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Somers v Whangarei Bait and Tackle Limited (Auckland) [2007] NZERA 107 (5 April 2007)

Determination Number: AA 105/07 File Number: 5045254

Under the [Employment Relations Act 2000](#)

BEFORE THE EMPLOYMENT RELATIONS AUTHORITY AUCKLAND OFFICE

BETWEEN Raymond Parry Anthony Somers
AND Whangarei Bait and Tackle Limited
REPRESENTATIVES Barry Nalder for Applicant

Nick Carter for Respondent

MEMBER OF AUTHORITY Yvonne Oldfield
INVESTIGATION MEETING 3 April 2007
DATE OF DETERMINATION 5 April 2007

ORDER OF THE AUTHORITY BY CONSENT

Identity of respondent party

[1] When this matter was lodged "Pendarves Ltd" was cited as respondent. Pendarves Ltd and Whangarei Bait and Tackle Ltd have a director in common (Mr Powell, who attended and gave evidence at the investigation meeting) and Mr Carter acts for both companies. Mr Carter advised that both companies had instructed him that Whangarei Bait and Tackle Ltd was in fact Mr Somers's employer. At my investigation meeting Mr Somers confirmed his consent that Whangarei Bait and Tackle Ltd be substituted for Pendarves Ltd as respondent party.

Order by Consent

[2] On the 3 April I convened a meeting with the parties which was scheduled to run on into 4 April. However on the morning of the second day Mr Carter and Mr Nalder advised that their clients had reached agreement on terms of settlement which they wished me to record as an order by consent. They also advised me that they wished those terms to remain confidential.

[3] I therefore dispose of the matter by means of an order by consent, the terms of which are attached. The publication of those terms of settlement is prohibited pursuant to Clause (10) (2) of the Second Schedule of the [Employment Relations Act 2000](#).

Y S Oldfield
Member of Employment Relations Authority