

**IN THE EMPLOYMENT COURT
AUCKLAND**

**[2013] NZEmpC 64
ARC 92/11**

IN THE MATTER OF challenge to a determination of the
Employment Relations Authority

BETWEEN AYLA HUTTON AND 111 OTHERS SET
OUT IN SCHEDULE 1
Plaintiffs

AND PROVENCOCADMUS LIMITED (IN
RECEIVERSHIP)
First Defendant

AND PROVENCO PAYMENTS LIMITED (IN
RECEIVERSHIP)
Second Defendant

Hearing: On the papers

Counsel: Philip Skelton, counsel for plaintiffs
Tim Clarke, counsel for defendants

Judgment: 16 April 2013

CONSENT JUDGMENT OF JUDGE CHRISTINA INGLIS

[1] On 6 December 2012 I issued a judgment in relation to the “test case” heard in respect of six of the 112 named plaintiffs in this proceeding.¹ I invited the parties to seek to agree the issue of costs.

[2] The parties have since filed a joint memorandum, having negotiated a full and final settlement of all outstanding issues (including all issues with respect to costs) in relation to this proceeding.

[3] By consent, the following orders are made:

¹ [2012] NZEmpC 207.

a) That all remaining claims in this proceeding ARC 92/11 are dismissed;

b) The plaintiffs are to pay the sum of \$40,000 to the defendants as a contribution towards their costs within 14 days of the date of this judgment.

Christina Inglis
Judge

Judgment signed at 2 pm on 16 April 2013

SCHEDULE 1

List of Plaintiffs

No.	Surname	First Name
1.	Hutton	Ayla
2.	Alnaib	Sid
3.	Barnes	Steve
4.	Bodmin	Sandra
5.	Chappel	Mara
6.	Chetland	Paul
7.	Chinnamunian	Chris
8.	Coupe	Peter
9.	Dong	Jimmy
10.	Eastabrook	Stuart
11.	Eng	Kevin
12.	Fraser	Dean
13.	Harris	Jill
14.	Hart	Stephen
15.	Hogan	Christine
16.	Horne	Melanie
17.	Jadhav	Hemant
18.	Khan	Alauddin
19.	Khan	Mohammed
20.	Kim	Tina
21.	Knuckey	Jared
22.	Lee	Henry
23.	Li	Anderson
24.	Liu	Grant
25.	Livingston	Neil
26.	Lopez	Ramon
27.	Lundy	Stephen
28.	MacIntyre	Andrew
29.	Marter	Anthony
30.	McCathie	June
31.	Muylo (Prihatin)	Fatkuriah (Fifin)
32.	Navalkar	Sandeep
33.	Njo	Enrico
34.	O'Brien	John
35.	Osika	Jakub
36.	Patel	Sunita
37.	Patel	Babubhai
38.	Patel	Rajnikant
39.	Pearson	Phil
40.	Pullen	James
41.	Pye	Halford
42.	Rae	Paul
43.	Reddy	Avineet
44.	Reilly	John
45.	Shah	Reena
46.	Sharma	Anish
47.	Stankovic	Srboljub
48.	Walmsley (Zhang)	Angelina
49.	Wilson	Anna

50.	Wong	Cam-Sieu
51.	Yang	Donald
52.	Zhong	Ken
53.	Bray	Jane
54.	Cooper	Gillian
55.	Crawley	Brent
56.	Crocker	Adam
57.	Dustin	James
58.	Evans	Megan
59.	Farrant	Megan
60.	Hansen	Penny
61.	Kong	Wei-Cheng
62.	Lai	John
63.	Liu	Steven
64.	Lupuka	Maria
65.	Pain	Simon Hackett
66.	Perano	Malcolm
67.	Raffles	George
68.	Robinson	Nick
69.	Rotherham	John
70.	Scott	Steven
71.	Shipman	Craig
72.	Simpson	Braden
73.	Trajkov	Vane
74.	Ward	Gregg
75.	Wickham	Amy
76.	Xie	Rhett
77.	Yin	Jerry
78.	Zhang	Jinlu
79.	Zhu	Steven
80.	Beavis	Julian
81.	Bennett	Todd
82.	Butler	Fiona
83.	Cochius	Gavin
84.	Corrick	Steven
85.	Dagnin	Terry
86.	Debney	Andy
87.	Drysdale	Aaron
88.	Dunn	Jessica
89.	Gibson	Matthew
90.	Hart	Christine
91.	Hotere	Nick
92.	Houng Lee (Grange)	Nina
93.	Hunn	Kristen
94.	Kinloch	Renee
95.	Knox	Jarred
96.	Lecchi	Stefan
97.	Madeley	Helen
98.	Makaea	Sally
99.	Meredith	Peter
100.	Michael	Raewyn
101.	Murphy	Chris
102.	Murray	John
103.	O'Loughlan	Danny
104.	Parkins	Cindy

105.	Patterson	Iris (Bunny)
106.	Ritten	Dave
107.	Taylor	Richard
108.	Grimmett	Claire
109.	Murphy	Laura
110.	Penny	Katrina
111.	Woodall	Dean
112.	Zhou	Bin