

**IN THE SUPREME COURT OF NEW ZEALAND**

**SC 38/2011  
[2011] NZSC 68**

BETWEEN	FONTERRA CO-OPERATIVE GROUP LIMITED Appellant
AND	THE GRATE KIWI CHEESE COMPANY LIMITED First Respondent
AND	KAIMAI CHEESE COMPANY LIMITED Second Respondent

Court: Blanchard, Tipping and McGrath JJ

Counsel: J D Every-Palmer for Appellant  
J A MacGillivray and K E Cornege for Respondent

Judgment: 20 June 2011

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**JUDGMENT OF THE COURT**

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- A The application for leave to appeal is granted.**
- B The approved ground is whether the Court of Appeal ([2011] NZCA 67) correctly applied the Dairy Industry Restructuring (Raw Milk) Regulations 2001.**

Solicitors:  
Russell McVeagh, Wellington for Appellant  
Tompkins Wake, Hamilton for First and Second Respondents