

# Judgment

MIDDEN-NEDERLAND DISTRICT COURT

Civil law division

Utrecht location

case number: C/16/19/146 F

## **Judgment on the basis of Article 4 of the Bankruptcy Act (declaration of bankruptcy on company's own petition) dated 19 March 2019**

in the matter of:

**the private company  
COOL CAT FASHION B.V.,**  
with its official seat in Houten,  
applicant,  
counsel: L. Martens.

### **1. The proceedings**

1.1. By application submitted to the district court on 15 March 2019, the applicant has filed a petition for bankruptcy.

1.2. The Applicant appeared and was heard today at a hearing behind closed doors of this district court.

### **2. The assessment**

2.1. Since it has neither been argued nor proven that the centre of the applicant's main interests lies in a Member State other than that in which it has its official seat, the district court assumes, on the basis of the provisions of Article 3 of the EU Insolvency Regulation, that the Dutch court has jurisdiction.

2.2. The Applicant has provided a statement of its assets and liabilities.

2.3. A prima facie review has revealed the existence of facts or circumstances which show that the Applicant is in a situation in which it has ceased to make payments.

2.4. The application will be awarded with due regard to the provisions in the Articles 1, 2, 4, 6 and 14 of the Bankruptcy Act.

### **3. The decision**

The district court:

3.1. hereby declares

**the private company**

**COOL CAT FASHION B.V.,**

listed in the Commercial Register of the Chamber of Commerce under file number 30097249.

with its official seat in Houten,

correspondence address 3990 DC Houten, Postbus 125,

business address: 3992 DG Houten, Hoofdveste 10,

trading under the name KAHN'S MODE,

trading under the name KAHN'S MODECENTRE,

trading under the name RAINBOW ROCK,

trading under the name FLAMINGO'S,

trading under the name BOUTIQUE PRIVE,

trading under the name GABY TJOA FASHION,

trading under the name WONDER WOMAN,

trading under the name BODY CLUB,

bankrupt,

3.2. appoints C.J. Hofman, judge, as supervisory judge and appoints D.J. Bos, a lawyer practising in Utrecht, as bankruptcy trustee, telephone number 030-2121111,

3.3. authorizes the bankruptcy trustee to open the letters and telegrams addressed to the bankrupt company

3.4. determines that any authority of third parties, with the exception of creditors of an insolvent company, to recover property belonging to the estate or to claim property that is under the control of the bankrupt company or the bankruptcy trustee, may only be exercised for a period of two months, effective today, with the authorisation of the supervisory judge.

This judgment was delivered by P.J Neijt and pronounced in open court on 19 March 2019 at 11:44 hours.