



Employment Court of New Zealand

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Zespri International Limited v Yu [2018] NZEmpC 54 (25 May 2018)

Last Updated: 30 May 2018

**IN THE EMPLOYMENT COURT
AUCKLAND**

[\[2018\] NZEmpC 54](#)
EMPC 25/2015

IN THE MATTER OF a challenge to a determination of the
Employment Relations Authority
BETWEEN ZESPRI INTERNATIONAL LIMITED
Plaintiff
AND JOSEPH YU
Defendant

EMPC 132/2015
IN THE MATTER OF proceedings removed from the
Employment Relations Authority
AND BETWEEN JOSEPH YU
Plaintiff
AND ZESPRI INTERNATIONAL LIMITED
Defendant

Hearing: By joint memorandum filed on 23 May 2018
Appearances: M Richards, counsel for Zespri International
Limited P Skelton QC, counsel for Joseph Yu
Judgment: 25 May 2018

CONSENT JUDGMENT OF JUDGE B A CORKILL

[1] The parties have filed notices of discontinuance in respect of the proceedings removed from the Employment Relations Authority (EMPC 132/2015)¹ and the challenge brought to the determination of the Authority (EMPC 25/2015).²

1 *Yu v Zespri International Ltd* [2015] NZERA Auckland 143.

2 *Yu v Zespri International Ltd* [2014] NZERA Auckland 532.

ZESPRI INTERNATIONAL LIMITED v JOSEPH YU NZEmpC AUCKLAND [\[2018\] NZEmpC 54](#) [25 May 2018]

[2] Counsel have also filed a memorandum confirming that the parties have settled all issues in the Employment Court proceedings, including costs. They say that a hearing which had been scheduled to deal with disclosure matters in early July 2018, and a fixture scheduled for February 2019, may now be vacated. I so direct.

[3] I also direct that a laptop and related electronic media, currently held by the Registrar of the Court, is to be returned to Zespri International Ltd, via its solicitors.

[4] By consent, I direct:

- (a) that the Court-appointed independent forensic expert, Mr Mike Spence of deCipher Ltd, is to delete all data and clones of the laptop and electronic media currently held by deCipher Ltd in relation to this matter; and
- (b) that the translator, Daniel Fan, is to delete the spreadsheet and any other data currently held by him.

[5] I congratulate the parties on resolving these proceedings.

BA Corkill Judge

Judgment signed at 10 am on 25 May 2018

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