

EXHIBIT “A”

Name of witness: MICHAEL LOCKE
on behalf: Applicant
No of Statement: 1
Date of Statement:
Case No: 08-bk-07002-krm
Exhibits: "MJL1"

IN BANKRUPTCY

RE: ARCHIBALD CARY HARRISON III (A BANKRUPT)

BETWEEN:

STEVEN JOHN WILLIAMS AS THE TRUSTEE
OF THE PROPERTY OF THE ABOVE-NAMED
BANKRUPT

Applicant

AND

RANDOLF CARY HARRISON

Respondents

DECLARATION OF MICHAEL JOHN LOCKE

I Michael John Locke of Begbies Traynor LLP of 1 Winckley Court, Chapel Street, Preston PR1 8BU hereby declare:

1. I am authorised to make this statement on behalf of Steven John Williams the Trustee in Bankruptcy ("the Trustee") of Archibald Cary Harrison III (the "Bankrupt"). I am a director within the firm of Begbies Traynor LLP and I have day to day conduct of the administration of this case.
2. Save where is expressly stated I confirm the truth of the facts and the matters herein stated either from my own knowledge or from information obtained by me in the course of the administration of the Bankrupt's estate or from information supplied to me.

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3. There is attached to this statement a paginated bundle of documents marked "MJL1". All references to page numbers in this witness statement refer to page numbers of this bundle.
4. ~~A Bankruptcy Order was made against the Bankrupt in the High Court of Justice under case number 3963 of 2007. A true copy of the Bankruptcy Order can be found at page 1.~~
5. The Trustee was appointed by Order of the court dated 14 November 2007. A true copy of the certificate of appointment can be found at page 2.
6. I make this witness statement in support of the application. It is the duty of the Trustee to recover assets for the benefit of the creditors in the bankruptcy estate.
7. On the information available to date the total amount required to discharge the bankruptcy liabilities and costs in full will exceed £1,000,000. An estimated payment in full calculation is shown at page 3. This reveals, that to date, monies held amount to £33,051.31, and all creditor claims total £867,416. I am aware of a property in Spain which may realise €100,000, although this is not a guaranteed price, and valid title to the property is not yet established. The former home of the Bankrupt located at 1 Rectory Grove, Clapham has been marketed for some time at £750,000, although remains unsold. It is due for auction by the secured chargeholder in the near future. The anticipated deficiency in the estate will therefore exceed £400,000. The creditors who have claims against the Bankruptcy estate in England are the following parties, in the following amounts:

1. Bank of Scotland	£519,767
2. Society of Lloyds	£ 282,000
3. Patricia McFarlane	£10,000
4. Russells Solicitors	£7,131
5. James Barnett	£48,518

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8. No acceptable proposals for a resolution of this matter have been received from the Respondent. In order that the trustee may proceed to administer the Bankrupt's estate I respectfully request that this Honourable Court grants the relief set out in the application herein.
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Statement of Truth

I believe that the facts stated in this Witness Statement are true. Executed under penalty of perjury under the laws of the United States.

SIGNED 

MICHAEL JOHN LOCKE

DATED THE

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DAY OF



2009

Case No: 08-bk-07002-krm

IN BANKRUPTCY

RE: ARCHIBALD CARY HARRISON III (A BANKRUPT)

BETWEEN:

STEVEN JOHN WILLIAMS AS THE TRUSTEE
OF THE PROPERTY OF THE ABOVE-NAMED
BANKRUPT

Applicant

AND

RANDOLF CARY HARRISON

Respondent

EXHIBIT "MJL1"

This is the exhibit marked "MJL1" referred to in the Witness Statement of MICHAEL JOHN
LOCKE dated this ^{11th} day of ^{March} 2009

Signed


Dated 11 March 2009



INSOLVENCY ADMINISTRATION ORDER

**IN THE HIGH COURT OF JUSTICE
IN BANKRUPTCY**

NO: 3963 - 2007

CHIEF REGISTRAR BAISTER

RE: A CARY Harrison III

**UPON THE PETITION of SOCIETY OF LLOYDS ONE LIME STREET
LONDON EC3M 7HA a Creditor which was presented on the 3rd April 2007**

AND UPON HEARING the Solicitor for the Petitioner and the Debtor not being present or represented

AND UPON READING the evidence

And the Court being satisfied that the EC Regulation does apply and that these proceedings are main proceedings as defined in Article 3 of the Regulation

IT IS ORDERED that the estate of A CARY Harrison III OCCUPATION UNKNOWN who died insolvent LATELY OF ONE RECTORY GROVE CLAPHAM LONDON SW4 0DX be administered in bankruptcy

DATED THIS: 13th September 2007

TIME: 11:51

IMPORTANT NOTICE TO BANKRUPT

The/ One of the/ Official Receiver(s) attached to the Court is by virtue of this Order Receiver and Manager of the Bankrupt's estate. You are required to attend upon the Official Receiver of the Court at **THE OFFICIAL RECEIVER, 21 BLOOMSBURY STREET, LONDON, WC1B 3SS** immediately after you have received this Order. The Official Receiver's offices are open Monday to Friday (except on Holidays) from 10.00 to 16.00 hours.

ENDORSEMENT ON ORDER

The Solicitor to the Petitioning Creditor is:

Name: THE SOCIETY OF LLOYDS
Address: ONE LIME STREET
LONDON
EC3M 7HA
Telephone:
Reference: SGK/LAC/052129Q



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IPSSC

3963 of 2007

IN THE HIGH COURT OF JUSTICE

**A CARY HARRISON III
IN INSOLVENCY ADMINISTRATION**

THIS IS TO CERTIFY that

**Mr SJ WILLIAMS of BEGBIES TRAYNOR LLP of 1 Winckley Court, Chapel Street, Preston, PR1
8BU**

**Has been appointed as trustee of the Insolvency estate of A Cary Harrison III
with effect from**

14 NOV 2007

On behalf of the Secretary of State



Date.

10 NOV 2007

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**Calculation of the estimated amount required
to pay the costs, debts and interest of the bankruptcy in full**

Date of calculation		4-Mar-09
Case name:		Archibald Cary Harrison
Date of Bankruptcy Order		13-Sep-07
Amount held at ISA		33,051.31
		£ £
Claims lodged to date	55,649.00	
Estimated level of creditors who have not yet claimed	811,767.00	
	<u>867,416.00</u>	
Interest @ 8%	<u>102,283.79</u>	
		969,699.79
Bank Charges	150.00	
(Estimated) Legal Fees	60,000.00	
Trustee's disbursements	2,000.00	
Trustee's outstanding time costs	39,384.05	
Trustee's estimated costs to closure	25,000.00	
VAT @ 17.5% on fees	18,957.61	
		<u>145,491.66</u>
Sub total		<u>1,082,140.14</u>
Ad Valorem duty		<u>221,233.52</u>
Total required to settle in full		<u><u>1,303,373.66</u></u>

Notes:

Statutory interest is calculated at a rate of 8% per annum for periods when a Trustee is in office. Interest on creditors claims will continue to accrue until settlement is made in full.

Ad Valorem duty is calculated on a decreasing scale as follows, and is payable on all bankruptcy realisations:

0% on the first £2,000;

17% on anything upto £100,000;

0% thereafter.