IN THE SUPREME COURT OF NEW ZEALAND

I TE KŌTI MANA NUI

SC 105/2019 [2019] NZSC 140

BETWEEN SOUTHERN RESPONSE EARTHQUAKE

SERVICES LIMITED

Applicant

AND BRENDAN MILES ROSS AND COLLEEN

ANNE ROSS Respondents

Court: Glazebrook, O'Regan and Ellen France JJ

Counsel: T C Weston QC and K M Paterson for Applicant

PG Skelton QC, KM Quinn and CB Pearce for Respondents

Judgment: 9 December 2019

JUDGMENT OF THE COURT

- A The application for leave to appeal is granted (Ross v Southern Response Earthquake Services Ltd [2019] NZCA 431).
- B The approved ground of appeal is whether the Court of Appeal was correct to allow the appeal.

REASONS

[1] The appeal will raise questions about the principles applicable to deciding whether representative claims proceed on an opt in or opt out basis. We consider that we may be assisted by submissions from the New Zealand Law Society and the New Zealand Bar Association on those principles. Accordingly, we invite the New Zealand Law Society and the New Zealand Bar Association to intervene if they wish to do so.

| We d | lirect the Re | egistrar to | bring the a | appeal to the | attention | of both | organisations | and |
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| to pr | ovide them | with a cop | y of this ju | ıdgment. | | | | |

Solicitors: Buddle Findlay, Christchurch for Applicant GCA Lawyers, Christchurch for Respondents