

**Attention is drawn to the order  
prohibiting publication of certain  
information in this Determination**

**IN THE EMPLOYMENT RELATIONS AUTHORITY  
AUCKLAND**

[2017] NZERA Auckland 316

3019075

BETWEEN VISHAL RATHOD  
Applicant

AND FAT PROPHETS LTD  
Respondent

3019076

BETWEEN KARAN GULATI  
Applicant

AND FAT PROPHETS LTD  
Respondent

Member of Authority: Vicki Campbell

Representatives: David Fleming for Applicants  
Paul Fisher for Respondent

Investigation Meeting: On the papers

Determination: 10 October 2017

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**PRELIMINARY DETERMINATION OF THE  
AUTHORITY**

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- A. A non-publication order applies to the confidential information regarding investors within the Global Contrarian Fund Limited and the confidential company correspondence and emails lodged by the applicants in support of their claims.**

### **Employment relationship problem**

[1] Mr Rathod and Mr Gulati worked for Fat Prophets Ltd and claim (among other matters) they are owed outstanding commission payments. Fat Prophets has asked the Authority to issue non-publication orders in respect to confidential information regarding investors within the Global Contrarian Fund Limited and confidential company correspondence and emails lodged in the Authority in support of their claims.

[2] The applicants do not oppose the application and during a case management call on 5 October I advised the parties that a non-publication order will be made. This determination confirms the order.

[3] I am satisfied there is no public interest in having confidential information made publicly available.

[4] I am satisfied it is in the interests of justice to issue non-publication orders in respect of the confidential information regarding investors within the Global Contrarian Fund Limited and the confidential company correspondence and emails lodged by the applicants in support of their claims.

[5] Accordingly, pursuant to clause 10 of the Second Schedule of the Employment Relations Act 2000 the Authority orders that a non-publication order applies to the confidential information regarding investors within the Global Contrarian Fund Limited and the confidential company correspondence and emails lodged by the applicants in support of their claims.

Vicki Campbell  
Member of the Employment Relations Authority