

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

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

**[2024] NZEmpC 244
EMPC 288/2023**

IN THE MATTER OF an application for discharge of search orders

BETWEEN CHAIN & RIGGING SUPPLIES LIMITED
 Applicant

AND JUSTIN DOUGLAS WERAHOKO
 NIKORIMA
 First Respondent

AND RAPIDO SAFETY SOLUTIONS LIMITED
 (IN LIQUIDATION)
 Second Respondent

Hearing: On the papers

Appearances: P Amaranathan, counsel for applicant
 J Douglas, counsel for first respondent
 No appearance for second respondent

Judgment: 9 December 2024

CONSENT JUDGMENT OF JUDGE B A CORKILL

[1] In a number of judgments issued in 2023 and 2024, the Court made search orders, and subsequently reviewed the implementation of those at review hearings.¹

[2] In a joint memorandum filed on 5 December 2024, the applicant and the first respondent have advised that they have agreed terms of settlement which have been

¹ *Chain & Rigging Supplies Ltd v Nikorima* [2023] NZEmpC 133; *Chain & Rigging Supplies Ltd v Nikorima (No 2)* [2023] NZEmpC 134; *Chain & Rigging Supplies Ltd v Nikorima (No 3)* [2023] NZEmpC 148; *Chain & Rigging Supplies Ltd v Nikorima (No 4)* [2023] NZEmpC 154; *Chain & Rigging Supplies Ltd v Nikorima (No 5)* [2023] NZEmpC 216; and *Chain & Rigging Supplies Ltd v Nikorima (No 6)* [2024] NZEmpC 158.

certified by the Ministry of Business, Innovation and Employment. Accordingly, they seek a discharge of the search orders.

[3] The memorandum was provided in draft to the liquidator of the second respondent, who has filed no opposition to the making of the order.

[4] I am satisfied that the orders sought are appropriate. I make the following orders by consent:

- (a) These proceedings are discontinued with no issue as to costs, which will lie where they fall.²
- (b) Any original documents held by Rice Craig, lawyers for the applicant, will continue to be held by the firm on the same basis it holds other client information obtained during the course of court proceedings.
- (c) Copies of uplifted information held by the relevant counsel for the parties will continue to be held by them on the same basis they hold other client information obtained during the course of court proceedings.
- (d) Uplifted information shared on a counsel-to-counsel basis is retained by the relevant counsel on that basis, and otherwise on the same basis they hold other client information obtained during the course of court proceedings.
- (e) The cloned information held by the IT consultant, Cameron Hansen of Datalab, is to be destroyed.
- (f) The terms of the parties' agreement are confidential to them and their advisers.

² The parties advise that they will discontinue the proceedings in the Employment Relations Authority with no issue as to costs.

[5] I commend the parties for reaching agreement, which will enable them to move forward.

B A Corkill
Judge

Judgment signed at 11.45 am on 9 December 2024