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Depending on the current traffic light setting where cases are to be heard, **public access may restrictions apply**. If access to Court is permitted, you **MUST**:

- Observe social distancing requirements;
- Wear a KN95 (or equivalent) or surgical mask in public areas and courtrooms;
- comply with Rapid Antigen Testing requirements.

If you are unwell, showing signs of illness, have a body temperature of 38 degrees or higher, have tested positive for COVID-19 and required to isolate, or a household contact of a confirmed case of COVID-19, access will be denied.

For further information, please refer to the latest and/or relevant Protocol: <https://www.courtsofnz.govt.nz/publications/announcements/covid-19/court-protocols/court-of-appeal/>



### **DISCLAIMER:**

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This List has been published as at Monday 25 July 2022.

However, **this list may change significantly after the date of publication and may not reflect the Court's business on any given date. Therefore, this List is intended as a GUIDE ONLY.**

For any queries, please contact the Registry: [courtofappeal@justice.govt.nz](mailto:courtofappeal@justice.govt.nz)

### **Locations:**

The Court of Appeal is located at: [54 Molesworth St, Thorndon, Wellington](#)

All hearings are at the Court of Appeal in Wellington unless otherwise specified.

The Court also sits at the following High Courts (however, please note that all documents must be sent to the Court at the above Wellington address):

Auckland High Court – [24 Waterloo Quadrant, Auckland](#)

Wellington High Court – [2 Molesworth Street, Wellington](#)

Christchurch High Court (Justice Precinct) – [20 Lichfield Street, Christchurch](#)

Dunedin High Court – [1 Stuart Street, Dunedin](#)

### **Lower Court Judgments cited in this list may be found at the following links (if publicly available):**

Senior Courts Judgments of Public Interest: <https://www.courtsofnz.govt.nz/judgments/>

District Court of New Zealand: <https://www.districtcourts.govt.nz/>

Judicial Decisions Online: <https://forms.justice.govt.nz/jdo/Search.jsp>

New Zealand Legal Information Institute (NZLII): [http://www.nzlii.org/databases.html#nz\\_cases](http://www.nzlii.org/databases.html#nz_cases)

### **Court types:**

Full Court – A Court of five Court of Appeal Judges. See [s50 and s51 of the Senior Courts Act 2016](#)

Permanent Court – A Court consisting of three Court of Appeal Judges. See [s48\(1\)\(a\) of the Senior Courts Act 2016](#)

Divisional Court – A Court typically consisting of one Court of Appeal Judge and two High Court Judges. See [s48\(1\)\(c\)](#) and [s52 of the Senior Courts Act 2016](#)

For more information regarding Court types please see: <https://www.courtsofnz.govt.nz/the-courts/court-of-appeal/cases-to-court/>

**COURT OF APPEAL FIXTURE LIST – AUGUST 2022**

Session Week: Monday 1 August to Friday 5 August

Date	Permanent Court, Wellington Courtroom 1	Permanent Court, Wellington Courtroom 2
Monday 1 August	<p><b>Court: French J, Brown J, Gilbert J</b></p> <p><u>CA555/2021</u> Tracey Jane Cridge and Mark Anthony Unwin &amp; Anor (J A Farmer QC, R J Fowler QC, S Dalzell, D J Parker, J T Wollerman, D A Fry) v Studorp Limited &amp; Anor (J E Hodder QC, J A Mckay, E S Scorgie) Simon France J [2021] NZHC 2077 <i>Appeal from High Court judgment rejecting product liability claim in respect of building cladding used in leaky buildings.</i></p>	
Tuesday 2 August	<p><b>Court: French J, Brown J, Gilbert J</b></p> <p><u>CA555/2021</u> Tracey Jane Cridge and Mark Anthony Unwin &amp; Anor (J A Farmer QC, R J Fowler QC, S Dalzell, D J Parker, J T Wollerman, D A Fry) v Studorp Limited &amp; Anor (J E Hodder QC, J A Mckay, E S Scorgie) Simon France J [2021] NZHC 2077 <i>Appeal from High Court judgment rejecting product liability claim in respect of building cladding used in leaky buildings.</i></p>	
Wednesday 3 August	<p><b>Court: French J, Brown J, Gilbert J</b></p> <p><u>CA555/2021</u> Tracey Jane Cridge and Mark Anthony Unwin &amp; Anor (J A Farmer QC, R J Fowler QC, S Dalzell, D J Parker, J T Wollerman, D A Fry) v Studorp Limited &amp; Anor (J E Hodder QC, J A Mckay, E S Scorgie) Simon France J [2021] NZHC 2077 <i>Appeal from High Court judgment rejecting product liability claim in respect of building cladding used in leaky buildings.</i></p>	
Thursday 4 August	<p><b>Court: French J, Brown J, Gilbert J</b></p> <p><u>CA555/2021</u> Tracey Jane Cridge and Mark Anthony Unwin &amp; Anor (J A Farmer QC, R J Fowler QC, S Dalzell, D J Parker, J T Wollerman, D A Fry) v Studorp Limited &amp; Anor (J E Hodder QC, J A Mckay, E S Scorgie) Simon France J [2021] NZHC 2077 <i>Appeal from High Court judgment rejecting product liability claim in respect of building cladding used in leaky buildings.</i></p>	<p><b>Court: Miller J, Courtney J, Simon France J</b></p> <p><u>CA512/2021</u> Phyllis Rangi Nicholas (M J Sharp, T L Te Whenua) v Andrew Te Amo, Douglas Rewi, Peter White and Rene Rewi as Trustees of the Te Whaiti-Nui-A-Toi Trust (M S Mckechnie, G D Dennett) Judge S Te A Milroy, Judge M J Doogan &amp; Judge T M Wara 2020/10 <i>Criteria for right to occupy a house owned by appellant under s18(1)(a) Te Ture Whenua Māori Act 1993.</i></p>
Friday 5 August	<p><b>Court: French J, Brown J, Gilbert J</b></p> <p><u>CA555/2021</u> Tracey Jane Cridge and Mark Anthony Unwin &amp; Anor (J A Farmer QC, R J Fowler QC, S Dalzell, D J Parker, J T Wollerman, D A Fry) v Studorp Limited &amp; Anor (J E Hodder QC, J A Mckay, E S Scorgie) Simon France J [2021] NZHC 2077 <i>Appeal from High Court judgment rejecting product liability claim in respect of building cladding used in leaky buildings.</i></p>	

**COURT OF APPEAL FIXTURE LIST – AUGUST 2022**

Session Week: Monday 8 August to Friday 12 August

Date	Permanent Court, Wellington Courtroom 1	Permanent Court, Wellington Courtroom 2
Monday 8 August	<p><b>Court: French J, Brown J, Gilbert J</b></p> <p><u>CA555/2021</u> Tracey Jane Cridge and Mark Anthony Unwin &amp; Anor (J A Farmer QC, R J Fowler QC, S Dalzell, D J Parker, J T Wollerman, D A Fry) v Studorp Limited &amp; Anor (J E Hodder QC, J A Mckay, E S Scorgie) Simon France J [2021] NZHC 2077 <i>Appeal from High Court judgment rejecting product liability claim in respect of building cladding used in leaky buildings.</i></p>	<p><b>Court: Miller J, Courtney J, Collins J, Katz J</b></p> <p><u>Miscellaneous Motions List Day</u></p>
Tuesday 9 August	<p><b>Court: French J, Brown J, Gilbert J</b></p> <p><u>CA555/2021</u> Tracey Jane Cridge and Mark Anthony Unwin &amp; Anor (J A Farmer QC, R J Fowler QC, S Dalzell, D J Parker, J T Wollerman, D A Fry) v Studorp Limited &amp; Anor (J E Hodder QC, J A Mckay, E S Scorgie) Simon France J [2021] NZHC 2077 <i>Appeal from High Court judgment rejecting product liability claim in respect of building cladding used in leaky buildings.</i></p>	
Wednesday 10 August	<p><b>Court: French J, Brown J, Gilbert J</b></p> <p><u>CA555/2021</u> Tracey Jane Cridge and Mark Anthony Unwin &amp; Anor (J A Farmer QC, R J Fowler QC, S Dalzell, D J Parker, J T Wollerman, D A Fry) v Studorp Limited &amp; Anor (J E Hodder QC, J A Mckay, E S Scorgie) Simon France J [2021] NZHC 2077 <i>Appeal from High Court judgment rejecting product liability claim in respect of building cladding used in leaky buildings.</i></p>	<p><b>Court: Courtney J, Katz J, Simon France J</b></p> <p><u>CA105/2022</u> Idea Services Limited v Attorney-General in respect of the Minister of Workplace Relations And Ors Isac J [2022] NZHC 308 <i>Appeal from High Court decision declining to set aside IMO (Immediate Modification Order) extending the operation of collective employment agreements in response to the COVID-19 pandemic.</i></p>
Thursday 11 August	<p><b>Court: French J, Brown J, Gilbert J</b></p> <p><u>CA555/2021</u> Tracey Jane Cridge and Mark Anthony Unwin &amp; Anor (J A Farmer QC, R J Fowler QC, S Dalzell, D J Parker, J T Wollerman, D A Fry) v Studorp Limited &amp; Anor (J E Hodder QC, J A Mckay, E S Scorgie) Simon France J [2021] NZHC 2077 <i>Appeal from High Court judgment rejecting product liability claim in respect of building cladding used in leaky buildings.</i></p>	
Friday 12 August	<p><b>Court: French J, Brown J, Gilbert J</b></p> <p><u>CA555/2021</u> Tracey Jane Cridge and Mark Anthony Unwin &amp; Anor (J A Farmer QC, R J Fowler QC, S Dalzell, D J Parker, J T Wollerman, D A Fry) v Studorp Limited &amp; Anor (J E Hodder QC, J A Mckay, E S Scorgie) Simon France J [2021] NZHC 2077 <i>Appeal from High Court judgment rejecting product liability claim in respect of building cladding used in leaky buildings.</i></p>	

**COURT OF APPEAL FIXTURE LIST – AUGUST 2022**

Circuit Week: Monday 15 August to Friday 19 August

<b>Date</b>	<b>Divisional Court – Wellington, Courtroom 1 Court: Collins J, Duffy J, Edwards J</b>	<b>Divisional Court – Auckland, Courtroom 1 Court: Katz J, Wylie J, Palmer J</b>
<b>Monday</b> 15 August	<p><b><u>CA74/2020</u></b> Paul Nils HERLUND (J W Griffiths) v The Queen Application to withdraw notice of abandonment re: Conviction - 5 Years, 2 Months' Imprisonment Ryan DCJ</p> <p><b><u>CA207/2022</u></b> O (E Huda, P H Hall Qc) v The Queen Pre-trial ruling: Admissibility of evidence Neave DCJ</p> <p><b><u>CA75/2022</u></b> Ricky Charles SHEED (E Huda, C J Lange) v The Queen Sentence – 2 years 3 months imprisonment O'Driscoll DCJ</p>	<p><b><u>CA40/2022</u></b> LSD 2017 Ltd (J A Browne) v Landscaping Direct Ltd (in liquidation) Powell J [2021] NZHC 3386 <i>Liability in misrepresentation of a company not incorporated at the time but on whose behalf the representation was made.</i></p> <p><b><u>CA115/2022</u></b> R (S J Gray) v The Queen Sentence – 12 Years 9 Months Imprisonment Jagose J</p> <p><b><u>CA258/2022</u></b> Joshua Simon PARAHA (D A Kemp) v The Queen Sentence – 6 years 9 months' imprisonment Gibson DCJ</p> <p><b><u>CA160/2022</u></b> Mohammed Masroof KHAN (R P Chaudhry) v The Queen Application for an extension of time to appeal Conviction and Sentence – Reparation of \$26,656.49 and 6 months community detention Spear DCJ</p>
<b>Tuesday</b> 16 August	<p><b><u>CA636/2021</u></b> Kane Stuart DARLING (A J Bamford) v The Queen Conviction – 90 hours community work and 9 months supervision Ruth DCJ; Zohrab DCJ</p> <p><b><u>CA365/2021</u></b> Aakashdeep SINGH (E A Hall) v The Queen Conviction – 10 months home detention Hobbs DCJ</p> <p><b><u>CA214/2022 &amp; CA273/2022</u></b> <b><u>CA214/2022</u></b> H (A O'Connor) v The Queen Pre-trial ruling <b><u>CA273/2022</u></b> H (A O'Connor) Pre-Trial, Solicitor-General Hollister-Jones DCJ</p>	<p><b><u>CA46/2022</u></b> Demasol Limited (M Russell, A J Holmes) v South Pacific Industrial Limited (P J Crombie, P J Anderson) Sussock AJ [2021] NZHC 3597 <i>Appeal from High Court decision setting aside statutory demand based on amount claimed under Construction Contracts Act 2002.</i></p> <p><b><u>CA546/2021</u></b> H (In Person) v Y (In Person) van Bohemen J [2021] NZHC 2090 <i>Appeal from High Court decision upholding protest to jurisdiction and dismissing proceeding.</i></p>

Date	Divisional Court – Wellington, Courtroom 1 Court: Collins J, Duffy J, Edwards J	Divisional Court – Auckland, Courtroom 1 Court: Katz J, Wylie J, Palmer J
<b>Wednesday</b> 17 August	<p><b><u>CA395/2020</u></b>            Luigi HAVEA (N T Batts) v The Queen (M J Lillico, R E King)            Conviction – 10 Years, 3 Months' Imprisonment with minimum period of imprisonment of 4 years, 6 months.            Palmer J</p> <p><b><u>CA347/2022</u></b>            W v The Queen            Pre-Trial Ruling            Grieg DCJ</p> <p><b><u>CA355/2022</u></b>            S (J D Munro) v The Queen            Application for leave to bring a second appeal against suppression and Sentence – 2 years 5 months imprisonment            Application for bail pending appeal            E P Paul DCJ; Lang J</p>	<p><b><u>CA441/2016</u></b>            Jiaxin TU (R M Mansfield Qc) v The Queen            Sentence – Life Imprisonment with a Minimum Period of Imprisonment of 12 Years            Whata J</p> <p><b><u>CA278/2021</u></b>            W (P K Hamlin) v The Queen            Conviction and Sentence – 11 years imprisonment            Moala DCJ</p>
<b>Thursday</b> 18 August	<p><b><u>CA64/2022</u></b>            David Lewis Hingston &amp; Ors (D G Dewar, J J Pietras, C J Griggs) v Keith Hamilton Hingston (J W Howell)            Gwyn J [2021] NZHC 3621  <i>Whether settlement agreement was entered by undue influence</i></p>	<p><b><u>CA690/2021</u></b>            New World (New Zealand) Limited (J Ding, S Mills Qc, B O'Callahan) v Shaojun Wang (J Goodwin, A J Holmes, N M Foulis)            Peters J [2021] NZHC 2899            Appeal from High Court judgment varying a charging order and cancelling its registration against title.</p> <p><b><u>CA114/2022 &amp; CA190/2022</u></b>            Tanya Felicity Dunstan (In Person) v Auckland High Court &amp; Ors (J B Watson)            Jagose J [2022] NZHC 417            Gault J [2022] NZHC 674</p>
<b>Friday</b>		

**COURT OF APPEAL FIXTURE LIST – AUGUST 2022**

Circuit Week: Monday 22 August to Friday 26 August

<b>Date</b>	<b>Divisional Court – Wellington, Courtroom 1 Court: Cooper P, Wylie J, Cull J</b>	<b>Divisional Court – Auckland, Courtroom 1 Court: Goddard J, Duffy J, Edwards J</b>
<p><b>Monday</b> 22 August</p>	<p><b><u>CA613/2021</u></b> Tuariki John Edward Delamere (J Elliott, A C Beck) v Yingheng Liu (D B Hickson) Lang J [2021] NZHC 2445 <i>Appeal from High Court judgment in contract claim</i></p> <p><b><u>CA616/2020</u></b> William George MOSEN (In Person) v Chief Executive of the Department of Corrections Appeal against extended supervision order of 5 years Northwood DCJ</p>	<p><b><u>CA633/2019</u></b> Jessie Arthur HEKE-GREY (N P Chisnall, L A Elborough) v The Queen Conviction and Sentence – Preventive detention McDonald DCJ; Whata J</p> <p><b><u>CA753/2021</u></b> Malia Unalotokipea LI (M W Ryan) v The Queen Conviction and Sentence – 5 Years 7 Months imprisonment Wylie J</p> <p><b><u>CA278/2022</u></b> S (P J Davey) v The Queen Pre-trial ruling: Admissibility of Evidence P Winter DCJ</p> <p><b><u>CA82/2022 – 45 mins</u></b> Rhett SHIMMIN (J-F O’Halloran) v The Queen Sentence – 5 years 11 months imprisonment Bergseng DCJ</p>
<p><b>Tuesday</b> 23 August</p>	<p><b><u>CA757/2021</u></b> B (P L Murray) v The Queen Sentence – 10 years 8 months imprisonment Northwood DCJ</p> <p><b><u>CA344/2022</u></b> T (Q Duff) v The Queen Suppression Venning J</p> <p><b><u>CA707/2021</u></b> Thomas Barren SMITH (E J Forster) v The Queen Conviction – 6 years 3 months imprisonment Cathcart DCJ</p>	<p><b><u>CA104/2022</u></b> Cory Victor AYLING v The Queen Conviction &amp; Sentence – 4 years 9 months imprisonment Hollister-Jones DCJ</p> <p><b><u>CA299/2022</u></b> B (S D Cassidy) v The Queen Suppression Campbell J</p>

Date	Divisional Court – Wellington, Courtroom 1 Court: Gilbert J, Wylie J, Cull J	Divisional Court – Auckland, Courtroom 1 Court: Goddard J, Duffy J, Edwards J
<b>Wednesday</b> 24 August	<u>CA53/2022</u> PGG Wrightson Real Estate Limited (L J Taylor QC, M E Parker, J E Eckford) v Philip William Routhan and Julie Veronica Routhan as trustees of the Kaniere Family Trust (D R Kalderimis, O Neas, R S May) Dunningham J [2021] NZHC 3585 <i>Liability and loss for misrepresentation as to farm's productive capacity.</i>	<u>CA710/2021</u> Thirty Eight Moffat Limited (P R Franklin, S J Ryan, G Illingworth QC) v Auckland Council & Anor (P M Mcnamara, C J Ryan) Downs J [2021] NZHC 2978 <i>Validity of bylaw prohibiting public watermain on private road.</i>
<b>Thursday</b> 25 August	<u>CA53/2022</u> PGG Wrightson Real Estate Limited (L J Taylor QC, M E Parker, J E Eckford) v Philip William Routhan and Julie Veronica Routhan as trustees of the Kaniere Family Trust (D R Kalderimis, O Neas, R S May) Dunningham J [2021] NZHC 3585 <i>Liability and loss for misrepresentation as to farm's productive capacity.</i>	<u>CA6/2022</u> John AITKEN (C G Tuck) v The Queen Conviction and Sentence – 4 years 9 months imprisonment Harding DCJ  <u>CA173/2022</u> W (M E Goodwin) v The Queen Pre-trial ruling: Admissibility of evidence Glubb DCJ  <u>CA698/2021</u> Guanfa MEN (A Simperingham, K Leung) v The Queen (I A A Mara) Sentence – 3 years 2 months imprisonment Jagose J & Aitken DCJ  <u>CA282/2022</u> K (S D Cassidy, C S Fredric) v The Queen Pre-trial ruling Moala DCJ
<b>Friday</b>		

**COURT OF APPEAL FIXTURE LIST – AUGUST 2022**

Session Week: Monday 29 August to Friday 2 September

<b>Date</b>	<b>Permanent Court, Wellington Courtroom 1</b>	<b>Permanent Court, Wellington Courtroom 2</b>
<b>Monday</b> 29 August		
<b>Tuesday</b> 30 August	<p><b>Court: Miller J, Gilbert J, S France J</b></p> <p><b><u>CA154/2021</u></b> C (S J Zindel) v P (S N Van Bohemen) Somerville DCJ [2015] NZFC 511; Clark J [2020] NZHC 1178 <i>Appeal from High Court decision finding that a trustee's powers under a Trust Deed were not "property" for the purposes of the Property (relationships) Act 1976.</i></p> <p><b><u>CA27/2021</u></b> Dharmendra Maheta (L M Hansen) v Skybus New Zealand Limited, formerly Airbus Express Limited (S Laphorne) Judge K G Smith <i>Appeal from judgment of the Employment Court pursuant to leave granted in [2021] NZCA 493</i></p>	
<b>Wednesday</b> 31 August	<p><b>Court: Courtney J, Goddard J, Katz J</b></p> <p><b><u>CA301/2021</u></b> W (J R Hosking, K M Yarrall) v W (In Person) &amp; Anor Callinicos FCJ [2015] NZFC 4905; Venning J [2016] NZHC 941 Extension of time to appeal under r29A granted in [2021] NZCA 676 <i>Appeal from High Court judgment refusing extension of time to appeal Family Court judgment in property relationship proceeding.</i></p>	
<b>Thursday</b> 1 September	<p><b>Court: Cooper P, Miller J, Simon France J</b></p> <p><b><u>CA227/2022</u></b> V (T J McKenzie) v New Zealand Customs Service (F Sinclair) Application for leave to bring a second appeal and second appeal against Pre-Trial Ruling Kellar DCJ; Osborne J [2022] NZHC 670 Appeal raises issue concerning ambit of previous conviction pleas under s46 Criminal Procedure Act 2011.</p>	
<b>Friday</b>		