

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

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

**[2024] NZEmpC 120  
EMPC 164/2024**

IN THE MATTER OF	an application for freezing and ancillary orders
BETWEEN	PACIFIC INSULATION LIMITED Applicant
AND	RODERIGO JOSE LAGERA First Respondent
AND	RJ & AL CONTRACTING LIMITED (formerly PACIFIC INSULATION (NORTH ISLAND) LIMITED) Second Respondent

Hearing: On the papers

Appearances: S Laphorne, counsel for applicant  
P Cornegé, counsel for first and second respondents

Judgment: 5 July 2024

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**JUDGMENT (NO 2) OF JUDGE K G SMITH  
(Continuation of freezing and ancillary orders)**

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[1] This proceeding was called this morning for the purposes of reviewing the freezing and ancillary orders made by Judge Holden on 17 May 2024.<sup>1</sup> Those orders were subsequently extended most recently on 17 June 2024.<sup>2</sup>

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<sup>1</sup> *Pacific Insulation Ltd v Lagera* [2024] NZEmpC 82.

<sup>2</sup> *Pacific Insulation Ltd v Lagera* [2024] NZEmpC 107.

[2] Ms Laphorne advised the Court that, in accordance with the orders previously made, the applicant has lodged a statement of problem against the respondents in the Employment Relations Authority. I understand from Mr Cornegé that the claim is likely to be defended.

[3] After discussing matters with counsel, I am satisfied that it is appropriate for the orders made on 17 June 2024 to be continued until further order of the Court but with one addition. The addition is that, because the claim in the Authority may take some time to resolve, the applicant is to provide a report to the Court about its progress at no less than three-monthly intervals with the first report due on **4 October 2024**. The purpose of those reports is to assist the Court in monitoring the continued appropriateness of the freezing and ancillary orders. The respondents may, of course, file their own reports if they consider that step is appropriate.

[4] Orders are made accordingly.

[5] Costs are reserved.

K G Smith  
Judge

Judgment signed at 11.30 am on 5 July 2024