

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

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

**[2024] NZEmpC 249
EMPC 164/2024**

IN THE MATTER OF an application for freezing and ancillary orders

AND IN THE MATTER OF an application to vary freezing 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: J Laphorne and S Caughey, counsel for applicant
P Cornegé and D Delic, counsel for first and second respondents

Judgment: 16 December 2024

**INTERLOCUTORY JUDGMENT (NO 3) OF JUDGE K G SMITH
(Further application to vary freezing orders)**

[1] The freezing and ancillary orders granted to the applicant on 17 May 2024 were further extended by judgment dated 5 July 2024 and remain in place until further order of the Court.¹

¹ *Pacific Insulation Ltd v Lagera* [2024] NZEmpC 82; *Pacific Insulation Ltd v Lagera* [2024] NZEmpC 120.

[2] On 12 December 2024, the parties applied jointly for orders by consent varying the freezing and ancillary orders to authorise:

- (a) the sum of \$38,228 being transferred from money held in the first respondent's solicitor's trust account into the first respondent's ANZ "Eric's Go" account, to allow the first respondent to meet expenses permitted by the freezing order; and
- (b) the sum of \$251,500 being transferred from the money in the first respondent's solicitor's trust account to the applicant's solicitor's trust account to repay the principal sum of a loan.

[3] I am satisfied that what the parties propose is appropriate and orders are made accordingly. For the avoidance of doubt, in all other respects, the orders made on 17 May 2024, and continued on 5 July 2024, continue until further order of the Court.

[4] Leave is reserved to apply for further orders.

[5] Costs are reserved.

K G Smith
Judge

Judgment signed at 2.45 pm on 16 December 2024