

IN THE SUPREME COURT OF NEW ZEALAND

**SC 72/2009
[2009] NZSC 101**

BETWEEN	RED EAGLE CORPORATION LIMITED Appellant
AND	RICHARD JOHN OTLEY ELLIS Respondent

Court: Blanchard, McGrath and Wilson JJ

Counsel: L Herzog for Appellant
P J Dale for Respondent

Judgment: 7 October 2009

JUDGMENT OF THE COURT

- A** Leave to appeal is granted.
- B** The approved ground of appeal is whether the Court of Appeal correctly applied *AMP Finance NZ Limited v Heaven*.

Solicitors:
Quinn Law, Auckland for Appellant
Martelli McKegg Wells and Cormack, Auckland for Respondent