



# SUPREME COURT OF NEW ZEALAND

Te Kōti Mana Nui

**June 2019**

<p><b>Monday 10 June to Friday 14<sup>th</sup> June</b></p> <p>Winkelmann CJ Glazebrook J O'Regan J Ellen France J Williams J</p>	<p><b>54/2018</b> <b>Mathias Ortmann, Bram van der Kolk and Finn Habib Batato</b> <i>G M Illingworth QC, P K Spring and A K Hyde</i> <b>v</b> <b>The United States of America</b> <i>K Raftery QC, D J Boldt, F R J Sinclair and Z A Fuhr</i> <b>and The District Court at North Shore</b></p> <p><b>SC 55/2018</b> <b>Finn Habib Batato</b> <i>A V G Rogers</i> <b>v</b> <b>The United States of America</b> <i>K Raftery QC, D J Boldt, F R J Sinclair and Z A Fuhr</i></p> <p><b>SC 56/2018</b> <b>Mathias Ortmann and Bram van der Kolk</b> <i>G M Illingworth QC, P K Spring and A K Hyde</i> <b>v</b> <b>The United States of America</b> <i>K Raftery QC, D J Boldt, F R J Sinclair and Z A Fuhr</i></p> <p><b>SC 57/2018</b> <b>Kim Dotcom</b> <i>R M Mansfield, S L Cogan and P C Creagh</i> <b>v</b> <b>The United States of America</b> <i>K Raftery QC, D J Boldt, F R J Sinclair and Z A Fuhr</i></p> <p><b>SC 58/2018</b> <b>Kim Dotcom</b> <i>R M Mansfield, S L Cogan and P C Creagh</i> <b>v</b> <b>The United States of America</b> <i>K Raftery QC, D J Boldt, F R J Sinclair and Z A Fuhr</i> <b>and The District Court at North Shore</b></p>
---	--





**SUPREME COURT OF NEW ZEALAND**  
Te Kōti Mana Nui

	Civil and Criminal Appeals
Case Summary	<p>Civil Appeal –Whether the Court of Appeal erred in dismissing the appeal against the High Court’s dismissal of the application for judicial review of the District Court’s determination under s 24 of the Extradition Act 1999.</p> <p>Criminal Appeal – Whether the Court of Appeal erred in upholding the District Court’s determination under s 24 of the Extradition Act 1999 – Whether the Supreme Court of New Zealand has jurisdiction to hear an appeal under the Extradition Act if the proceedings were commenced before 1 July 2013.</p>
Grounds on which leave was granted	<p>The approved question is whether the Court of Appeal was correct to dismiss the appeals (other than the appeal in CA302/2015).</p> <p>To the extent that any of the applications for leave seek to challenge any refusal of leave by the Court of Appeal, they are dismissed. Leave to appeal is declined with regard to the appeal in CA302/2015.</p>
Supreme Court leave application decision	<a href="#">MATHIAS ORTMANN v UNITED STATES OF AMERICA [2018] NZSC 126 [20 December 2018]</a>
Court of Appeal decision	<a href="#">ORTMANN v UNITED STATES OF AMERICA [2018] NZCA 233 [5 July 2018]</a>
High Court Decision	<a href="#">MATHIAS ORTMANN, BRAM VAN DER KOLK AND FINN HABIB BATATO V THE UNITED STATES OF AMERICA AND THE DISTRICT COURT AT NORTH SHORE [2017] NZHC 189</a>





**SUPREME COURT OF NEW ZEALAND**  
Te Kōti Mana Nui

<p><b>Thursday 20 June</b></p> <p>Winkelmann CJ Glazebrook J O'Regan J Ellen France J Williams J</p>	<p><b>SC 17/2019</b></p> <p><b>Brooke Christie Rolleston</b> <i>E Huda</i></p> <p>v</p> <p><b>The Queen</b> <i>K L Kensington</i></p> <p><b>SC 18/2019</b></p> <p><b>Brandon James Roche</b> <i>A J Bailey</i></p> <p>v</p> <p><b>The Queen</b> <i>K L Kensington</i></p> <p>Criminal Appeals</p>
Case Summary	Criminal Appeal – Whether a member of the jury appeared biased – Whether the Court of Appeal erred in dismissing the appeal against conviction.
Grounds on which leave was granted	The approved question is whether the Court of Appeal was correct to dismiss the conviction appeals.
Supreme Court leave application decision	<a href="#">BROOKE CHRISTIE ROLLESTON v R [2019] NZSC 32 [21 March 2019]</a>
Court of Appeal decision	<a href="#">ROLLESTON &amp; ROCHE v R [2018] NZCA 611 [19 December 2018]</a>





**SUPREME COURT OF NEW ZEALAND**  
Te Kōti Mana Nui

<p><b>Friday 21 June</b></p> <p>O'Regan J Ellen France J Williams J</p>	<p><b>SC 24/2019</b></p> <p><b>Blue Reach Services Limited and Blue Reach Wireless Limited</b> <i>M B Wigley</i></p> <p>v</p> <p><b>Spark New Zealand Trading Limited</b> <i>Z G Kennedy and O J Skilton</i></p> <p><i>Oral Leave Hearing</i></p>
<p>Case Summary</p>	<p>Civil Appeal – Whether the Court of Appeal was correct to uphold a decision of the High Court striking out the applicants' claim on the basis it could not succeed by virtue of s 106 of the Commerce Act 1986.</p>
<p>Court of Appeal decision</p>	<p><a href="#">BLUE REACH SERVICES AND BLUE REACH WIRELESS LIMITED v SPARK NEW ZEALAND TRADING LIMITED [2019] NZCA 2 [12 February 2019]</a></p>
<p>High Court decision</p>	<p><a href="#">BLUE REACH SERVICES LTD v SPARK NEW ZEALAND TRADING LTD [2018] NZHC 847 [30 April 2018]</a></p>





## SUPREME COURT OF NEW ZEALAND

Te Kōti Mana Nui

Judges as seen from public seating

### **Monday 10 June to Friday 14 June 2019 at 10:00am**

The Hon Justice Ellen France	The Hon Justice Glazebrook	The Rt Hon the Chief Justice	The Hon Justice O'Regan	The Hon Justice Williams
---------------------------------	-------------------------------	---------------------------------	----------------------------	-----------------------------

### **Thursday 20 June 2019 at 10:00am**

The Hon Justice Ellen France	The Hon Justice Glazebrook	The Rt Hon the Chief Justice	The Hon Justice O'Regan	The Hon Justice Williams
---------------------------------	-------------------------------	---------------------------------	----------------------------	-----------------------------

### **Friday 21 June 2019 at 10:00am**

	The Hon Justice Ellen France	The Hon Justice O'Regan	The Hon Justice Williams	
--	---------------------------------	----------------------------	-----------------------------	--

Normal sitting hours: 10.00am – 11.30am, 11.45am – 1.00pm, 2.15pm – 4.00pm

