

IN THE SUPREME COURT OF NEW ZEALAND

SC 98/2016
[2016] NZSC 145

BETWEEN JANFERIE MAEVE ALMOND
Applicant

AND BRUCE JAMES READ
First Respondent

ETHNE GLADYS READ
Second Respondent

CHRISTOPHER JOHN READ
Third Respondent

Hearing via tele-
conference: 12 September 2016

Court: Glazebrook, Arnold and Ellen France JJ

Counsel: S I Perese for Applicant
J M Airey and G D Stringer for First Respondent
N W Woods for Second and Third Respondents

Judgment: 2 November 2016

JUDGMENT OF THE COURT

- A The amended application for leave to appeal is granted (*Almond v Read* [2016] NZCA 147).**
- B The approved question is whether the Court of Appeal was right to refuse the appellant's application for an extension of time to appeal.**
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[1] Following a telephone hearing on 12 September 2016, we fixed a timetable for the filing of an amended application for leave to appeal and for the filing of submissions on the leave application. We also granted a stay of execution of the judgment of Thomas J until further order of the Court.

[2] The respondents submit that the stay should be on terms. We will not determine that issue now. Rather, we will consider the question whether the stay should be continued, and if so, whether terms should be imposed, at the hearing of the appeal.

[3] We consider that there should be an expedited hearing of the appeal. No more than half a day will be required. The Court hereby allocates a half day hearing on Monday 5 December 2016, commencing at 10 am.

[4] There will need to be an abbreviated timetable for submissions. The appellant's submissions and other materials are to be filed and served by 5 pm on Friday 18 November 2016 and the respondents' submissions by 5 pm on Thursday 1 December 2016.

Solicitors:
Law & Associates, Manukau for Applicant
Inder Lynch, Auckland for First Respondent
Rice Craig, Auckland for Second and Third Respondents