

**IN THE SUPREME COURT OF NEW ZEALAND**

**SC 23/2009  
[2009] NZSC 44**

BETWEEN	IAN LAYWOOD AND GARY REES Applicants
AND	HOLMES CONSTRUCTION WELLINGTON LTD Respondent

Court: Blanchard, Tipping and McGrath JJ

Counsel: R B Hucker for Applicants  
D M Hughes and K A Van Houtte for Respondent

Judgment: 15 May 2009

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**JUDGMENT OF THE COURT**

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**The application for leave to appeal is dismissed with costs of \$2,500 to the respondent.**

**REASONS**

[1] The applicants seek leave to appeal against a decision of the Court of Appeal<sup>1</sup> concerning several questions raised in relation to the registration in a District Court of an adjudicator's determinations under the Construction Contracts Act 2002.

[2] Although the matters in issue are of general practical significance and would otherwise meet the criteria for leave, we find the judgment below compelling and consider that the proposed appeal has no prospect of success on any of the grounds advanced on behalf of the applicants.

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<sup>1</sup> *Laywood v Holmes Construction Wellington Ltd* [2009] NZCA 35 (CA 83/08, Glazebrook, O'Regan and Arnold JJ).

[3] It is therefore not necessary in the interests of justice for this Court to hear the appeal.

Solicitors:  
Hucker & Associates, Auckland for Applicants  
Kensington Swan, Auckland for Respondent