

**IN THE HIGH COURT OF NEW ZEALAND
WELLINGTON REGISTRY**

**I TE KŌTI MATUA O AOTEAROA
TE WHANGANUI-A-TARA ROHE**

CIV-2008-409-348

BETWEEN

ERIC MESERVE HOUGHTON
Plaintiff

AND

TIMOTHY ERNEST CORBETT
SAUNDERS, SAMUEL JOHN MAGILL,
JOHN MICHAEL FEENEY, CRAIG
EDGEWORTH HORROCKS, PETER
DAVID HUNTER, PETER THOMAS and
JOAN WITHERS
First Defendants

CREDIT SUISSE PRIVATE EQUITY
INCORPORATED
Second Defendant

CREDIT SUISSE FIRST BOSTON ASIAN
MERCHANT PARTNERS LP
Third Defendant

On papers

Minute: 8 April 2020

MINUTE OF DOBSON J

[1] This minute addresses arrangements for the hearing of the defendants' applications for strike out or for judgment in their favour in the proceeding, which is to occur on 11 May 2020. The background to these arrangements is reflected in my earlier minutes of 2 and 25 March 2020, which should be read in conjunction with this one.

[2] The hearing will proceed on 11 May 2020 as a remote hearing in some form. One day has been allocated. The particular mode by which it is to occur will be the subject of liaison between counsel and the case officer nearer the time.

[3] If a final position on attempts to arrange security for costs on behalf of the claimants for the stage two hearing, and for funding of the hearing, has not been confirmed before then, at the latest by **5.00 pm** on **30 April 2020**, JAFL/Mr Gavigan and any other claimant interests prepared to provide such funding are to confirm the extent of arrangements that have been made. As previously indicated, the detail of funding commitments is to be verified by affidavit.

[4] Thereafter:

- the defendants' submissions in support of their applications are to be filed and served by **5.00 pm** on **4 May 2020**;
- submissions on behalf of the plaintiff/claimants in opposition to the defendants' applications are to be filed and served by **5.00 pm** on **7 May 2020**.

Dobson J

Solicitors:

Antony Hamel, Dunedin for plaintiff
Gilbert Walker, Auckland for first defendants (other than Mr Horrocks and Ms Withers)
Clendons, Auckland for Mr Horrocks
Wilson Harle, Auckland for Ms Withers
Russell McVeagh, Wellington for second and third defendants

Counsel:

C R Carruthers QC and P A B Mills for plaintiff
A R Galbraith QC and D J Cooper for first defendants (other than Mr Magill, Mr Horrocks and Ms Withers)
T C Weston QC for Mr Magill
B D Gray QC for Ms Withers
J B M Smith QC and A S Olney for second and third defendants