

IN THE SUPREME COURT OF NEW ZEALAND

I TE KŌTI MANA NUI

SC 64/2019
[2019] NZSC 115

BETWEEN ANZ BANK NEW ZEALAND LIMITED
Applicant

AND BUSHLINE TRUSTEES LIMITED AND
STEPHEN DANIEL COOMEY AS
TRUSTEES OF BUSHLINE TRUST ONE,
AND BUSHLINE TRUSTEES LIMITED
AND SHARON LOUISE COOMEY AS
TRUSTEES OF BUSHLINE TRUST TWO
First Respondents

ROBERT LEWIS ENGLAND
Second Respondent

Court: Winkelmann CJ, O'Regan and Ellen France JJ

Counsel: S M Hunter, M C Sumpter and D T Street for Applicant
M D Branch for First Respondents
A C Challis and D P Turnbull for Second Respondent

Judgment: 15 October 2019

JUDGMENT OF THE COURT

- A** Leave to appeal is granted (*Bushline Trustees Ltd v ANZ Bank New Zealand Ltd* [2019] NZCA 245).
- B** The approved question is whether the Court of Appeal was correct to allow the appeal from the judgment of the High Court (*Bushline Trustees Ltd v ANZ Bank New Zealand Ltd* [2017] NZHC 2520, [2018] NZCCLR 19).
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Solicitors:
Chapman Tripp, Auckland for Applicant
Harkness Henry, Hamilton for First Respondent
McElroys, Auckland for Second Respondent