



**IN THE HIGH COURT OF JUSTICE
Business and Property Courts of England and Wales
Companies Court**

**IN THE MATTER OF BRAIN PLAN 2020 Limited
Company Number 12113995**

CR-2021-001467

**IN THE MATTER OF THE COMPANIES ACT 2006
Thursday 1 December 2022
ICC Judge Prentis**

B E T W E E N :-

- (1) Mrs Andrea Susan **GREYSTOKE**
- (2) Mr Leonard Martin **FERTIG**

Petitioners

and

- (1) Mr Raymond Dennis **KEENE**
- (2) Mr Alexander Philip Simon **KEENE**
- (3) **TONY BUZAN INTERNATIONAL** Limited
- (4) **BRAIN PLAN 2020** Limited
(formerly **THE TONY BUZAN GROUP** Limited)

Respondents

ORDER

UPON THE COSTS AND CASE MANAGEMENT CONFERENCE

AND UPON the Application of the 1st and 2nd Respondents dated 21 November 2022

UPON HEARING counsel Angus Gloag for the 2nd Petitioner and counsel Andrew McGuinness for the 1st and 2nd Respondents

UPON the Third and Fourth Respondents not attending nor being represented

AND UPON THE COURT adjourning the CCMC and Application for the purposes of settlement

AND UPON THE PERSONAL UNDERTAKING of the Second Petitioner to the First Respondent to transfer 20,000 shares being 2% of the shares in the Company (at the date hereof held by the Second Petitioner as to 10,000 shares and Elizabeth Genio as to 10,000 shares) within 14 days of this Order

AND UPON it being recorded that the above undertaking is not an undertaking to the Court and is not enforceable as such

AND UPON it being recorded that the above undertaking operates only as the condition precedent to the following Order by Consent

IT IS HEREBY ORDERED BY CONSENT that:-

1. The Second Petitioner hereby warrants to the First and Second Respondents that Acorn Consulting Group, Inc. (Acorn), will not pursue, instigate or support any claim by Acorn against the Company and / or the First and / or Second Respondents.
2. The First and Second Respondents warrant to the Second Petitioner that the Company, the First and/or Second Respondents will not pursue, instigate or support any claims against Acorn and / or the Second Petitioner.
3. The Second Petitioner, First Respondent and Second Respondent individually represent and warrant one to another that none of the said parties is aware of any claim raised by or against the Third Respondent.
4. All claims raised by the Second Petitioner, First Respondent or Second Respondent in these proceedings, whether by pleading, correspondence or evidence, shall stand dismissed.
5. The Petition be dismissed and there be no order as to costs and any previous orders as between the Second Petitioner only and the First and Second Respondents shall stand amended as no order as to costs.
6. The operation of this Order by Consent shall stand as full and final settlement of all claims as referred to in paragraph 4 above.

IT IS FURTHER ORDERED THAT, upon the non-fulfillment of the condition precedent as above

1. All parties must inform the Court immediately upon the non-fulfillment of the condition precedent.
2. The preceding Order by Consent shall be revoked and treated as entirely void.
3. The CCMC be re-listed upon the first open date after Monday 2 January 2023 with the same time estimate provided by the Order of 13 June 2022 namely half a day with one hour judicial pre-reading, and is hereby listed on 1 March 2023 at 2pm.

4. The First and Second Respondents have permission to relist their application dated 21 November 2022 to be heard at the re-listed CCMC.
5. Costs of the application dated 21 November 2022 be costs in the Petition.

DATED Thursday 1 December 2020

The Court sent copies of this Order to the parties named on the back-sheet.

Wales

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ORDER

The Court sent copies of this Order to :-

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The Second Petitioner in person

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