

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

**I TE KŌTI TAKE MAHI O AOTEAROA
TE WHANGANUI-A-TARA**

**[2025] NZEmpC 153
EMPC 282/2025**

IN THE MATTER OF an application for a compliance order

BETWEEN OY
 Plaintiff

AND CALENDAR GIRLS NZ LIMITED
 First Defendant

AND JAMES SAMSON
 Second Defendant

Hearing: On the papers

Appearances: V Campbell, counsel for plaintiff
 R Thompson, advocate for defendants

Judgment: 23 July 2025

CONSENT JUDGMENT OF CHIEF JUDGE CHRISTINA INGLIS

[1] The plaintiff, with six other individuals, is currently pursuing an application for a declaration of employment status in this Court. On 13 May 2025, the Court made interim orders of non-publication in favour of each of the plaintiffs, including OY. Safety concerns in respect of the plaintiffs, in the event that they were identifiable, were found to weigh in favour of non-publication orders being granted.¹

[2] The interim orders of non-publication will be revisited by the Court at the time the substantive claim is heard, during a five-day fixture in February 2026.

¹ *CG v Calendar Girls NZ Ltd* [2025] NZEmpC 93.

[3] The plaintiff filed an application in respect of alleged breaches of the non-publication order by the defendants. I accorded urgency to the application given the nature of the alleged breaches and the concerns that had underpinned the making of the orders of non-publication in the first place. The hearing was set down for tomorrow, 24 July 2025. This morning the representatives filed a joint memorandum seeking orders by consent, together with a signed undertaking by the defendants.

[4] I have reviewed the proposed orders and am satisfied that it is appropriate to make them. Accordingly there are orders by consent that:

- (a) the defendants undertake not to disclose, publish, or otherwise make available to any third party any information that is subject to the non-publication orders, including but not limited to the names and identifying particulars of the seven plaintiffs involved in the proceedings, including photographs that might lead to their identification;
- (b) the undertaking applies to all forms of communication, including oral, written, electronic, and any other medium;
- (c) the undertaking remains in effect for the duration of the non-publication orders; and
- (d) the defendants confirm that they have removed all offending posts.

[5] There are no outstanding issues as to costs.

[6] The scheduled hearing is vacated.

Christina Inglis
Chief Judge

Judgment signed at 3.15 pm on 23 July 2025