

**IN THE EMPLOYMENT COURT OF NEW ZEALAND
AUCKLAND**

**I TE KŌTI TAKE MAHI O AOTEAROA
TĀMAKI MAKĀURAU**

**[2019] NZEmpC 55
EMPC 68/2018**

IN THE MATTER OF an application for judicial review

AND IN THE MATTER OF an application by counsel assisting the Court
to strike out part of the pleadings

BETWEEN ROLAND SAMUELS
Applicant

AND EMPLOYMENT RELATIONS
AUTHORITY
First Respondent

AND CAROLYN LANG
Second Respondent

AND GOURMET FOODS LIMITED
Third Respondent

Hearing: On the papers

Appearances: G Bennett, advocate for applicant
No appearance for respondents
J Catran, counsel assisting the Court

Judgment: 13 May 2019

**CONSENT INTERLOCUTORY JUDGMENT
OF CHIEF JUDGE CHRISTINA INGLIS
(Application to strike out part of the pleadings)**

[1] By minute dated 12 April 2019, I directed the applicant to file and serve any amended statement of claim, together with an application for leave to file out of time, no later than 4.30 pm on Tuesday 23 April 2019. Failing that, the application by Ms

Catran, counsel assisting the Court, to strike out parts of the statement of claim, would be progressed and determined on the papers.

[2] By memorandum dated 9 May 2019, the applicant has consented to the strike-out and agrees that the only ground of review that can proceed is breach of natural justice as set out in the fifth amended statement of claim. By consent, all other causes of action are struck out.

[3] The Registrar is directed to schedule a further case management conference to address any outstanding issues and to timetable the case to a hearing.

Christina Inglis
Chief Judge

Judgment signed at 3.30 pm on 13 May 2019