

**IN THE EMPLOYMENT COURT  
AUCKLAND**

**[2016] NZEmpC 101  
EMPC 248/2015**

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

AND IN THE MATTER      of an application for costs

BETWEEN                      MODERN TRANSPORT ENGINEERS  
   (2002) LIMITED  
   Plaintiff

AND                                MATTHEW PHILLIPS  
   Defendant

Hearing:                      On the papers filed 1 July and 17 August 2016

Appearances:              S Scott, counsel for plaintiff  
   M Phillips, defendant in person

Judgment:                    18 August 2016

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**CONSENT COSTS JUDGMENT OF JUDGE CHRISTINA INGLIS**

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[1] A judgment upholding the plaintiff's challenge to a determination of the Employment Relations Authority<sup>1</sup> was delivered on 7 June 2016.<sup>2</sup> Costs were reserved.

[2] The parties have filed a joint memorandum advising that they have successfully resolved issues relating to costs, and have requested that the fact of settlement be recorded in a consent judgment of the Court.

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<sup>1</sup> *Phillips v Modern Transport Engineers (2002) Ltd* [2015] NZERA Auckland 254.

<sup>2</sup> *Modern Transport Engineers (2002) Ltd v Phillips* [2016] NZEmpC 68.

[3] The parties' agreement means that all outstanding issues in these proceedings have been disposed of and that the proceedings are now formally concluded.

Christina Inglis  
Judge

Judgment signed at 10.30 am on 18 August 2016