

IN THE SUPREME COURT OF NEW ZEALAND

I TE KŌTI MANA NUI

SC 10/2021
[2021] NZSC 42

BETWEEN KATHARINE ELIZABETH PRESTON
Applicant

AND GRANT LEE PRESTON
First Respondent

GRANT LEE PRESTON AND FISHER
PARTNERS TRUSTEES LIMITED AS
TRUSTEES OF THE GRANT PRESTON
FAMILY TRUST
Second Respondents

Court: William Young, O'Regan and Ellen France JJ

Counsel: V T M Bruton QC, I M Hutcheson, N L Walker and H L S Bergin
for the Applicant
J M McCleary and R C van den Broek for Respondents

Judgment: 12 May 2021

JUDGMENT OF THE COURT

- A** Leave to appeal is granted (*Preston v Preston* [2020] NZCA 679).
- B** The approved question is whether the Court of Appeal was correct to dismiss Ms Preston's appeal in relation to her claim for an award of part of the assets of the Grant Preston Family Trust under s 182 of the Family Proceedings Act 1980.
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Solicitors:
Russell McVeagh, Wellington for Applicant
Buddle McCleary Kennedy, Whakatāne for Respondents