



Employment Court of New Zealand

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Hutton v Provencocadmus Limited (in receivership) [2013] NZEmpC 64 (16 April 2013)

Last Updated: 23 April 2013

IN THE EMPLOYMENT COURT AUCKLAND

[\[2013\] NZEmpC 64](#)

ARC 92/11

IN THE MATTER OF challenge to a determination of the

Employment Relations Authority

BETWEEN AYLA HUTTON AND 111 OTHERS SET OUT IN SCHEDULE 1

Plaintiffs

AND PROVENCOCADMUS LIMITED (IN RECEIVERSHIP)

First Defendant

AND PROVENCO PAYMENTS LIMITED (IN RECEIVERSHIP)

Second Defendant

Hearing: On the papers

Counsel: Philip Skelton, counsel for plaintiffs

Tim Clarke, counsel for defendants

Judgment: 16 April 2013

CONSENT JUDGMENT OF JUDGE CHRISTINA INGLIS

[1] On 6 December 2012 I issued a judgment in relation to the “test case” heard in respect of six of the 112 named plaintiffs in this proceeding.^[1] I invited the parties to seek to agree the issue of costs.

[2] The parties have since filed a joint memorandum, having negotiated a full and final settlement of all outstanding issues (including all issues with respect to costs) in relation to this proceeding.

[3] By consent, the following orders are made:

AYLA HUTTON AND 111 OTHERS SET OUT IN SCHEDULE 1 V PROVENCOCADMUS LIMITED (IN RECEIVERSHIP) NZEmpC AK [\[2013\] NZEmpC 64](#) [16 April 2013]

a) That all remaining claims in this proceeding ARC 92/11 are dismissed;

b) The plaintiffs are to pay the sum of \$40,000 to the defendants as a contribution towards their costs within 14 days of the date of this judgment.

Christina Inglis

Judge

Judgment signed at 2 pm on 16 April 2013

SCHEDULE 1

List of Plaintiffs

No. Surname First Name

1. Hutton Ayla
2. Alnaib Sid
3. Barnes Steve
4. Bodmin Sandra
5. Chappel Mara
6. Chetland Paul
7. Chinnamunian Chris
8. Coupe Peter
9. Dong Jimmy
10. Eastabrook Stuart
11. Eng Kevin
12. Fraser Dean
13. Harris Jill
14. Hart Stephen
15. Hogan Christine
16. Horne Melanie
17. Jadhav Hemant
18. Khan Alauddin
19. Khan Mohammed
20. Kim Tina
21. Knuckey Jared
22. Lee Henry
23. Li Anderson
24. Liu Grant
25. Livingston Neil
26. Lopez Ramon
27. Lundy Stephen
28. MacIntyre Andrew
29. Marter Anthony
30. McCathie June
31. Muylo (Prihatin) Fatkuriah (Fifin)

32. Navalkar Sandeep
33. Njo Enrico
34. O'Brien John
35. Osika Jakub
36. Patel Sunita
37. Patel Babubhai
38. Patel Rajnikant
39. Pearson Phil
40. Pullen James
41. Pye Halford
42. Rae Paul
43. Reddy Avineet
44. Reilly John
45. Shah Reena
46. Sharma Anish
47. Stankovic Srboljub
48. Walmsley (Zhang) Angelina
49. Wilson Anna
50. Wong Cam-Sieu
51. Yang Donald
52. Zhong Ken
53. Bray Jane
54. Cooper Gillian
55. Crawley Brent
56. Crocker Adam
57. Dustin James
58. Evans Megan
59. Farrant Megan
60. Hansen Penny
61. Kong Wei-Cheng
62. Lai John
63. Liu Steven
64. Lupuka Maria
65. Pain Simon Hacket
66. Perano Malcolm
67. Raffles George

68. Robinson Nick
69. Rotherham John
70. Scott Steven
71. Shipman Craig
72. Simpson Braden
73. Trajkov Vane
74. Ward Gregg
75. Wickham Amy
76. Xie Rhett
77. Yin Jerry
78. Zhang Jinlu
79. Zhu Steven
80. Beavis Julian
81. Bennett Todd
82. Butler Fiona
83. Cochius Gavin
84. Corrick Steven
85. Dagnin Terry
86. Debney Andy
87. Drysdale Aaron
88. Dunn Jessica
89. Gibson Matthew
90. Hart Christine
91. Hotere Nick
92. Houg Lee (Grange) Nina
93. Hunn Kristen
94. Kinloch Renee
95. Knox Jarred
96. Lecchi Stefan
97. Madeley Helen
98. Makaea Sally
99. Meredith Peter
100. Michael Raewyn
101. Murphy Chris
102. Murray John
103. O'Loughlan Danny

104. Parkins Cindy

105. Patterson Iris (Bunny)

106. Ritten Dave

107. Taylor Richard

108. Grimmett Claire

109. Murphy Laura

110. Penny Katrina

111. Woodall Dean

112. Zhou Bin

[\[1\]](#) [2012] NZEmpC 207.

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