

**IN THE DISTRICT COURT  
AT WELLINGTON**

**I TE KŌTI-Ā-ROHE  
KI TE WHANGANUI-A-TARA**

**[2022] NZACC 160      ACR 172/21**

UNDER	THE ACCIDENT COMPENSATION ACT 2001
IN THE MATTER OF	AN APPEAL UNDER SECTION 149 OF THE ACT
BETWEEN	ALEXANDER TAYLOR Appellant
AND	ACCIDENT COMPENSATION CORPORATION Respondent

Hearing:      On the papers

Submissions:      Mr J Cox for the appellant  
                         Ms B Walley and Mr C Curran for the respondent

Judgment:      22 August 2022

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**COSTS RULING OF JUDGE C J McGUIRE**

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[1]      This appeal was scheduled for hearing on Monday 27 June at 2.15 pm. At the appointed time, counsel for the respondent, Mr Curran was present. There was no appearance by or on behalf of the appellant.

[2]      The registry received an email from Mr Cox, counsel for the appellant at 2.58 pm advising that the appeal was not going to be pursued by the appellant. The appeal was therefore dismissed with the issue of costs being reserved.

[3] The Court has received a memorandum of counsel for the respondent dated 2 August seeking total costs of \$4,606.30 made up as follows:

Preparation of case on appeal/bundle:	.5 of a day	\$955.00
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Preparation of written submissions:	1.5 days	\$2,865.00
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**Disbursements**

Air travel ticket for principal counsel:		\$601.30
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Accommodation for principal counsel prior to the hearing:		\$185.00
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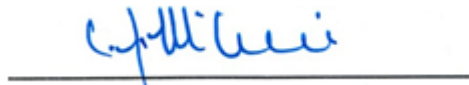
<b>Total:</b>		<b>\$4,606.30</b>
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[4] In seeking costs band to 2B of the District Court Rules has been chosen.

[5] Mr Cox on behalf of the appellant has emailed the registry on 11 August 2022 as follows:

We do not have instructions to file any response to the memorandum filed on behalf of ACC.

[6] In all of the circumstances as they are known to the Court, the costs sought by the respondent are fair. Accordingly, the appellant is ordered to pay costs and disbursements of \$4606.30.



Judge C J McGuire  
District Court Judge

Solicitors: Russell McVeagh, Wellington  
Rennie Cox, Auckland