

**IN THE EMPLOYMENT COURT  
AUCKLAND**

**[2014] NZEmpC 6  
ARC 65/11**

IN THE MATTER OF a challenge to a determination of the  
Employment Relations Authority

AND IN THE MATTER of an application to strike out the plaintiff's  
claim

BETWEEN NANZHENG LIU  
Plaintiff

AND SOUTH PACIFIC TIMBER (1990)  
LIMITED  
Defendant

Hearing: Further to the interlocutory judgment of 10 December 2013

Appearances: Rodney J Hooker, counsel for plaintiff  
Craig Andrews, counsel for defendant

Judgment: 4 February 2014

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**INTERLOCUTORY JUDGMENT (NO 2) OF JUDGE CHRISTINA INGLIS**

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[1] The defendant has filed an application for orders striking out the plaintiff's challenge to an earlier determination of the Employment Relations Authority.<sup>1</sup>

[2] A telephone conference was convened on 10 December 2013. Orders were made by agreement at the conference, including that any notice of opposition to the strike out application would be filed and served no later than 4pm on 20 January 2014 and that, if no such notice was filed, the challenge would be dismissed (subject to the reservation of costs, which could then be dealt with on the papers).

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<sup>1</sup> AA 392/10, 30 August 2010.

[3] No notice of opposition has been filed by the plaintiff. Accordingly the challenge is dismissed.

[4] If the parties are unable to agree costs they can be the subject of an exchange of memoranda, with the defendant filing and serving any memorandum together with supporting material no later than 4pm on 28 February 2014 and the plaintiff doing likewise no later than 4pm on 14 March 2014.

Christina Inglis  
Judge

Judgment signed at 10.30am on 4 February 2014