Douglas
Isle of Man
IM1 1LB

By Hand Delivery

Dear Sirs

Banners Broker International Limited

Thank you for your letter of 24 and 29 January respectively.

Firstly, we can indicate that we have now resolved the lack of clarity over precisely whom we were acting for and can indicate that we are acting for Mr Smith.

We therefore thank you for putting us on notice of the developments in the Court proceedings.

Do you wish to send us an Acknowledgement of Service for us in the Winding Up Proceedings? Were you anticipating us entering an appearance?

Secondly, we enclose a letter received from our client which appears to be between Mr Driscoll's Advocates and MannBenham. We presume you are aware of this letter but would be grateful if you could please outline to us the present situation of this without prejudice dialogue and your proposed response for our comment.

Thank you for your assistance.

Yours faithfully

M&P Legal

Enc

Tanya Chestnut

From: Kathryn Clough
Sent: 25 February 2014 11:35
To: Richard Dixon
Subject: Banners Broker International Limited
Attachments: wit state s porter.pdf; claim form bbil.pdf; BBIL wit state t mann.pdf; BBIL wit state m benham.pdf

Importance: High

Our Ref: KLC/tc/O1139-013

25 February 2014

Attn: Richard Dixon

OCRA (Isle of Man) Limited
Grosvenor Court
Tower Street
Ramsey
Isle of Man IM8 1JA

URGENT EMAIL

Dear Mr Dixon,

Re: Banners Broker International Limited ("BBIL")

As former directors of BBIL please find enclosed a copy of a Claim and supporting statements made by Targus Investments Limited as the sole shareholder of BBIL which seeks to place BBIL into liquidation. Please note that this application is listed to be heard by the Court on 26th February 2014 at 10am.

Yours sincerely

Kathryn Clough
Callin Wild

Enc. Claim
Stephen Porter Statement (minus exhibit SP1)
Miles Benham Statement
Tim Mann Statement

CallinWILD

Please respond to:
Callin Wild, Bank Chambers, 15-19 Athol Street, Douglas, Isle of Man, IM1 1LB
Tel: +44 1624 623195 Fax: +44 1624 676763/662981
Web: <http://www.callinwild.com/>

IMPORTANT NOTICE:

(1) The information contained in this e-mail is confidential. It may also be legally privileged. It is intended only for the stated addressee(s) and

Tanya Chestnut

From: Kathryn Clough
Sent: 25 February 2014 11:39
To: 'stephen.eppleston@ocra.com'
Subject: Banners Broker International Limited
Attachments: wit state s porter.pdf; claim form bbil.pdf; BBIL wit state t mann.pdf; BBIL wit state m benham.pdf

Importance: High

Our Ref: KLC/tc/O1139-013

25 February 2014

Attn: Stephen Eppleston

OCRA (Isle of Man) Limited
Grosvenor Court
Tower Street
Ramsey
Isle of Man IM8 1JA

URGENT EMAIL

Dear Mr Eppleston,

Re: Banners Broker International Limited ("BBIL")

As former directors of BBIL please find enclosed a copy of a Claim and supporting statements made by Targus Investments Limited as the sole shareholder of BBIL which seeks to place BBIL into liquidation. Please note that this application is listed to be heard by the Court on 26th February 2014 at 10am.

Yours sincerely

Kathryn Clough
Callin Wild

Enc. Claim
Stephen Porter Statement (minus exhibit SP1)
Miles Benham Statement
Tim Mann Statement

CallinWild

Please respond to:
Callin Wild, Bank Chambers, 15-19 Athol Street, Douglas, Isle of Man, IM1 1LB
Tel: +44 1624 623195 Fax: +44 1624 676763/662981
Web: <http://www.callinwild.com/>

IMPORTANT NOTICE:

Tanya Chestnut

From: Richard Dixon [dixon@ocra.com]
Sent: 25 February 2014 13:05
To: Kathryn Clough
Cc: Joanna Thomas
Subject: Banners Broker International Limited

Dear Ms Clough

Your reference: KLC/tc/01139-013

I acknowledge receipt of your email dated 25th February and the various attachments relating to BBIL

I would like to reconfirm that I am no longer associated with the client company as I resigned as a director on the 21st May 2013

Kind regards

Richard Dixon
Group Managing Director - Europe

OCRA (Isle of Man) Limited
t: +44 (1624) 811010 m: +44 (7624) 211000 f: +44 (1624) 811011
ocra.com
[ocra.aero](mailto:ocra@aero)
ocramarine.com

OCRA (Isle of Man) Limited is licensed by the Financial Supervision Commission of the Isle of Man.

OCRA (Isle of Man) Limited is incorporated in the Isle of Man. No. 024770C
Registered Office: Grosvenor Court, Tower Street, Ramsey, Isle of Man IM8 1JA, British Isles
Directors: R.M. Dixon (Group Managing); S.M. Eppleston TEP; J.F. Lincban ACIB, B.C.J. Monk BAcc GA; S. Porter; N.H. Sheard
Company Secretary: B.C.J. Monk BAcc GA. Consultant: The Rt Hon. Lord St. John of Bletso BA BSc Dip. LL.M.

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Read legal and other warnings about this e-mail, <http://www.ocra.com/email.html>

Tanya Chestnut

From: Joanna Thomas [thomas@ocra.com]
Sent: 25 February 2014 13:17
To: Kathryn Clough
Cc: Stephen Eppleston; Richard Dixon
Subject: RE: Banners Broker International Limited

Dear Kathryn

BANNERS BROKER INTERNATIONAL LIMITED Your ref: KLC/tc/O1139-013

I confirm receipt of your email and attachments dated 25th February 2013 regarding the above mentioned company received today addressed to Mr Stephen Eppleston.

Mr Eppleston is a former director of the company having resigned on 21st May 2013, and currently out of the office on sick leave. However, he is aware of the on-going matters and the documents will be placed before him on his return.

Kind regards

Joanna

Joanna Thomas
Compliance Officer

OCRA (Isle of Man) Limited
t: +44 (1624) 811047 f: +44 (1624) 811079
ocra.com
ocra.aero
ocramarine.com

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Company Secretary: B.C.J. Monk BAcc CA, Consultant: The Rt. Hon. Lord St John of Brides BA BScSCLFLLM

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Read legal and other warnings about this e-mail, <http://www.ocra.com/email.html>

#VPM:ILA214/136:1#

Government Notices

The Limited Liability Companies Act 1996
List of Limited Liability Companies that
have applied for a Declaration of
Dissolution Pursuant To Section 11a(3)(A)
000677L - MIRACLE COMMUNICATIONS LLC
 The Department of Economic Development hereby gives Notice that the above limited liability companies have applied for a Declaration of Dissolution under the provisions of Section 11A of the Limited Liability Companies Act 1996. Unless written objection is made to the Department of Economic Development within one month of the date of publication of this notice, the Department of Economic Development may dissolve the limited liability companies. This 10th day of February 2014, John Wilkinson, Registrar of Companies.

The Companies Act 2006
List Of Companies That Have Applied
For A Declaration Of Dissolution
Pursuant To Section 190(3)

003282V PHARMONT LTD
 008848V LARGO LIMITED
 006049V COTTIER LIMITED
 006100V NARBETH LIMITED
 007945V ALANERA LIMITED
 009533V OURANOS LIMITED
 009205V ZENSOARD LIMITED
 002339V BRIGNALL SERVICES LIMITED
 004689V FUSCHIA INVESTMENTS LIMITED
 The Department of Economic Development hereby gives Notice that the above company has applied for a Declaration of Dissolution under the provisions of Section 190 of the Companies Act 2006. Unless written objection is made to The Department of Economic Development within one month of the date of publication of this notice, The Department of Economic Development may dissolve the company. This 10th day of February 2014 - John Wilkinson, Registrar of Companies.

056551c	Parallel Investments Limited
065605c	Athena Investments Limited
065606c	Ferox Consultants Limited
065633c	Tallis Trading Limited
080264c	Morest Limited
093281c	Maybourne Limited
098258c	Somerset Management Limited
099034c	BRC Consultants Limited
100224c	Ligurian Leisure Limited
100277c	Sabre Yachting Limited
104375c	Elevate Social Limited
107671c	Narbeth Enterprises Limited
108614c	DJM Site Services (OM) Limited
110995c	Azygo International Limited
111195c	Ovozet Limited
111799c	Elthorn Limited
111865c	African Alliance Trading Limited
112060c	Jessup Accountants Limited
112322c	Cargoseed International Limited
113544c	Escape II Limited
114561c	Diamond Limited
114606c	Mystr Limited
114638c	Akrayson Limited
116607c	Estate 001 Ltd
116629c	Shefa Limited
119412c	Shalimar Properties Limited
119492c	Trivandrum Limited
119903c	Babic Facilities Limited
120676c	Savooh Limited
120685c	Lixwm Limited
121241c	Tenon Aviation & Yachting Solutions Ltd
122597c	Desswood Limited
122602c	Fivepenny Limited
122608c	Marywell Limited
122611c	Ethill Limited
123386c	South America Resources Limited
123387c	Brazil Mineral Holdings Limited
123465c	Jax Yachting Limited
124093c	TAO Limited
126496c	Marauder Limited
127111c	Prism Consultants Limited
127416c	Clean Xtreme Limited

In accordance with the above section, the

The Companies Act 2006
Declaration Of Dissolution

Public Notices

Public Notices

Douglas

SELECT LIST FOR THE CIVIL ENGINEERING WORKS FOR PUBLIC LIGHTING UPGRADING SCHEMES 2014-2015

Applications are invited from suitably qualified and experienced groundwork's contractors interested in being included on the List of Selected Tenderers for the above. An information pack regarding this project and the terms and conditions that will apply may be obtained by writing to the offices of the Borough Engineer and Surveyor, Town Hall, Ridgeway Street, Douglas, Isle of Man, IM99 1AD. After examining the information pack, the contractor will be required to submit a formal application.

All applicants should have a comprehensive understanding of the construction design and management regulations, which shall be fully implemented for this project.

The formal application must be submitted BY HAND, not posted or sent by facsimile to the Town Clerk, Town Clerk's Department, Ridgeway Street, Douglas no later than 5.00 pm on Friday 28th February 2014

There must be no name or mark upon the official envelope to indicate the identity of the sender. Any queries in respect of the above should be directed to Donal Cullen, Electrical Services Manager, 696384.

Miss K J Rice, Chief Executive, Town Hall, Ridgeway Street, Douglas, Isle of Man IM99 1AD.

www.douglas.gov.im

ISLE OF MAN COMPANIES ACT 2006 NOTICE OF
 COMPANY NO. 3092V ISLE OF MAN COMPANIES ACT 2006 NOTICE OF

Public Notices

CHP 14/0008 IN THE HIGH COURT OF JUSTICE OF THE ISLE OF MAN CIVIL DIVISION CHANCERY PROCEDURE PARTIES:- TARGUS INVESTMENTS LIMITED CLAIMANT AND BANNERS BROKER INTERNATIONAL LIMITED DEFENDANT AND IN THE MATTER OF THE COMPANIES ACT 1931 NOTICE OF PETITION TO WIND UP BANNERS BROKER INTERNATIONAL LIMITED

Notice is hereby given that a Claim for the winding up of the above named company by the High Court of Justice of the Isle of Man was on the 22nd day of January 2014 presented to the Court by Targus Investments Limited of 303 Aarfi Chambers, Victoria, Mahe, Republic of Seychelles and that the said Claim is directed to be heard

To

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Public Notices

CHP 14/0008 IN THE
HIGH COURT OF
JUSTICE OF THE
ISLE OF MAN CIVIL
DIVISION CHANCERY
PROCEDURE
PARTIES:- TARGUS
INVESTMENTS
LIMITED CLAIMANT
AND BANNERS
BROKER
INTERNATIONAL
LIMITED DEFENDANT
AND IN THE MATTER
OF THE COMPANIES
ACT 1931 NOTICE OF
PETITION TO WIND
UP BANNERS
BROKER
INTERNATIONAL
LIMITED

Notice is hereby given that a Claim for the winding up of the above named company by the High Court of Justice of the Isle of Man was on the 22nd day of January 2014 presented to the Court by Targus Investments Limited of 303 Aarti Chambers, Victoria, Mahe, Republic of Seychelles and that the said Claim is directed to be heard before the Court sitting at 10am on the 26th day of February 2014; and any creditor or contributory of the said



Peel Town Commissioners

Public Toilets Cleaning Contract

Peel Town Commissioners invite applications for a three year contract to clean the Commissioners public toilets on the Market Place, Factory Lane and Victoria Road. Promenade together with the toilets on Peel Breakwater. The contract will require the toilets to be cleaned on a daily basis. Please contact the undersigned for more details. Tender prices should be submitted to the Town Clerk, Town Hall, Derby Road, Peel by 28th February 2014 in sealed envelopes marked "Peel toilet contract".

The Commissioners do not bind themselves to accept the lowest or any tender submitted.

P G Leadley
Town Clerk
Telephone 842341



Peel Town Commissioners

THE PEDLARS AND STREET TRADERS ACT 1906

Consultation Process

In accordance with clause 2 of the above Act Peel Town Commissioners intend to seek Tynwald approval to designate certain streets/roads within Peel to comply with the designation of "open spaces". The

Government Notices



Isle of Man
GOVERNMENT

Department of Infrastructure Highways Division Public Notice!

Copies of the following notices may be obtained from Highways Division, Sea Terminal Building, Douglas, Isle of Man IM1 2RF or found on Road Watch www.gov.im/residents/roadnotifications.

A1 Peel Road and Circular Road (Douglas) Temporary Prohibition of Through Vehicular Traffic

The Department of Infrastructure gives notice that under section 3 of the Road Traffic Regulation Act 1985, it intends to prohibit through vehicular traffic from proceeding on sections of roads in Douglas as follows: **A1 Peel Road** – from its junction with Drinkwater Street Lane to a point adjacent to No 1 Belmont Terrace, from 8.00pm until 12 Midnight each evening, from **25 February 2014 until 26 February 2014** or until the highway surfacing work is completed, whichever is the earlier. Alternative routes will be via Circular Road, St Georges Street and Athol Street, or via Hope Street, St Georges Street and Circular Road. **Circular Road** – from its junction with Drinkwater Street to a point adjacent to No 1 Belmont Terrace, from 8.00pm until 12 Midnight each evening, from **26 February 2014 until 28 February 2014** or until the highway surfacing work is completed, whichever is the earlier. Alternative routes will be via Peel Road, Hope Street and St Georges Street. Access to properties will be maintained. Access will also be allowed for emergency vehicles, public works vehicles, and others with the permission of the Department. This work is being carried out by the **DoI Civil Engineering**, telephone number **850000**. Ref: **DOI109**

Belmont Hill and Hills Meadow East (Douglas) Temporary Prohibition of Through Vehicular Traffic

The Department of Infrastructure gives notice that under section 3 of the Road Traffic Regulation Act 1985, it will prohibit through vehicular traffic from proceeding on sections of roads in Douglas as follows: **Belmont Hill** – at its junction with Peel Road. An alternative route will be via Ballakermee Drive. **Hills Meadow east** – at its junction with Peel Road. An alternative route will be via Hills Meadow west. This Notice will be in force between **9.30am and 4.30pm from 24 February 2014 until 28 February 2014** or until the surfacing work is completed, whichever is the earlier, although it is expected that each junction will be closed for one day only during this period, depending on weather conditions or other unforeseen circumstances which may arise. Access to properties will be maintained. Access will also be allowed for emergency vehicles, public works vehicles, and others with the permission of the Department. This work is being carried out by the **DoI Civil Engineering Division**, telephone number **850000**. Ref: **DOI190**

Director of Highways

www.gov.im/infrastructure

infrastructure
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YOUR BUSINESS